

**SHQ - Harold, Anthony**

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**From:** SHQ - Warren, Bob  
**Sent:** 02 December 2010 11:14  
**To:** SHQ - Harold, Anthony  
**Cc:** james.harold@sky.com  
**Subject:** FW: Paul Burns  
**Attachments:** BH 039977-10 - Wallace re Mr Burns.doc

Anthony  
for information  
Bob

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**From:** Martin Hill [mailto:Martin.Hill@communities.gsi.gov.uk]  
**Sent:** 01 December 2010 11:57  
**To:** SHQ - Warren, Bob  
**Subject:** Paul Burns

Bob

You may be interested to see the draft reply which I have just put up to Ministers in response to another letter from Mr Burns' MP. I think it is explanatory.

Martin

Martin Hill  
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WPP Division  
Department for Communities  
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<<BH 039977-10 - Wallace re Mr Burns.doc>>

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Ben Wallace MP  
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**Baroness Hanham CBE**  
*Parliamentary Under Secretary of State*

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Thank you for your letter of 19<sup>th</sup> November to Bob Neill on behalf of Mr Paul Burns, 7 Kings Drive, Fulwood, PR2 3HN. Your letter has been transferred to me as matters concerning the Firefighters' Pension Scheme form part of my Ministerial responsibilities.

Mr Burns asks what statutory powers exist within the Firefighters' Pension Scheme 1992 which require pensioners to notify the Fire and Rescue Service of the Benefits they receive and what legislation exists requiring pensioners to sign up to providing such notification.

As Bob Neill explained in his letter of 17 August, which you attached to your letter, under the terms of the Firefighters' Compensation Scheme 2006, which is now the relevant statutory scheme for the payment of injury awards to firefighters who are injured on duty, the fire and rescue authority, which employed the firefighter, is required to reduce the amount of any injury award by the amount of any benefits paid by the Department for Work and Pensions. This ensures that the person does not receive duplicate benefits for the same injury.

The system can only work effectively if the person receiving an injury award informs the authority of the benefits received from the Department for Work and Pensions, or gives the Department permission to notify the authority of any change in the benefits paid.

If the pensioner fails to co-operate in this matter, the authority will need to take reasonable steps to ensure that it does not overpay, and if necessary, to recover any overpayment.

**BARONESS HANHAM CBE**

Drafter's Name Andy Boorman

Checker's Name Martin Hill

MSU case Ref BN/BH/039977/10

### Style

- Have you used the correct template?
- Is the formatting correct? (inc space for signature, hand written salutations, e.g. Dear, Yours sincerely)
- Is the spelling & grammar correct?

### Accuracy of Content

- Is the delivery address correct?
- Is the correspondents address correct?
- Is the correspondents/constituents name correct throughout the letter?
- Is the correct MSU reference recorded?
- Is the correspondent's reference recorded?
- If applicable, are the hyperlinks correct and working?
- Does this draft need a contribution from other parts of CLG/OGDs?

### Intro Paragraph

- Mentions name of person letter was addressed to initially?
- Is the date of the letter correct?
- Have you recorded the relevant subject?
- If applicable, indicated why it has been passed to another Minister for reply?
- If applicable, contain the full name and address of the constituent?

### Policy

- Is the Policy up to date?
- Does the letter answer the question raised?

### Please mark the following questions with an X if answer is Yes and leave blank if No

- Is this a redraft? (Minister's comments taken into account)
- Is this a standard letter that the Minister has already used?
- Is a covering submission attached for this case in MINCOM?
- Are there any attachments required and if so are they attached?
- If applicable, does the draft contain any cc instructions?
- If applicable, please tick this box if you have co-ordinated this response from other policy areas and it contains contributions from other policy teams

**BY PLACING AN X IN THIS BOX YOU ARE CONFIRMING THAT THE DRAFT HAS BEEN CHECKED AND IS FIT TO BE PASSED DIRECT TO MINISTERS FOR**

**SIGNATURE**