LOCAL PENSION BOARD

Report of the Chief Fire Officer

28 April 2026

Pension Update

Status: To note

Purpose of the Report

1.1 The purpose of the report is to provide an update on:

- Sargeant/McCloud Remedy update
- Remedy Delivery Issues – Oversight Board
- On Call Firefighters Remedy – Matthews 2
- Unauthorised Payments
- Employee Contribution Rates Changes – recommendation to approve at paragraph 8.7
- Pensionable Pay Review
- Pension Dashboards
- Informal Consultation Fire Fighters Compensation Scheme
- Employment Tribunal – Aggregation Claims Update
- Pension Administrator – WYPF – Monthly Report Actions for NYFRS
- Terms Of Reference

Recommendations

2.1 That the North Yorkshire Fire & Rescue Service Local Pension Board notes the updates:

- **Sargeant/McCloud Remedy – Paragraphs 3 and 4**

2024 ABS-RSS	Issued	Outstanding	37% Issued Overall
Active	183 / 215	32 / 215	85% Issued
Deferred	0 / 142	142 / 142	0% Issued
Immediate Choice	7 / 154	147 / 154	5% Issued

2024-2025 ABS-RSS – 183 active members out of 215 have received their 2024-2025 ABS-RSS by February 2026(85% of actives; 32 outstanding). Production of Deferred and remaining IC members is paused due to production issues, and they will now receive 2025-2026 ABS-RSS (not 2023-2-24 or 2024-2025) once production issues have all been resolved by WYPF. There has been no further update on 2024-2025 ABS-RSS due to WYPF resources and software issues.

- **Remedy Delivery Issues – Oversight Board - Paragraph 5**

WYPF administrators are currently facing a significant backlog concerning remedy delivery. This delay has been a cause for concern among several Fire and Rescue Authorities

(FRAs). The Local Government Association (LGA) wrote to WYPF on behalf of the 24 Fire Service Scheme Managers (Chief Fire Officers and Authority Chairs) who use their pension administration services, at the end of November, expressing frustration with their delays in delivering the Sargeant and Matthews remedies while maintaining business as usual. An **oversight board** has been established with representation from the 24 Fire Authorities and the LGA. NYFRS had 11 red cases, 6 of which have been resolved through IDRP. 1 IDRP case remains outstanding and for the 4 remaining cases, IDRP may still occur. Two red cases in the IDPR process were passed to the oversight board. The Oversight Board decided that they did not meet the criteria to be prioritised (email from LGA 16th Feb 2026); so, delays remain even with the new set up. WYPF have informed NYFRS that the Oversight Board have instructed that ill-health retirements are the priority cases where all other cases remain queued. This has been raised with LGA on 25th March 2026 for further update. LGA have confirmed that the two cases have been escalated and they have been resolved as at 13th April 2026.

- **On Call Firefighters Remedy – Matthews 2 (2nd options exercise) – Paragraph 6**

  Considerable progress has been made on both Matthews 2 and Sargeant/McCloud remedies, despite the ongoing challenges. Member engagement remains a priority to ensure timely completion. WYPF team continues to work closely with NYFRS and LGA to resolve outstanding issues and deliver compliant remedy outcomes. The deadline has been extended to 31 March 2027. An update from LGA states that NYFRS are in a good position with Matthews 2 progress.

- **Unauthorised payments – Paragraph 7**

  Upon electing maximum lump sum on retirement, members due an IC-RSS (Immediate Choice Remediable Service Statement) may have paid an unauthorised tax charge as the legacy scheme used to allow maximum lump sum. Unwinding those charges as part of Remedy has proven complicated. These cases are classed as Red, Amber, Green, with Red cases taking priority. There are currently 4 cases outstanding from the original 11 cases. 6 were resolved through IDRP. The outstanding cases now face a delay following the introduction of the Oversight Board as referred to in the Remedy Delivery issues at para 5. The Oversight Board have instructed that ill-health retirements take priority and therefore IDRPs will be delayed, unless proof of financial detriment can be provided to the board. There is currently 1 red case to be resolved through IDRP.

- **Employee Contribution Rate Changes – Paragraph 8**

  Following the MHCLG consultation, and with effect from 1 April 2026, the FPS 2015 employee contribution rate structure is changing. In addition to threshold and rate changes, one of the key changes is the move from wholetime equivalent pay to actual pay. The new contribution rates as at 1st April have been communicated to Fire Fighters ahead of the changes via Bulletin, Comms and payslip messages. In April 2026 a manual re-banding exercise has occurred by the Payroll and Pension team for April 2026 payroll with the automation of this process occurring in a future software update.

  A new policy referring to the re-banding is attached at Appendix A. A decision is required regarding treatment of backdated pay. Banding is based on actual pensionable pay rather than whole time equivalent and is based on pay received in April 2026 and then annually in April each year, unless material changes occur during the year, in which cases individual's bands will be reassessed.

- **Pensionable Pay Review – Paragraph 9**

  Following a review by the NYFRS Payroll and Pensions Team, it is now believed that Bear Scotland and Public Holiday calculations (which have previously been pensionable) should have been non-pensionable from July 2019. Calculations were processed as part of December 2025 Payroll to account for the Bear Scotland and Public Holiday amendments.

Continuous Duty Policy is still under review and will be accounted for in a future payroll run further to discussion with People Services.

- **Pension Dashboards – Paragraph 10**

  WYPF and their Integrated Service Provider (ISP) Bravura were unable to connect to dashboards ecosystem by the statutory deadline of 31 October 2025. They continue to work with the Pensions Dashboards Programme (PDP) on overcoming the technical connection issues, which are affecting all of Bravura's clients. WYPF confirmed that this was not a technical breach and did not need to be reported to The Pension Regulator (tPR). Once the connection to the ecosystem has been achieved, WYPF will inform NYFRS. Pension dashboards are now unlikely to become available for pension members before late 2026. The Department for Work and Pensions (DWP) will provide six months' notice before the go-live date. There has been no update since January 2026 Board.

- **Informal Fire Fighters Compensation Scheme Consultation – Paragraph 11**

  On 6th March 2026 the consultation was launched to review the scheme. The consultation closed 14th April 2026.

  Other updates:

  - Employment Tribunal - Aggregation Claims Update – **Paragraph 12**
  - Pension Administrator – WYPF – Monthly Report Actions for NYFRS – **Paragraph 13**
  - Terms of Reference – **Appendix C - Paragraph 14**

Sargeant/McCloud Remedy Update

2023/2024 Annual Benefit Statement – Remediable Service Statement (ABS-RSS)

3.1 In June 2025, WYPF administrators began issuing 2024-2025 ABS-RSS to active firefighters. As at 28th February 2026, latest available progress is as follows:

2024 ABS-RSS	Issued	Outstanding	37% Issued Overall
Active	183 / 215	32 / 215	85% Issued
Deferred	0 / 142	142 / 142	0% Issued
Immediate Choice	7 / 154	147 / 154	5% Issued

3.2 Outstanding statements for active members fall into the below categories, which are still under development at WYPF.

a. Outstanding transfer in or inter-brigade cases
b. Members with Pension Sharing Orders or Divorce Debits
c. Annual Allowance Scheme Pays Deductions
d. Members with Additional Pension Contributions
e. Modified Scheme members
f. Outstanding Matthews 2 cases.

3.3 WYPF still need to deliver ABS-RSS's to in-scope deferred and pensioner members. This was previously estimated for completion before the end of 2025, however technical issues following the migration to SQL have resulted in indefinite delays to WYPF's time horizon. WYPF have kept TPR updated with progress towards production. There have been no further updates regarding the statement production for 2025 due to WYPF resource and software issues.

3.4 Completed ABS-RSS have been uploaded to Member Portals. Members who have opted out of digital communications will receive a hard copy.

2024/2025 Annual Benefit Statement – Remediable Service Statement

4.1 The statutory deadline for the 2024-2025 ABS-RSS to be produced was 31 August 2025. Due to a communication error between WYPF and NYFRS, requests for amendments to 2025 year-end data from WYPF were not received by NYFRS. As a result, WYPF were unable to issue 2025 ABS-RSS on schedule by the 31 August 2025 deadline.

4.2 A breach was reported to the Pensions Regulator (tPR) by WYPF on 9 September 2025 and by NYFRS on 12 September 2025.

4.3 WYPF began issuing 2025 ABS-RSS to active firefighters in early September 2025. 183 out of 215 (85%) have been issued by February 2026 with 32 still outstanding. Outstanding statements for active firefighters fall into the same categories as 3.4 above, which are still under development at WYPF.

4.4 WYPF still need to deliver ABS-RSS's to in-scope deferred and pensioner members. This was previously estimated for completion before the end of 2025, however technical issues following the migration to SQL have resulted in indefinite delays to WYPF's time horizon. WYPF have kept TPR updated with progress towards production.

Remedy Delivery Issues - Oversight Board

5.1 WYPF administrators are currently facing a significant backlog concerning remedy delivery. This delay has been a cause for concern among several Fire and Rescue Authorities (FRAs).

5.2 Claire Johnson, Senior Pension Advisor (Firefighters) at the Local Government Association (LGA) wrote to WYPF on behalf of the 24 Fire Service Scheme Managers (Chief Fire Officers and Authority Chairs) who use their services, at the end of November, expressing frustration with their delays in delivering the Sargeant and Matthews remedies while maintaining business as usual.

5.3 An oversight board has been established comprising of scheme managers from Fire Authorities and representatives from the LGA. This board now meets with senior WYPF officers on a weekly basis to track progress, challenge delays and re-prioritise where necessary. The board have instructed WYPF to prioritise ill-health retirements only, this has impacted IDRP cases as they now must wait until the bag-log is cleared, and it has been stated that the backlog for ill-health cases will take a number of months to clear.

On Call Firefighters Remedy – Matthews 2 (The second options exercise)

6.1 A legal settlement under the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 allowed certain On Call Firefighters with service between 1 July 2000 and 5 April 2006 to become members of the Firefighters Pension Scheme.

6.2 The Matthews 2 remedy involves the correction of eligible on-call firefighters' pension records impacted by the Matthews judgment, ensuring scheme members receive the correct benefits. This remains a complex exercise involving historical data inconsistencies, manual case reviews, and member communications.

6.3 MHCLG has consulted on changes to the Firefighters' Pension Scheme (England) Order 2006. This consultation closed on 17 February 2025. The response, which is yet to be published, will address number of issues including conversion options for deferred members, additional Death Grant. The consultation looked at a range of proposed changes to the pension scheme, including extending the 2023 Options exercise deadline to 31 March 2027. The pensions team is awaiting the consultation response from MHCLG to finalise the approach on certain benefit calculations. A response is expected from LGA at the end of April 2026, with the calculator being released June/July 2026. The deadline has been confirmed as 31st March 2027, with no further deadline extension available. The LGA circulated updates 24th March 2026 to LPB Chairs updating on Matthews progress, placing each FRA in one of three categories. NYFRS have been categorised as "in a strong position to meet the 31st March 2027 deadline", this is the top category of the three.

6.4

Matthews 2 Cases as at 11 March 2026	
Matthews 2 total	**563**
*No interest forms received, contacted again – still no interest	15
Matthews 2 elections made and fully processed	305
Matthews 2 pension quotes issued: no elections and no response from the member; follow up is required	202
Deceased cases identified and awaiting processing	33
Ill-health manual calculations for GAD referral, members retired and need manual calculation from GAD	6
Periodical payment stopped (Matthews 1 exercise) – pension buyback payments ceased and now require re-calculation by GAD	2

*Members who elected not to join the Modified Scheme have been sent quotes and returned forms confirming that they had no interest in joining.

6.5 The Matthews 2 remedy is progressing. Matthews remedy processing for retired firefighters is well underway, with special pensioner payments being issued, as per Scheme Advisory Board (SAB) priority cohort order. Manual calculations are needed for death, ill-health pensioner with Pension Sharing Order or Earmarking Order and Tax Charge Debits (Scheme Pays). Deferred members are awaiting MHCLG confirmation to allow them to convert the 2006 Standard membership into the Modified 2006 scheme. A new GAD Calculator (V3) is expected but is yet to be released.

6.6 As per latest bulletin, MHCLG has previously confirmed that it is prepared to make an additional pension top-up payment during FY 2025/26 if any FRA experiences cashflow challenges directly related to implementing the Matthews and/or McCloud remedies. If NYFRS requires extra interim funding this year, MHCLG will be contacted directly with this request.

6.7 WYPF Matthews team is continuing to process Matthews cases as a steady work area daily. The following tables in paragraphs 6.7, 6.8 and 6.12 relate to the overview table in paragraph 6,4 where the number do not entirely correlate; this is due to members moving around due to circumstance and timing differences.

Completed M2 cases have been passed to WYPF for processing	303	
Some M2 cases have now been fully finalised	50	17%
A number of M2 cases are still outstanding with WYPF and awaiting processing	253	83%

There are timing issues due to short time limit between the change to the GAD calculator and the closure of payrolls and the length of time the individual calculations take. NYFRS and WYPF teams are working tirelessly to process the Matthews cases.

6.8 NYFRS has completed the data collection for eligible members, however, more might arise over time. These members can make their elections and submit them prior to the current statutory Options exercise deadline of 31 March 2026 (note this date is subject to a potential extension – see 6.3 above).

Matthews 2 cases		
M2 total cases in scope at NYFRS	548	
Remaining M2 cases still require chasing and member elections	243	44%
All received M2 elections have been logged	305	56%

6.9 The NYFRS Payroll and Pensions have issued the quotes for all eligible members, but the responses depend on the accuracy of contact details. NYFRS are proactively trying to locate past colleagues by searching for their addresses where not currently available – using online sources like companies' house and social media as well as asking other former colleagues employed at the same stations as them at around the same time. Another option being considered is for NYFRS to use a tracing agency to source missing contact details.

6.10 A further consultation in December 2025 confirmed that amendments are required to the additional death grant, eligibility criteria, and survivor payments under the Matthews remedy. The final beneficiary groups are not yet known, though they are expected to include spouses, civil partners, and eligible children.

6.11 NYFRS will need to undertake additional investigations throughout 2026 to reassess cases for eligibility and potentially use a tracing agency to identify any missing next of kin details. This will include verifying factors such as a child's age at the date of death to determine entitlement to benefits. Contact with the next of kin of deceased members is required to begin from 1 April 2026. Up to 100 member contact details may need to be traced, including next-of-kin for death cases and members with missing current contact information.

6.12 The Government Actuary's Department (GAD) has requested full project management data on the Matthews remedy which is collated on a quarterly basis. NYFRS provided data to GAD for this request. This is the latest position available at January 2026, with further details being provided to Board on a quarterly basis.

Matthews Payments		
One-off contribution payments received and recorded	63	21%
One-off payments still outstanding and being followed up	7	2%
Pension offset option selected for relevant pensioner cases	165	54%
Periodical buy-back payments set up and being received monthly	13	4%
Some periodical buy-back payments are still outstanding and not yet received by NYFRS	57	19%

Unauthorised Payments

7.1 The legacy scheme used to allow members to elect maximum lump sum on retirement and therefore members due an IC-RSS (Immediate Choice Remediable Service Statement) may have paid an unauthorised tax charge. Unwinding those charges as part of Remedy has proven complicated.

7.2 WYPF have grouped these cases as per the below table into "Green", "Amber" and "Red" categories.

Green	Amber	Red
• Legacy FPS 2006 members with **no** eligibility for Matthews 2 or outstanding election • Legacy RDS modified members with **no** eligibility for Matthews 2 or outstanding election • Legacy FPS 1992 members who retired with restricted commutation (i.e. age 50 with 25 years' service) • Legacy FPS 1992 members who remain within authorised limits (i.e. no lump sum or with HMRC limit)	• Higher tier ill health (single source ill health) • Protected and taper protected (who at point of retirement had **not** tapered into FPS 2015) legacy FPS 1992 members who elected for maximum lump sum (i.e. paid an unauthorised tax charge) • Legacy FPS 2006 members **with** an outstanding Matthews 2 election • Legacy RDS modified members **with** an outstanding Matthews 2 election	• Unprotected and taper protected (who at point of retirement had tapered into FPS 2015) legacy FPS 1992 members who elected for maximum lump sum (i.e. paid an unauthorised tax charge)

7.3 There are currently 5 outstanding red cases out of the original 11 cases. Of the 6 resolved cases 5 raised IDRPs to get resolution on their cases. There are potentially 5 cases that may use IDRP to find a resolution where these are currently under review. WYPF had been communicated to regarding these cases, however these cases are now on hold following the introduction of the Oversight Board responsible for monitoring WYPF workload and output.

The Oversight Board currently meets weekly with Senior WYPF officers to track progress on current issues, workload and cases. An IDRP case log will be provided in the July report.

7.4 The HMRC unauthorised payments offsetting guidance was published on the GOV.UK website on Tuesday 11 November 2025. The pause on the rollout of IC-RSS has been lifted. Breakdowns and calculations will be completed by the administrator where Scheme Managers will be informed. It will be possible for the member to elect for a smaller lump sum to avoid tax.

7.5 WYPF are working through IC-RSS cases as quickly as they can and trying to develop a bulk calculation to handle outstanding cases. WYPF are also investigating using third-party resource via an Actuary. Currently this is looking very expensive and with a lot of data management by WYPF; this is under review.

Employee Contribution Rate Changes

8.1 Following the MHCLG consultation, and with effect from 1 April 2026, the FPS 2015 employee contribution rate structure is changing.

8.2 Below is the existing contribution rate structure:

Pensionable pay (FTE)	Contribution rate
Up to £27,818	11.0%
£27,819 to £51,515	12.9%
£51,516 to £142,500	13.5%
£142,501 or more	14.5%

8.3 Below is the new contribution rate structure:

Actual pensionable earnings	Contribution rate
Up to £36,130	11.09%
£36,131 to £45,407	12.59%
£45,408 to £66,908	14.09%
£66,909 to £190,691	15.59%
£190,692 or more	17.09%

8.4 One of the key changes is the move from wholetime equivalent pay to actual pay. Whilst this is to increase fairness for part-time and On Call staff and ensure contributions remain proportional to what members earn, this does add additional queries around the implementation of this approach, which requires discussions with administrators and payroll system providers.

8.5 Assessment of the contribution rate to be used would occur annually on 1st April. Assessment will be needed for new starters and adjustments to bandings will be required should material changes arise. FRAs need to have a written policy covering these points, which is attached at **Appendix A.** Communication has gone out to all members regarding the re-banding prior to April 2026 via Comms, Bulletins and payslip messages.

8.6 In addition to the re-banding exercise each April, mid-year revisions to bandings maybe required should any material changes occur to the member's pensionable pay. Material changes such as permanent change in role, permanent change in hours, pay awards. Material changes do not include temporary changes to duties, one-off payments, short-term changes, overtime.

8.7 A decision is required in relation to the policy set out at Appendix A with regards to Section 6: Review of Contribution Bandings During the Year. Section 6.3 of Appendix A offers two options for determining the effective date of re-banding which are explained below:

If Option 1 is selected - the revised contribution band would apply from the effective date of the material change, regardless of when the change is processed or associated back pay is paid. **NYFRS** would apply the revised contribution band **from the effective date of the material change**, regardless of when the change is processed or when any associated backpay is paid.

- Where a pay award or other material change is announced after the fact but is **retrospectively effective**, **NYFRS** will:
  - apply the new contribution band prospectively from the date the change is processed; and
  - apply the new contribution band **retrospectively** to pensionable pay actually received in each pay period **from the effective date of the change** to the date it was processed.

If Option 2 is selected - the revised contribution band would apply only **from the pay period in which the material change is received and backdated pensionable pay is paid**, and to all future pay periods.

- Where a pay award or other material change is announced after the fact but is **retrospectively effective**, **NYFRS** will:
  - reassess the member's contribution band using the pensionable pay figure from the pay period in which the arrears are paid; and
  - apply the revised band prospectively only, with no adjustment to contribution rates already deducted in earlier periods.

8.8 Local Pension Board is advised that Option 1 is the preferred option because it looks at when the material change happened and should have been paid for rather than looking at the period it was paid. For example, backdated pay awards using option 1 would spread the backdated pay across the relative period (pay award applicable date) rather than option 2 which would re-band when the pay award was paid, including all arrears in one pay period. Option 1 is fairer as reflects the actual position that would have occurred if the backdated pay award had been notified in a timely manner.

8.6 The new structure also includes futureproofing, with rates from 1 April to increase aligned with the CPI rate from the previous September.

Pensionable Pay Review

9.1 As part of receiving the 2025 year-end data in early September, WYPF queried which pay elements NYFRS are including as Pensionable Pay.

9.2 Following a review by the NYFRS Payroll and Pensions Team and applying the 5 key principles of the Blackburne ruling, it is now believed that Bear Scotland, Public Holiday and Continuous Duty Policy (which have previously been pensionable) should have been non-pensionable from July 2019.

9.3 The effect of this change would result in a reduction in employers' contributions, a rebate to members of employee contributions, and a tax adjustment. It only relates to current active wholetime employees.

9.4 Calculations were processed as part of December Payroll to account for the Bear Scotland and Public Holiday amendments. The amendment only applies to members currently paying into the scheme who were affected at the time. The reason for this is because any deferred or retired individual's benefits had been already calculated at the higher pensionable pay amounts and if recalculated the individuals overall pension benefits would be reduced. WYPF will receive year end data for 2025-2026 by end of April 2026. The revised pensionable figures will then be allocated to the members concerned so that corrective statements can be produced.

9.6 Continuous Duty Policy is under review and will be accounted for in a future payroll run. Discussions are ongoing and this matter is currently with Director of People Services.

Pension Dashboards

10.1 A pensions dashboard is an online tool for people to access information about their pensions. In the UK, these dashboards will show information about pensions from different providers and the State Pension in one place. The Pensions Dashboards Programme (PDP) enables "individuals to access their pensions information online, securely, and all in one place, thereby supporting better planning for retirement".

10.2 The Pension Schemes Act 2021 introduced the legal framework for Pensions Dashboards, making it mandatory for schemes to connect by the statutory deadline of 31 October 2025.

10.3 NYFRS has nominated WYPF, and their Integrated Service Provider (ISP), Bravura, as NYFRS preferred choice to join with the Pension Dashboard ecosystem. The fire schemes received the registration codes to join the ecosystem, passed on to WYPF on 3 June 2025.

10.4 WYPF and Bravura were unable to connect to dashboards ecosystem by the statutory deadline. They continue to work with PDP on overcoming the technical connection issues, which are affecting all of Bravura's clients. WYPF confirmed that this was not a technical breach and did not need to be reported to TPR. Once the connection to the ecosystem has been achieved, WYPF will inform NYFRS.

10.5 The key factor for pension dashboards is accurate and complete data of each pension member. WYPF matching criteria policy sets out 3 matching pieces of data, such as: Surname, National Insurance number, and Date of Birth. If all three criteria match the member will have access to their data, which initially, will only be the pension values shown on their last Annual Benefit Statement (ABS).

10.6 Separately, WYPF have confirmed that the late delivery of 2025 ABS-RSS did not impact the delivery of Pensions Dashboards overall.

10.7 Pension dashboards are now unlikely to become available for pension members before late 2026. The Department for Work and Pensions (DWP) will provide six months' notice before the go-live date.

Informal Fire Fighters Compensation Scheme consultation

11.1 On 6th March 2026 the LGA launched an informal consultation to review the current Compensation Scheme. The main themes covered are:

- Changing role of fire fighters
- Modernisation of outdated provisions
- The calculation methodology
- A governance review
- Funding arrangements and affordability

The purpose of the scheme is to protect fire fighters and their families in the event of injury or death while on duty. The consultation will determine if the scheme is still fit for purpose. The consultation can be found at Review-of-the-Firefighters-Compensation-Scheme-Informal-Consultation-Document.pdf.

The consultation closed on 14th April 2026 and will be submitted to MHCLG in May 2026. Further updates will be provided to the July board.

Employment Tribunal - Aggregation Claims Update

12.1 The aggregation issue mainly concerns those who transferred from On Call (Retained Duties System (RDS)) to wholetime employment before 7 April 2000 and 5 April 2006.

12.2 The stay in the Original Claims and the New (aggregation) Claims in England and Wales has been extended until 14 May 2025. The Employment Tribunal has listed the claims for a case management hearing on 11 July.

12.3 At the Preliminary Hearing on 11 July (the most recent available update), the Judge made directions that:

1. A 3-day preliminary hearing is to be listed in 2026 (dates to be confirmed) to consider the issue of those claimants who transferred from RDS to wholetime service before 7 April 2000. As the respondents have now effectively conceded this issue in their Position Statements, this hearing will be to consider only those cases where there is a dispute between the parties about whether or not there was a disqualifying break in service. The parties are required to work together to identify any claimants in this category and to agree on suitable test cases. If the parties are able to resolve this issue through discussion, then this hearing will not go ahead.
2. The respondents argued that the preliminary hearing in 2026 should also be used to consider whether some claims have been lodged outside the statutory time limits, but we were able to persuade the judge that this would not be appropriate. (The respondents contend that time limit of 3 months less 1 day runs from, at the latest, the end of a claimant's service as an On Call firefighter or on the claimant's retirement. Our position is that the time limit runs from the date of retirement and that the employment tribunal has a discretion to extend time where it is just and equitable to do so.)
3. Another case management hearing will be listed in 2026 to review the position which the parties have reached through ongoing discussion about the outstanding issues and to make further directions.
4. A substantive hearing, with a time estimate of 10 days, is to be listed in 2027 or early 2028 (dates to be confirmed) to consider any remaining issues which remain unresolved.
5. The respondents raised the point that none of the employment tribunal claims have yet been withdrawn. We argued that it would not be appropriate to withdraw claims at this stage and the judge agreed, although he also indicated that this issue would be re-visited at the next case management hearing.

Pension Administrator – WYPF – Monthly report Actions for NYFRS

13.1 WYPF provide monthly report updates where the latest three – January 2026, February 2026 and March 2026 – are reported at this Local Pension Board.

13.2 The WYPF monthly reports provide actions to be addressed by NYFRS Scheme Manager. The Action Points from the monthly reports are attached as **Appendix B**.

Terms of Reference

14.1 Terms of Reference – The Chief Fire Officer and the Director of Finance have reviewed the Terms of Reference of Local Pension Boad; this is detailed at **Appendix C**.

14.2 It should be noted that the following is under review and the Board updated in July 2026:

- **Scheme of delegation**
- **Conflict of Interest Policy**
- **Members of the Board need to be elected on a 4 year basis** – all Board members need to apply for their roles and be formally appointed to the Board. The opportunity

needs to be advertised, people apply, discussion occurs and appointment made. This process will be run throughout 2026/27 and appointments made in March 2027. The current LPB will continue as it is currently.

REPORT OVERVIEW

Service: North Yorkshire Fire & Rescue Service

Owner/Lead: Louise Branford-White - Director of Finance and S151 Officer to the Chief Constable

Author: Sam Thompson – Head of Payroll & Pensions

APPENDIX A

LOCAL PENSION BOARD NORTH YORKSHIRE FIRE AND RESCUE SERVICE

Policy on Determining and Reviewing Member Contribution Bandings
Firefighters' Pension Scheme 2015 (England)
Effective from 1 April 2026

1. Purpose

1.1 This policy sets out how York and North Yorkshire Combined Authority Fire and Rescue Service, as Scheme Manager for the Firefighters' Pension Scheme 2015 ("the 2015 Scheme"), will determine and review member contribution bandings in accordance with the Firefighters' Pension Scheme (England) Regulations 2014 ("the Regulations"), as amended.

1.2 The purpose of this policy is to ensure a **consistent, transparent and legally compliant** approach to assigning and reviewing contribution rates, including the handling of mid-year changes, variable pay, and material changes.

2. Scope

2.1 This policy applies to:

- All active members of the 2015 scheme (wholetime, part-time, and RDS)

2.2 This policy does **not** apply to deferred or pensioner members.

3. Legislative Framework

3.1 Contribution rates are governed by **Regulation 110** of the Firefighters' Pension Scheme (England) Regulations 2014.

3.2 Regulation **110(1)** requires that the member's contribution rate is determined based on the **annual pensionable pay received in the pay period in which 1 April falls**, or for members joining after 1 April, the **annual pensionable pay at commencement**.

3.3 Regulation **110(5)** permits re-banding only where:

- there is a **change in scheme employment**, or
- a **material change** that affects pensionable pay,
- and this results in the revised pensionable pay falling into a different band.

4. Contribution Bands

4.1 From 1 April 2026, contribution rates are determined by **actual pensionable earnings**:

Band	Annual Pensionable Pay	Rate
1	Up to £36,130	11.09%
2	£36,131 – £45,407	12.59%
3	£45,408 – £66,908	14.09%
4	£66,909 – £190,691	15.59%
5	£190,692 or more	17.09%

From 1 April 2027, thresholds will increase annually in line with **September CPI**.

5. Determining Contribution Bandings

5.1 Annual Assessment (required by Regulation 110(1))

5.1.1 On 1 April each year, York and North Yorkshire Combined Authority Fire and Rescue Service will determine each active member's contribution band based on the actual **pensionable pay received in the pay period containing 1 April**, converted to an annual pensionable pay figure.

5.1.2 Annualisation will be applied as follows:

- **Monthly payroll:** pensionable pay for April × 12

- **If not a full period:** pensionable pay will be grossed up to a full period before annualising.

5.1.3 Each employment will be assessed **independently** for members holding multiple firefighter roles.

5.2 Mid-Year Joiners

5.2.1 The band will be determined based on the **annual pensionable pay the member receives in the pay period containing their start date**.

5.2.2 If the member joins mid-period, pensionable pay will first be **grossed up** to reflect a full pay period, then annualised.

5.3 Mid-Year Leavers

5.3.1 Contribution bands **will not** be reassessed when a member leaves.

5.3.2 Contributions will continue at the existing rate until the final day of employment.

6. Review of Contribution Bandings During the Year

6.1 When a Review is Required

6.1.1 Under Regulation 110(5), a review must occur when:

- there is a **change in scheme employment**, or
- a **material change** affecting pensionable pay,
- and the revised pay places the member into a different contribution band.

6.2 What counts as a "material change"

Material change **includes,** but is not limited to:

- Permanent promotion or demotion
- Change in role (e.g., WT ↔ RDS)
- Permanent change to contracted hours
- Permanent change in availability for RDS
- Introduction or removal of pensionable allowances
- Competence-based salary progression
- Pay awards that increase the ongoing rate of pensionable pay.

Material change **does not include**, but is not limited to

- Extra RDS calls
- One-off payments
- Backpay lump sums
- Temporary change to duties
- Short-term alterations unlikely to continue.
- **Overtime** as this is non-pensionable

6.3 Effective date of re-banding

6.3.1 **NYFRS** will apply the revised contribution band **from the effective date of the material change**, regardless of when the change is processed or when any associated backpay is paid.

6.3.2 Where a pay award or other material change is announced after the fact but is **retrospectively effective**, **NYFRS** will:

- apply the new contribution band **prospectively** from the date the change is processed; and
- apply the new contribution band **retrospectively** to pensionable pay actually received in each pay period **from the effective date of the change** to the date it was processed.]

7. Sickness, Injury and Child-Related Leave

7.1 Under Regulation 110(7), reductions in pensionable pay caused by:

- statutory leave
- sickness
- injury
- child-related leave
- trade dispute
- permitted absence
- reserve forces leave
- or any other reason determined by the Scheme Manager

must be **disregarded** for contribution banding purposes.

8. Record Keeping and Audit

8.1 **York and North Yorkshire Combined Authority Fire and Rescue Service** will maintain clear records of:

- all banding determinations
- annualisation calculations
- evidence for material change assessments
- dates and reasons for re-banding
- communications issued to members

8.2 Records will be retained in accordance with FRA data retention schedules and pension governance requirements.

9. Communication with Members

9.1 Members will be informed in writing of:

- their contribution band each April
- any mid-year re-banding triggered by a material change
- the effective date of the change
- the reason for the adjustment

10. Review of This Policy

10.1 This policy will be reviewed:

- annually;
- upon regulatory amendment; or
- where legal advice, LGA or MHCLG guidance necessitates changes.

APPENDIX B

Action Points from monthly reports

January 2026

Age Discrimination Remedy Updates:
ACTION: Scheme managers should ensure that they are using the updated spreadsheet

Immediate Detriment:
ACTION: Scheme managers are encouraged to complete the short Microsoft Form to confirm how immediate detriment was applied and on what terms in their service.

Matthews Exercise Updates:

ACTION: • Please can FRAs to use lines from this and previous FPS bulletin Matthews manual case updates to manage expectations of affected members. Please do not suggest members seek updates directly from GAD. Member queries directed to GAD unfortunately erodes the funding provided to support FRAs and process cases. Limiting this helps GAD focus on completing cases.

• Please can FRAs take reasonable steps to ensure they and firefighters have assembled all foreseeably relevant case data before sending cases to GAD to avoid multiple round trips wherever possible.

• FRA responses on the case types other than 'non-basic rate tax relief' will help open up processing for all FRAs and affected firefighters. Currently GAD would be grateful if FRAs who have been asked to complete pro-formas for (retrospective) ill health retirements prior to April 2006 could complete these at their earliest convenience.

• FRAs can still submit all cases which the manual cases process note indicates need to be referred to GAD. Where cases are to be submitted the process and secure Egress portal described in the note must be used. Care should also be taken that all required information is included and clearly set out when referring cases (see latest manual case process note for details). Incomplete or poorly labelled information is likely to increase the time needed by GAD to respond to these and other cases.

Matthews Exercise Progress/Project Implementation Data request:

ACTION: • All FRAs please response to the December progress survey by 27 Feb.
• FRAs with 50% or more of requests for statements outstanding should consider reaching out for support. The Matthews super users and LGA policy team may be able to help explore options and ideas around bottlenecks.

Opt out form and data collection

ACTION: Scheme managers are asked to record each opt-out election on the spreadsheet to allow for the periodical reporting.

Training

ACTION: Scheme managers are encouraged to:
• allow their employees to attend the relevant training on offer, where it will help with their role and ongoing development.
• inform us of any specific areas of pensions training that they would like to see.

Local Pension Board Training Sessions

ACTION: Readers are asked to make their LPB members aware of the training sessions and encourage them to book onto a session.

February 2026

Matthews exercise updates
ACTION: Scheme managers are encouraged to familiarise themselves with updated Project Implementation Data Request Template in advance, to ensure they are prepared to provide the required data in March.

Member contribution review
ACTION: Scheme managers are strongly encouraged to follow this guidance to ensure administrative consistency, compliance with the regulations, and a fair and transparent approach for all members.

Training and development

ACTION: Scheme managers are encouraged to:
• allow their employees to attend the relevant training on offer, where it will help with their role and ongoing development.
• inform us of any specific areas of pensions training that they would like to see.

Local Pension Board Training Sessions
ACTION: Readers are asked to make their LPB members aware of the training sessions and encourage them to book onto a session.

March 2026

Age Discrimination Remedy Updates
ACTION: Should pause using v3.00 for any Fire cases where 2017/18 “Pensionable pay for selection of pension contribution band (CARE Scheme)” is below £27,544, until GAD issue a corrected version.
• Identify potentially affected cases where you have already run v3.00 and/or made payments: o Fire members with remedy calculations covering 2017/18, and o Data for “Pensionable pay for selection of pension contribution band (CARE Scheme)” is less than £27,544 in 2017/18, and o where you relied on the calculator to derive contributions (ie did not Click here to return to Contents 6 enter data for “Contributions due (Legacy scheme)” and “Contributions due (CARE scheme)”)
• Hold any further payments for any cases you identify as potentially affected, pending recalculation.
• If you believe you have already made payments that may be affected, please record the member IDs and amounts so these can be checked and, if needed, corrected once the revised calculator is issued.

ACTION: Scheme managers should ensure that the correct user guide is being referred to.

Matthews Exercise Updates
ACTION: Scheme managers should ensure that those who are involved with the Matthews exercise are aware of the new version of the calculator. The new version should be used to process cases with calculation dates from 1 April 2026.
ACTION: FRAs with 50% or more of requests for statements outstanding should consider reaching out for support. The Matthews super users and LGA policy team may be able to help explore options and ideas around bottlenecks.

ACTION: Scheme managers are encouraged to:
• allow their employees to attend the relevant training on offer, where it will help with their role and ongoing development.
• inform us of any specific areas of pensions training that they would like to see.

Local Pension Board Training Sessions
ACTION: Readers are asked to make their LPB members aware of the training sessions and encourage them to book onto a session.

Appendix C

North Yorkshire Fire and Rescue Authority

TERMS OF REFERENCE

Name

1. The name of the Board is “Local Pension Board” (“the Board”) and the scheme manager is York and North Yorkshire Combined Authority (hereafter referred to as the “Authority”) with devolved responsibility as delegated by the scheme manager to the Chief Fire

officer, under the provisions of the Public Sector Pensions Act 2013 and The Firefighters' Pension Scheme (Amendment)(Governance) Regulations 2015.

2. The Board shall be in place from 1 April 2015.

Statement of purpose

3. The purpose of the Board is to assist the Authority in its role as the scheme manager of the Fire Fighters Pension Scheme. Such assistance is to:

   (a) secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme; and

   (b) ensure the effective and efficient governance and administration of the Scheme.

Duties of the Board

4. The Board should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty Board members:

   (a) should act always in the interests of the scheme and not seek to promote the interests of any stakeholder group above another.

   (b) should be subject to and abide by the Code of Conduct for Pension Board Members.

Membership

5. The Board will comprise an equal number of employer and employee member representatives, with the total number of members required to be present for a meeting to be quorate being four (comprising an equal number of member and employer representatives).

6. Each Board member shall endeavour to attend all Board meetings during the year, however, in periods of non-attendance by employee representatives, the Board chair may convene the meeting to ensure due process and governance arrangements continue.

Member / Employee representatives

7. Three member representatives shall be appointed to the Board. Member representation will be taken from employees of NYFRS.

8. Member representatives shall either be members of the scheme administered by the Authority or have experience of representing pension scheme members in a similar capacity.

9. Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

Employer representatives

Three employer representatives shall be appointed to the Board

10. Employer representatives shall be office holders or senior employees of the Authority or have experience of representing scheme employers in a similar capacity. Office holders or employees of the Authority with delegated responsibility for discharging the scheme manager function of the Authority may not serve as employer representatives.

11. Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

12. Employer representatives shall be appointed by the delegated Scheme Manager in a manner which they consider best promotes the purpose of the Board.

Substitute Members

13. Named Substitute Members may be appointed by the delegated Scheme Manager to attend and/or vote at meetings of the Pension Board in the absence of a Board Representative but must be either an employer or member representative. Training will be provided for named Substitute Members.

Other members

14. No other members shall be appointed to the Board by the delegated Scheme Manager or the Board.

Appointment process

15. The Chief Fire Officer, or his nominee, will contact all office holders and senior employees of the Authority who meet the eligibility criteria in paragraphs 11 - 13, or the relevant representative body listed at paragraph 8, to inform them of the Pension Board arrangements and to canvass interest whenever appointments to the Pension Board are required. Following the receipt of applications from office holders and senior employees of the Authority, the Authority or delegated Scheme Manager (Chief Fire Officer) will arrange an independent appointment process as soon as possible. This process will include assessing information supplied by candidates in support of their application and may be supplemented by interviews as appropriate. Successful applications, and nominations from the representative bodies, will be submitted to the Authority for formal appointment.

Appointment of Chair

16. The Chair of the Pension Board can be either a member or an employer representative. The first Chair will be appointed by the Board from amongst its own membership.

Thereafter, the Authority shall appoint the Pension Board's Chair every 4 years (or earlier by prior agreement).

17. The Board shall appoint a Vice-Chair, whose tenure will also be for 4 years (or earlier by prior agreement).

18. The Chair shall be responsible for ensuring that the Board meets its purpose, that meetings are properly conducted, decision making is clear, and professional advice is followed. The Chair shall agree the agenda and approve the minutes for each meeting. The Chair will also be responsible for ensuring that Board members have the knowledge and understanding specified in paragraphs 24 – 27 of these terms of reference.

Conflicts of interest

19. The Pension Board shall always act within its terms of reference.

20. The Pension Board shall have a Conflicts Policy for its members for identifying, monitoring and managing conflicts of interest. Members of the Pension Board shall abide by the Conflicts Policy and provide information specified in paragraphs 22 and 23 of this terms of reference.

21. All members of the Board must declare to the Authority on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Board.

22. On appointments to the Board and following any subsequent declaration of potential conflict the Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of the Authority and the requirements of the Pensions Regulators codes of practice on conflict of interest for Board members.

Knowledge and understanding (including training)

23. Knowledge and understanding must be considered in light of the role of the Board to assist the Authority in line with the requirements outlined in paragraph 3 above. The Board should establish and maintain a policy and framework to address the knowledge and understanding requirements that apply to Board members. That policy and framework shall set out the degree of knowledge and understanding required as well as how knowledge and understanding is acquired, reviewed and updated.

24. Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding policy and framework.

25. Board members shall participate in such personal training needs analysis or other processes that are put in place in order to ensure that they maintain the required level of knowledge and understanding to carry out their role on the Board. This includes revisiting online training modules every 2 years.

26. The Board is entitled to one free training session per annum to be delivered in house by the LGA.

Term of office

27. Pension Board Members will serve for a term of four years, ceasing on the date of the local government elections during that fourth year. Pension Board Members may either retire from the Board or seek appointment/nomination for an additional term if they continue to fulfil the eligibility criteria set out in paragraphs 9 and 10 for Member Representatives or paragraphs 12 and 13 for Employer Representatives.

28. Any casual vacancies which arise on the Pension Board shall be filled for the remainder of the term set out in paragraph 28.

29. Board membership may be terminated prior to the end of the term of office due to:

   a A member representative appointed on the basis of their membership of the scheme no longer being a member of the scheme
   b A member representative no longer being a member of the body on which their appointment relied
   c An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied
   d where there is a conflict of interest which cannot be managed in accordance with the Pension Board's Conflicts of Interest Policy
   e The representative fails to attend meetings, undertake training or otherwise comply with the requirements of being a Pension Board Member.

Meetings

30. The Board shall, as a minimum, meet 4 times a year, considering that quarterly meetings are recommended good practice.

31. The Chair of the Board with the consent of three other Board Members, may call a special meeting. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board including telephone conferencing and e-mails.

32. All agendas and papers for Board meetings will be made publicly available on the Authority's website unless, in the opinion of the Scheme Manager, they are covered by exempt/confidential information procedures under Schedule 12A of the Local Government Act 1972 (as amended) or represent data covered by the Data Protection Act 1998.

Quorum

33. The total number of members required to be present for a meeting to be quorate is four (which includes an equal number of member and employer representatives).

Voting

34. Each Pension Board Member who is a Member Representative or an Employer Representative will have an individual voting right, but it is expected that the Pension Board will, as far as possible, reach a consensus.

35. The Chair shall determine when consensus has been reached.

36. Where consensus is not achieved this should be recorded by the Chair.

37. In support of its core functions the Board may make a request for information to the Authority with regard to any aspect of the scheme manager function. Any such a request should be reasonably complied with in both scope and timing.

38. In support of its core functions the Board may make recommendations to the Authority which should be considered and a response made to the Board on the outcome within a reasonable period of time.

Accountability

39. The Board will be collectively and individually accountable to the Scheme Manager, which is ultimately the Deputy Mayor of York and North Yorkshire Combined Authority Fire and Rescue Service as the responsible authority for the Firefighters' Pension Schemes.

40. The Authority continue to be responsible for the contractual arrangements, including delivery against the contract and agreed key performance indicators for the pension scheme administration.

Role of Advisors

41. The Board will be supported in its role and responsibilities by the Authority through advice and support as appropriate. Any requests made by the Board shall be considered in accordance with paragraph 39 of these terms of reference.

Role of Officers

42. Officers will support the Pension Board.

Board Meetings – Notice, Minutes and Reporting

43. The Secretary to the Authority shall give notice to all Pension Board Members of every meeting of the Pension Board and shall ensure that a formal record of Pension Board proceedings is maintained. Following the approval of the minutes by the Chair of the Board, the minutes shall be circulated to all Pension Board Members.

44. The Pension Board is a committee of the Authority, which is a FOIA public authority, minutes should be carefully dealt with and separated as appropriate into open and closed business, so that open minutes can be published promptly.

45. The minutes of each meeting of the Pension Board will be approved by the Chair and submitted for consideration at the next available meeting of the Fire and Rescue Service's Strategic Leadership Team. In addition, if the Pension Board has concerns which are sufficiently serious, those concerns will be reported immediately to the Chief Fire Officer, Authority's Monitoring Officer and the Deputy Mayor as Scheme Manager. Such concerns may include a fundamental breach of the Regulations or a fundamental failure by the Scheme Manager to ensure the effective governance of the Scheme. The Pension Board may escalate concerns via the Scheme Advisory Board or the Responsible Authority where internal channels are not appropriate. It may be appropriate for the Pension Board to report serious concerns to the Regulator.

46. The Pension Board has no power to set up working groups or sub-boards.

Resources and Funding

47. The Pension Board shall be provided with adequate resources to fulfil its task.

48. Pension Board Members' expenses shall be met from other budgets.

49. The Authority shall meet the cost of secretarial support to the Pension Board and any necessary advisory support.

50. The Pension Board may access any budget it requires for professional advice, training, or for other relevant purpose, by making application, to the Chief Fire Officer who will discuss the requirement with the YNYCA Assistant Director and Deputy S73 Officer lead on Police, Fire and Crime.

Data Protection

51. The Authority is a 'data controller' under data protection legislation. The Pension Board is not a separate legal entity and shall comply with the Authority's data protection policies. The Pension Board shall also ensure personal data processing by the Pension Board is within the Authority's notification registered with the Information Commissioner. Information records created or obtained by the Pension Board are accessible under the Freedom of Information Act 2000.

Updating the Pension Board Terms of Reference

52. These terms of reference will be reviewed regularly by the Pension Board. Significant amendments must be agreed by the Authority. General updating and housekeeping can be approved by the Chief Fire Officer without the need to seek the Authority's approval.

Interpretation

53. In these terms 'the Scheme' means the Firefighters' Pension Scheme.

54. In these terms Regulations means the Firefighters’ Pension Scheme 1992, as amended, the Firefighters’ Pension Scheme 2006, as amended and the Firefighters’ Pension Scheme Regulations 2014 as amended.

55. In these terms 'regulations' include the Firefighters’ Pension Scheme 1992, as amended, the Firefighters’ Pension Scheme 2006, as amended, the Firefighters’ Pension Scheme Regulations 2014 as amended, the Pension Regulators Codes of Practice as they apply to the scheme manager and pension board and any other relevant legislation applying to the Scheme.