



24 February 2011

Mr R Warren  
Lancashire Fire & Rescue Service  
Fullwood  
PRESTON  
PR2 3LH

Dear Mr Warren

### **Allegations of Pension Over-payment**

My injury pension was suspended from 1 March 2008 and was re-instated with effect from 1 June 2010, notwithstanding the fact that I became 65 years of age on [REDACTED] and, at that point, I was no longer eligible for Incapacity Benefit (IB). I have not had, but now require from you, a detailed statement which certifies to the last penny exactly how much you withheld from me during the 27 months referred to above. I have been concerning myself with the details of your allegations and have the following to state for the record.

On 26 August 1998 I signed, dated and returned to BHQ a document on which I stated how much I was to receive in the way of Incapacity Benefit. The injury element of my pension was then calculated in accordance with this information. On the first occasion that there was an increase in my IB I rang BHQ and informed them. I was told then that I was to expect increases in the IB payments according to DWP scales and that this procedure was understood, and that I need not tell them of such continuing changes. At that time I was informed that should any changes to my current situation take place, for example if I ceased to receive IB or started receiving another benefit, that would be the time to tell them. From my retirement onwards I was only in receipt of IB.

Note: During part of 2004 and 2005 our [REDACTED], received Disability Living Allowance, which was paid into my and my wife's joint account for us to administer, [REDACTED]. This has nothing to do with my injury pension and the matter in dispute; however, it may show up on DWP records.

During the time that I received IB, the only element that changed was the rate at which IB was paid and then only in accordance with the DWP scale. I have a letter from the DWP in which they itemise all the increases and the reasons for those increases, eg, the increase on [REDACTED] was because I had been in receipt of IB for 28 weeks, and was the change between their short term lower and short term higher rate. The increase on [REDACTED] was because I had been in receipt for 52 weeks and was the change between their short term higher and long term rate. I then remained on their long term rate, and all other changes were due to the April uprating.

It should be noted that the changes that took place were in accordance with the DWP's approved scales and did not constitute a different benefit. The Brigade personnel who dealt with pension administration at the time acted correctly by disregarding the rises in the scale of payment because the entitlement stayed the same.

At this point I refer you to correspondence between Mr B B [REDACTED] and yourselves, concerning alleged overpayment of his injury pension. In particular I refer to the last two paragraphs in one of your letters in which you admit that there was indeed 'poor administration'. Mr B [REDACTED] circumstances were very similar to my own, but clearly we have been treated differently. This is a matter which I find very disturbing.

Recently it has come to my attention that anecdotal or actual evidence exists which seems to indicate that two or more 'standards' were applied by the LFRS in resolving individual alleged 'overpayments'. It would appear that, for example, if one was a Freemason, any alleged debt was dealt with by using a different 'standard' to that applied to non-Freemasons. I suggest to you that in practice Freemasons did not repay any of their alleged 'debt', whilst non-Freemasons are continuing to repay their debt or have repaid it in full whether due to you or not. If this is the case, then it would be an appalling state of affairs with foreseeable grave consequences for those personally involved.

I request your personal written assurance and the personal written assurance of your deputy, Mr Hamilton, who is responsible for the day-to-day administration of the LFRS Pension Scheme, that there is no foundation whatsoever in these rumours and that all those affected Fire Service Veterans, regardless of their membership of any particular organisation, have been treated fairly and with exactly the same 'standard'.

Yours sincerely,

F M G [REDACTED] MIFireE