

Dear FRA Chair

Urgent request for information regarding my firefighter pension entitlement

You may be aware of the debate that took place in the House of Commons on 15 December 2014 in relation to firefighter pensions. The debate covered several aspects of the firefighter pension scheme proposals that the FBU has been raising concerns about for over three years on behalf of firefighters like myself.

While the debate did not result in all of our concerns being addressed it did consider a crucial issue that we have been trying to get clarity on; the question of what would happen should a firefighter fail a fitness test through no fault of his or her own. This letter focuses on this one aspect of the debate.

Following this debate the DCLG Fire Minister Penny Mordaunt wrote to the FBU and confirmed that a decision had been taken in Parliament that should a firefighter fail a fitness test through no fault of his or her own, the Fire Authority should consider suitable alternative employment, and if that is not possible and the employee is at least age 55, commence an Authority-initiated retirement and pay an unreduced pension.

During the debate the DCLG Fire Minister clarified that this is the case in several responses, primarily in ones to Duncan Hames MP, Richard Fuller MP and Peter Bone MP. It was also confirmed the following day at the Communities and Local Government Committee by the DCLG Secretary of State Eric Pickles. The Secretary of State was very clear that a “decision” had been made as a result of the debate and vote in Parliament and that this decision was that a firefighter in the circumstances described “will get a full pension”.

This is a welcome move and would address one of our key concerns. If the decision of Parliament provides the guarantee of an unreduced pension then clearly that would be a significant move from DCLG. It is therefore essential that the guarantee given in the House of Commons is now honoured.

The implementation date for the 2015 scheme is imminent (April 2015) and firefighters like me remain concerned about the new scheme. I am hoping that you can assist with this.

The DCLG fire minister and the Secretary of State have both given a clear guarantee that if I am aged 55 or over and am unable to pass a fitness test through no fault of my own and I do not qualify for ill health retirement, I will be given a redeployed role or an unreduced pension.

I know that in the past employers have claimed that what DCLG are suggesting is not a guarantee and that an employer will retain a discretion whether to award an unreduced pension or not in the circumstances described.

My request from you therefore is quite a simple but extremely important one.

My query relates to the following circumstances.

- If am unable to pass a fitness test through no fault of my own and following a period of rehabilitation this remains the case;
- If I am at least 55 years of age;
- If I do not qualify for ill health retirement; and
- If you are unable to redeployed me within my role.

I seek your guarantee I will not be dismissed because of these circumstances and that instead I will be awarded an unreduced pension as guaranteed by the Secretary of State and the DCLG Fire Minister.

I am well aware that you will do everything to avoid such circumstances arising – as shall I. Nevertheless, this risk has been widely recognised, including by the Williams review commissioned by DCLG and during the debate in Parliament. I therefore seek your guarantee on this point. Please also provide me with the policy whereby this guarantee is to be honoured by this authority.

I look forward to your speedy response.

Kindest regards,