

Friday 30 November 2007 No.3

JUSTICE FOR FIREFIGHTER PENSIONS: ROUND ONE TO THE FBU



We have won an important victory in our campaign for justice in relation to ill-health pensions. **The matter remains far from resolved, but our arguments so far have been vindicated.**

You will recall that three retired members had their pension stopped following an appeal regarding ill-health. With FBU support, the three have begun the process for a judicial review of the decision to terminate the pension. The legal case was based broadly around three issues:

- That the three had not been told in advance that their appeal hearings would include an issue that could result in their pensions being stopped and that therefore the process breached natural justice.
- That the Board of Referees exceeded their powers in considering an issue which was not submitted to them.
- That the guidance from CLG in relation to ill-health pensions does not reflect the requirements of the pension scheme.

We have been informed that in relation to the first point, the lawyers for the CLG and the Board of Referees have withdrawn their argument - that is they have conceded our case on this point.

This will mean that the three members directly affected at this stage will win this part of their case and that their pensions should now be restored. This marks significant progress and fully vindicates the stance taken by the three members and the FBU on this issue. The stance taken on this issue by the CLG, the Board of Referees and LFEPA has been shown to have been incorrect.

It is important to note that this does not end the case. Even the three members concerned may still face the same issue again depending upon other decisions.

Most importantly, the guidance issued by CLG remains in place at this time. It is the CLG guidance which fundamentally causes the problem. We are aware of other cases (which have been reported previously) where members are facing similar problems as a result of the guidance.

We are also aware that a significant number of Fire and Rescue Authorities have similar cases which have not yet been dealt with. **It remains our view that the CLG guidance will effectively end ill-health retirements in the service.**

Says FBU General Secretary Matt Wrack:

“We are committed to continue our campaign around this issue. This shall involve, as before, exploring every legal and political avenue and shall include the call for an industrial response if necessary.

“We have already made considerable progress legally. We are also ensuring that our case is raised everywhere in the Fire and Rescue Service and at the highest levels of Government.

“I wish to congratulate the very large numbers of members who have taken the time to make contact with the Member of Parliament. I can assure you that this lobbying is ensuring that the issue remains in the spotlight for Ministers.

“I urge all members to take a minute to e-mail or write to your MP. Advice on this can be obtained through the FBU website (www.fbu.org.uk) and of course, from your local FBU officials.

“I must stress that **whilst we have ensured the restoration of the pensions for the three members, the threat to all members of the service and retired firefighters remains. Please do your bit to support this campaign for justice.**

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Stress and Support Line

0800 783 4778

Stressed?

Bullied?

Get help from the Union

FBU Freephone

Legal Advice Line

0808 100 1061

For advice on personal injury, family law, wills, conveyancing, personal finance and consumer issues

For disciplinary and employment-related queries contact your local FBU rep