

Mr F M G [REDACTED]

Please ask for: Bob Warren  
Telephone: 01772 866804  
Email: bobwarren@lancsfireandrescue.org.uk  
Your Ref:  
Our Ref: BW/JLW  
Date: 1 October 2015

Dear Mr G [REDACTED]

I have been passed the letter you have sent to the Chief Fire Officer dated 1 September 2015 (received on 14 September) concerning your pension as I am the appropriate person for these matters within Lancashire Fire & Rescue Service.

In response to your points I would advise you of the following:

- Lancashire Combined Fire Authority (LCFA) is the scheme manager for the Firefighters Pension schemes.
- Although the LCFA retains accountability they have delegated the management of the scheme to myself.
- Therefore I am the appropriate person to respond to you.

As you are aware, the administration of your pension is undertaken on behalf of LCFA by Lancashire County Council's "Your Pension Service" (YPS).

YPS responded to this query on 23 February 2015 and by their letters of 26 May 2015, 29 July 2015 and 7 April 2015. I believe this correspondence addresses your issue.

I will, however, restate the position in respect of the calculation of your Ill Health Injury Pension.

The regulations that cover this are as follows:

- Ill Health Pension - Regulation B3
- Injury Pension – Regulation B4

#### Headquarters

Lancashire Fire & Rescue Service  
Garstang Road, Fulwood  
Preston  
PR2 3LH



I have enclosed the extracts from the Firemen's Pension Scheme Regulations 1992 (FPS) that cover these regulations.

When you retired your pensionable service was more than 10 years. Therefore we use the provisions of paragraph 4 of regulation B3 from Schedule 2 Part B, Part III to calculate the ill health pension. However we also need to take account of paragraph 5 that advises us of the restriction on the pensionable service we can use and any ill health enhancement awarded. The restriction is such that we cannot calculate a higher pension than would have become payable had you retired normally.

Therefore as you had 35 years 285 days service at retirement we need to calculate your pension as an ordinary pension under regulation B1 as follows:

### Calculation of an ordinary pension regulation B1 from Schedule 2 Part B, Part I

*Subject to Parts VII and VIII of this Schedule, the amount of an ordinary pension is*

$$(30 \times A / 60) + (2 \times A \times B / 60)$$

where

- A - is the person's average pensionable pay, and
- B - is the period in years (subject to a maximum of 5 years) by which his pensionable service exceeds 25 years.

Your average pensionable pay figure for the period 23 July 1997 to 22 July 1998 as advised by Lancashire Fire was [REDACTED]

The pension payable to you is therefore:

$$(30 \times [REDACTED] / 60) + (2 \times [REDACTED] \times 5 / 60) = [REDACTED] + [REDACTED] = [REDACTED]$$

### Injury Pension and Gratuity

Your percentage disablement was assessed as being 24% and as you had more than 25 years' service your injury pension was based on 60% of your average pensionable pay.

Therefore the injury pension was calculated as at 22 July 1998 as follows

$$60\% \times [REDACTED] = [REDACTED]$$

$$\text{Less } \frac{3}{4} \text{ of ill health pension} = [REDACTED]$$

$$\text{Less Incapacity benefit} = [REDACTED]$$

$$\text{Injury pension due} = [REDACTED]$$

$$\text{Injury Gratuity} = 12.5\% \times [REDACTED] = [REDACTED]$$

Put another way, a person's notional retirement pension is:

- $(A \times E / 60) + (2 \times A \times F / 60)$

where

- A - is the person's average pensionable pay,
- E - is the period in years of his notional service up to 20 years, and
- F - is the period in years by which his notional service exceeds 20 years.

A person's notional service is the period in years that he would have been entitled to reckon as pensionable service if he had continued to serve until he could:

- (a) retire with a maximum ordinary pension (disregarding rule B1[2]), or
- (b) be required to retire on account of age,

whichever is the earlier.

As you had attained 30 years within the Fire Pension Scheme when you retired on 22 July 1998 this basis was used to calculate your ill health pension with the pensionable pay for your last 365 days being used.

For the sake of completeness I would also advise you that you are mistaken about the reason and content of the "internal instruction". This instruction was necessary, and issued by myself, as a response to the specific actions of an individual who has been declared vexatious. It was to ensure that any such queries were dealt with appropriately and was an internal administration action.

Yours sincerely



Bob Warren  
Director of People and Development

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