LOCAL PENSION BOARD

Report of the Chief Fire Officer

27 January 2026

Pension Update

Status: To note

Purpose of the Report

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

- Remedy related issues:
  - Sargeant/McCloud remedy
  - Matthews 2 remedy
  - Remedy delivery issues
  - Reinstatement of service
- Other pension related issues including:
  - Employee contribution rate changes
  - Pensionable pay review
  - Pension dashboards.

1.2 Both Sargeant/McCloud and Matthews 2 remedies address historic pension entitlement issues affecting whole-time and retained firefighters respectively and require coordinated action between North Yorkshire Fire and Rescue Service (NYFRS), the scheme administrator (West Yorkshire Pension Fund - WYPF), and affected members.

1.3 From 1 April 2025, all fire functions transferred from the Home Office to the Ministry of Housing, Communities and Local Government (MHCLG; referenced throughout this document).

Recommendations

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

- **Sargeant/McCloud Remedy – Paragraphs 3 to 5**

  WYPF have recently moved their platform from Oracle to SQL. Whilst WYPF have successfully undertaken 95% of the conversion there is still some left to do, particularly on the reporting side. Previously WYPF supplied updated information on ABS-RSS production, however they are currently unable to do this. They will provide updated information once they are able to do so. The data in this report remains based on the most recent data available that WYPF could provide.

2024 ABS-RSS	Issued	Outstanding	39.4% Issued Overall
Active	202 / 229	27 / 229	88.2% Issued
Deferred	0 / 142	142 / 142	0.0% Issued
Immediate Choice	5 / 154	149 / 154	3.2% Issued

2025 ABS-RSS – 193 active members out of 232 received their 2025 ABS-RSS in September (83% of actives; 39 outstanding). Production of Deferred and remaining IC members will now receive 2025 ABS-RSS (not 2024) once production issues have all been resolved by WYPF.

- **Employee Contribution Rate Changes – Paragraph 6**

  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. This has resulted in additional queries around the implementation of this approach, which will require discussions with administrators and payroll system providers.

- **Pensionable Pay Review – Paragraph 7**

  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 Payroll to account for the Bear Scotland and Public Holiday amendments. Gold Command is still under review and will be accounted for in a future payroll run.

- **Remedy Delivery Issues – Paragraph 8**

  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 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 comprising of scheme managers from Fire Authorities and representatives from the LGA.

- **Retained Firefighters Remedy – Matthews 2 (2nd options exercise) – Paragraph 9**

  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.

- **Reinstatement of Service under Discretions Policy – Paragraph 10**

  As part of the Matthews exercise, retained firefighters can request to purchase their service from after the end of the Remedy Period (01/04/2022) in the 2015 scheme (FPS 2015). The Scheme Manager can agree to this under the discretions policy, it is consistent with the reinstatement of service as part of both the Matthews and Sargeant exercises and it avoids any potential litigation from further discriminatory treatment of part-time workers and.

- **Pension Dashboards – Paragraph 11**

  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 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.

- **Other updates:**
  - Unauthorised Payments – **Paragraph 12**
  - Internal Dispute Resolution Procedure (IDRP) – **Paragraph 13**
  - Employment Tribunal - Aggregation Claims Update – **Paragraph 14**
  - Pension Administrator – WYPF – Monthly Report Actions for NYFRS – **Paragraph 15**
  - Other Board Matters – **Paragraph 16**

Sargeant/McCloud Remedy Update

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

3.1 The McCloud/Sargeant remedy addresses age discrimination by providing members the option to choose between legacy and reformed scheme benefits for the remedy period (1 April 2015 to 31 March 2022). This information is provided within the Annual Benefit Statements (ABS) and Remediable Service Statements (RSS) with information provided by NYFRS and the Pension Administrator West Yorkshire Pension Fund (WYPF).

3.2 The statutory deadline for the 2024 ABS-RSS to be produced was 31 March 2025. As previously reported, 2024 ABS-RSS were not produced by the deadline and this breach was reported to the Pensions Regulator (tPR) in April 2025. A revised target of 30 June 2025 was set (missing target would still fall under the original breach reported, so no further 2024 breaches need to be reported).

3.3 In June 2025, WYPF administrators began issuing 2024 ABS-RSS to active firefighters. As at 31 October 2025, latest available progress is as follows:

2024 ABS-RSS	Issued	Outstanding	39.4% Issued Overall
Active	202 / 229	27 / 229	88.2% Issued
Deferred	0 / 142	142 / 142	0.0% Issued
IC	5 / 154	149 / 154	3.2% Issued

3.4 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.

3.4 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.

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

2025 Annual Benefit Statement – Remediable Service Statement

4.1 The statutory deadline for the 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. 193 out of 232 (83%) have been issued by 4 September 2025 with 39 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.

Reporting pension breaches to the Pension Regulator

5.1 Both WYPF and NYFRS have previously communicated to the Pensions Regulator (tPR) in April 2025 around the failure to issue 2024 ABS-RSS to members by the statutory deadline of 31 March 2025. WYPF previously explained to tPR that "…. our ability to provide Remediable Service Statements (RSS) is down to Civica update deliveries and their accuracy" where Civica is WYPF software provider.

5.2 Of the 567 members where 2024 ABS-RSS was not issued by the statutory deadline, 562 were in breach. Of the 5 not in breach, 1 was awaiting an ill health reassessment and 4 were on hold due to a pension sharing order. Both such scenarios allow a Scheme Manager to set a revised date to issue those statements, under section 29 (10b).

5.3 The statutory deadline for the 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.

5.4 This breach has also been reported to the Pensions Regulator (tPR) by WYPF on 9 September 2025 and by NYFRS on 12 September 2025.

Employee Contribution Rate Changes

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

6.2 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%

6.3 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%

6.4 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 retained 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.

6.5 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 will be provided in due course once clearer guidance is available.

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

6.7 Additional support is still to come, including support around communicating these changes to members. NYFRS will be communicating the dates and details of these changes before 31 March 2026, once the guidance is available.

Pensionable Pay Review

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

7.2 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 Gold Command (which have previously been pensionable) should have been non-pensionable from July 2019.

7.3 The below table shows a summary up to September 2025 if this change was to be enacted from July 2019. This would result in a reduction in employers' contributions, a rebate to members of employee contributions, and a tax adjustment. It would only relate to current active wholetime employees.

Years	Gold Command	Public Holiday	Bear Scotland	Total Pensionable Pay	Employers % Rate	Employers Contributions
2025-26	£ 34,472.88	£ 55,237.93	£ 15,613.29	£ 105,324.10	37.60	£ 39,601.86
2024-25	£ 62,153.48	£ 107,648.05	£ 251,474.12	£ 421,275.65	37.60	£ 158,399.64
2023-24	£ 56,506.29	£ 109,166.32	£ -	£ 165,672.61	28.80	£ 47,713.71
2022-23	£ 18,022.63	£ 110,787.86	£ -	£ 128,810.49	28.80	£ 37,097.42
2021-22	£ 9,027.41	£ 69,467.77	£ -	£ 78,495.18	28.80	£ 22,606.61
2020-21	£ 9,126.94	£ 80,824.19	£ -	£ 89,951.13	28.80	£ 25,905.93
2019-20	£ -	£ 37,072.81	£ -	£ 37,072.81	28.80	£ 10,676.97
Totals	**£ 189,309.63**	**£ 570,204.93**	**£ 267,087.41**	**£ 1,026,601.97**		**£ 342,002.15**

7.4 Calculations were processed as part of December Payroll to account for the Bear Scotland and Public Holiday amendments. Gold Command is under review and will be accounted for in a future payroll run.

7.5 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.

Remedy Delivery Issues

8.1 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).

8.2 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.

8.3 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.

Retained Firefighters Remedy – Matthews 2 (The second options exercise)

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

9.2 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.

9.3 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: Conversion options for deferred members, additional Death Grant, etc. 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 approach on certain benefit calculations.

9.4

Matthews 2 Cases (as of 08 January 2026)	
All potentially eligible retained firefighters identified	**613**
Cases processed to date by NYFRS (quotes issued to members)	553
Remaining cases to investigate	14
Deceased cased identified (yet to be processed)	31
Elections not to join the Modified Scheme received*	7
Ill-health manual calculations for GAD referral	6
Periodical payment stopped (Matthews 1 exercise) needs manual calc 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.

9.5 The Matthews 2 remedy is progressing at a slower pace than anticipated. Matthews remedy processing for retired firefighters is well underway, with special pensioner payments being issued, as per Scheme Advisory Board (SAB) priority cohort order. Matthews remedy remains a high priority which requires continued focus and resources to ensure full compliance and member satisfaction. 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 is expected but is yet to be released.

9.6 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, they should contact MHCLG directly with this request. We are liaising with Finance to see if NYFRS should be applying.

9.7 WYPF Matthews team is continuing to process Matthews cases as a steady work area daily. There have been various staff movements at WYPF. This has included Sandra Mounsey joining the Matthews Team as Team Manager and Sharon Wilkinson as Senior Pensions Officer. WYPF expected to share a full updated team structure early in 2026.

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.

9.8 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 9.3 above).

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.

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.

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.

Between next of kin for death cases and current missing contact details, we estimate a maximum of 100 member details could still need sourcing.

9.9 The Government Actuary's Department (GAD) has requested full project management data on the Matthews remedy by 22 October 2025. NYFRS provided data to GAD for this request. A further request will follow later in late January 2026.

Reinstatement of Service under Discretions Policy

10.1 As part of the Matthews exercise, one retained firefighter also requested permission to purchase their service from 01/04/2022 to their date of leaving the service, 18/02/2023 in the 2015 scheme (FPS 2015).

10.2 The Scheme Manager has agreed to this under the discretions policy. This avoids any potential litigation from further discriminatory treatment of part-time workers and is consistent with the reinstatement of service as part of both the Matthews and Sargeant exercises.

10.3 Any future retained firefighters that come forward to ask for their pension to be similarly reinstated post-Sargeant remedy period will be allowed to do so if the Scheme Manager deems this is appropriate and consistent with NYFRS discretions policy. This decision has been brought to the Pensions Board's attention to ensure appropriate governance oversight.

Pension Dashboards

11.1 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".

11.2 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.

11.3 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.

11.4 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.

11.5 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).

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

11.7 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.

Unauthorised Payments

12.1 Upon electing maximum lump sum on retirement, 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.

12.2 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)

12.3 There are currently 8 outstanding red cases out of the original 11 cases. The 3 resolved cases all raised IDRPs to get resolution on their cases.

12.4 NYFRS timetable of communications:

- 15 June 2024 – 11 red cases written to explaining delay
- 27 March 2025 – further correspondence explaining ABS-RSS delay
- 26 June 2025 – further letter to red cases

WYPF have also been communicating to these cases.

12.5 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. But Scheme Managers need to be informed of this. It will be possible for the member elect for a smaller lump sum to avoid tax.

12.6 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.

Internal Dispute and Resolution Procedure (IDRP)

13.1 The Internal Dispute and Resolution Procedure (IDRP) is a process where an individual is not satisfied with a decision made regarding their pension.

13.2 Since the beginning of 2025, there have been 7 IDRP application received: 5 x RSS and 1 x Matthews, 1 x Injury on Duty.

- For the Matthews case, an IDRP Stage 1 Decision Letter has been sent, and the member is now included in the second Matthews option exercise.
- For the Injury on Duty case, an IDRP Stage 1 Decision Letter has been sent.

- For the 5 RSS cases, 4 cases have had IDRP Decision Letters issued, and the remaining case is due to be resolved by 5 March 2026.

Employment Tribunal - Aggregation Claims Update

14.1 The aggregation issue mainly concerns those who transferred from retained (RDS) to wholetime employment before 7 April 2000 and 5 April 2006.

14.2 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.

14.3 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 a retained 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

15.1 WYPF provide monthly report updates where the latest three – October 2025, November 2025, and December 2025 – are reported at this Local Pension Board.

15.2 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.

Other Board Matters

16.1 Terms of Reference – The Chief Fire Officer and the Director of Finance are reviewing the Terms of Reference of Local Pension Boad. This is underway, aiming to finalise for the beginning of the new financial year, and the intention to report this back to LPB in April 2026.

16.2 Please note that while all decisions are made by the Chief Fire Officer, the Director of Finance can make delegated decisions on all matters and will liaise with the Chief Fire Officer to ensure they are fully informed of all such delegated decisions.

Louise Branford-White
Director of Finance and S151 Officer to Chief Constable

APPENDIX A

Contribution Adjustments, Compensation & Contingent Decisions

Contribution Adjustment – FPS 1992/Special FPS 2006

A1.1 Every member impacted by remedy will be rolled back to their legacy scheme for their membership during the remedy period (1 April 2015 to 31 March 2022). Due to the differences in contribution rates within the Firefighters' Pension Schemes, this will trigger a contribution adjustment.

A1.2 An individual who was previously a member of FPS 1992 or Special FPS 2006 and was transitioned into FPS 2015 during the remedy period will be automatically rolled back into FPS 1992 or Special FPS 2006.

A1.3 The contribution rate of FPS 1992 / Special FPS 2006 is greater than the contribution rate of the FPS 2015. FPS 1992/Special FPS 2006 members will have additional contributions that will need to be paid back to the scheme. Fully protected members will not pay any extra contributions for the remedy period.

A1.4 Members may elect to settle this within a 12-week window after their annual RSS has been produced. No additional interest is calculated after the issuance of RSS statements as this is uneconomical to recalculate and reissue.

A1.5 The contribution adjustment shown on the 2024 ABS-RSS will be overstated (this has been corrected for 2025 ABS-RSS). The 2024 ABS-RSS does not include the tax relief amount that reduces the contribution adjustment amount due; a revised 2024 ABS-RSS contribution adjustment reduced by tax relief, is provided by NYFRS Payroll and Pension team for members wishing to settle their contribution adjustment.

A1.6 Members can choose to settle their contribution adjustment before or at retirement. The buy back window will reopen every year around the ABS-RSS issue date and continue right up until retirement.

A1.7 Payment must be paid in full and from the same payment source. In addition, this can be deducted from pension benefits at retirement instead. There is no facility for the contribution adjustment to be paid by periodical payments.

A1.8 As part of the Sargeant remedy, some members' pensionable service has been "rolled back" into their legacy scheme. This adjustment may alter the pension built up in each affected year, which can change a member's annual allowance position. While many members will see no change, others may find that they either exceeded the annual allowance in one or more remedy period years or that a previously paid tax charge now requires revision. Some members may have already paid an annual allowance tax charge for a remedy period year. This may now need to be corrected, and in some cases, members may now owe tax for the first time.

Contribution Adjustment – FPS 2006

A2.1 Every member impacted by remedy will be rolled back to their legacy scheme for their membership during the remedy period (1 April 2015 to 31 March 2022). Due to the differences in contribution rates within the Firefighters' Pension Schemes, this will trigger a contribution adjustment.

A2.2 An individual who was previously a member of FPS 2006 and was transitioned into FPS 2015 during the remedy period will be automatically rolled back into FPS 2006.

A2.3 The contribution rate of FPS 2006 is lower than the contribution rate of FPS 2015. Standard FPS 2006 members have the option to reclaim any contribution payments following receipt of their RSS or defer receiving payment.

A2.4 There is no time limit for claiming the FPS 2006 refund.

A2.5 Interest due will be calculated in all cases. This will be calculated as 8% simple interest up until 28 days after the first RSS is issued, and NS&I compound interest from day 29 onwards.

A2.6 If members choose to receive the contribution adjustment before they retire to revert to the 2006 scheme but then at retirement choose to revert to the 2015 reformed scheme, their contributions will need to be adjusted again meaning that they would then owe monies to the scheme plus the additional interest calculated to date of retirement – this would be deducted from their pension benefits.

A2.7 As part of the Sargeant remedy, some members' pensionable service has been "rolled back" into their legacy scheme. This adjustment may alter the pension built up in each affected year, which can change a member's annual allowance position. While many members will see no change, others may find that they either exceeded the annual allowance in one or more remedy period years or that a previously paid tax charge now requires revision. Some members may have already paid an annual allowance tax charge for a remedy period year. This may now need to be corrected, and in some cases, members may now owe tax for the first time.

Compensation

A3.1 A compensation claim will be for a specific financial loss which is clearly identifiable, incurred by a member because of the discrimination and putting a member in the same pension position that they would have been in if the discrimination had not occurred.

A3.2 Compensation payments will fall into either automatic or non-automatic compensation claims. Automatic claims can be paid at the earliest opportunity when all the relevant information is available and must be paid to fulfil the requirements of legislation.

A3.3 Automatic claims will include FPS 2015 Added Pension compensation refunds, FPS 2006 Standard refunds (contribution adjustment), FPS 1992 legacy scheme members who choose FPS 2015 benefits at retirement, legacy scheme added years contributions paid during the remedy period and tax relief for non-active members.

A3.4 Non-automatic claims include (but not limited to) accountancy services to deal with tax charges and returns, independent financial advice where members need to make a decision (general remedy advice will not be sufficient for reimbursement), legal services, direct financial loss, etc.

A3.5 Each claim will be assessed by its own merit to ensure fairness and accuracy in the assessment process.

Contingent Decisions

A4.1 A Contingent Decision (CD) is a decision taken by a member, relating to their membership of the Firefighters' Pension Scheme (FPS), that would have been different had it not been for the discrimination identified by the courts.

A4.2 There are two categories of CD in the FPS: opt-outs and additional service.

A4.3 Opt-Out includes members who would not have opted-out if they had been allowed to remain in the Legacy Scheme (FPS 1992 / FPS 2006 / Special FPS 2006) beyond their transition date or if protected members had been allowed to join the 2015 Reformed Scheme from 1 April 2015. Depending on dates when the member opted out, these contingent decisions may remain on hold while MHCLG considers these in more detail.

A4.4 Additional Service is where members could argue they would have purchased (more) additional service if they were in the Legacy Scheme.

A4.5 Where a member makes a CD, there will have to be an adjustment to benefits, which may involve the member paying extra contributions. The member must make a claim using the specific CD claim form. In all cases, the member will be required to provide a few sentences, in their own words, that describe the reasons why they took the action they did and how this relates to the introduction of the reformed scheme.

A4.6 Updated Scheme Manager guidance has been released during September 2025, this can be found at:

https://www.fpsregs.org/images/Age-discrimination/Age-discrimination-remedy-Contingent-Decisions-guidance-v1.8-2.pdf

Updated member guidance will follow in due course.

APPENDIX B

Action Points from monthly reports

October 2025
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 of the calculator supersedes previous versions. Previous versions of the calculator should no longer be used. Future interest files will only work with the latest version of the Matthews 2 calculator. FRA's should carefully review whether any previously issued statements or payments affected by the changes described below need to be revisited.
RESPONSE: NYFRS GAD Calculator has been updated.

ACTION: Scheme managers are encouraged to i) allow their employees to attend the relevant training on offer, where it will help with their role and ongoing development, and ii) inform LGA of any specific areas of pensions training that they would like to see.
RESPONSE: Relevant training referenced in internal communications; no specific pensions training requested.

November 2025
ACTION: Scheme managers should ensure the necessary people are made aware of the updated template and guidance, and administrators should ensure the newest version of the offsetting template is being used and ensure the guidance document is followed.
RESPONSE: Administrators are aware.

ACTION: WYPF met with TPR on 5 November. It was confirmed at this meeting that TPR were aware of delays to onboarding pensions schemes onto the Pension Dashboard due to the number of schemes onboarding at the same time. We are in a queue. The delay is no fault of WYPF or FRAs and TPR confirmed we are not required to report this delay as breach.
RESPONSE: None required.

ACTION: WYPF will submit each FRA's annual scheme return.
RESPONSE: Submitted on 1 December 2025.

ACTION: Scheme managers are encouraged to i) allow their employees to attend the relevant training on offer, where it will help with their role and ongoing development, and ii) inform LGA of any specific areas of pensions training that they would like to see.
RESPONSE: Relevant training referenced in internal communications; no specific pensions training requested.

December 2025
ACTION: Scheme managers are encouraged to review the revised data quality guidance.
RESPONSE: Ongoing.

ACTION: Scheme managers are encouraged to i) allow their employees to attend the relevant training on offer, where it will help with their role and ongoing development, and ii) inform LGA of any specific areas of pensions training that they would like to see.
RESPONSE: Relevant training referenced in internal communications; no specific pensions training requested.