

Public Document Pack



BEDFORDSHIRE FIRE AND RESCUE AUTHORITY

Councillor P Downing (Chair)
Councillor C Atkins
Councillor M Ayub
Councillor Y Waheed
Councillor J Mingay
Councillor M Riaz

A meeting of **Human Resources Policy and Challenge Group** will be held at **Conference Room, Fire and Rescue Service Headquarters, Kempston, Bedford MK41 7NR** on **Tuesday, 15 March 2016** starting at **10.00 am**.

Union Representatives have been invited to attend the meeting.

Karen Daniels
Service Assurance Manager

A G E N D A

Item	Subject	Lead	Purpose of Discussion
1.	Apologies		
2.	Declarations of Disclosable Pecuniary and Other Interests	Chair	Members are requested to disclose the existence and nature of any disclosable pecuniary interest and any other interests as required by the Fire Authority's Code of Conduct. (see note below).
3.	Communications		
4.	Minutes	Chair	To confirm the Minutes of the meeting held on 16 December 2015 (Pages 1 - 6)
5.	Human Resources Performance Monitoring 2015/16 Quarter 3 and Programmes to date	ACO	*To consider a report (Pages 7 - 16)

Item	Subject	Lead	Purpose of Discussion
6.	Proposed Human Resources and Organisational Development Indicators and Targets for 2016/17	ACO	*To consider a report (Pages 17 - 28)
7.	Audit and Governance Action Plans Monitoring Report	ACO	*To consider a report (Pages 29 - 34)
8.	Discretions - Fire Pensions Schemes	HHR	*To consider a report (Pages 35 - 98)
9.	Introduction of the National Living Wage	HHR	*To consider a report (Pages 99 - 102)
10.	Equality Duty Report	DivAd	* To consider a report (Pages 103 - 128)
11.	Corporate Risk Register	HSSP	*To consider a report (Pages 129 - 132)
12.	Review of Work Programme 2015/16	Chair	*To consider a report (Pages 133 - 140)
	Next Meeting		10.00 am on 7 June 2016 at Conference Room, Fire and Rescue Service Headquarters, Kempston, Bedford MK41 7NR

DECLARATIONS OF INTEREST

From 1 July 2012 new regulations were introduced on Disclosable Pecuniary Interests (DPIs). The interests are set out in the Schedule to the Code of Conduct adopted by the Fire Authority on 28 June 2012. Members are statutorily required to notify the Monitoring Officer (MO) of any such interest which they, or a spouse or civil partner or a person they live with as such, have where they know of the interest.

A Member must make a verbal declaration of the existence and nature of any Disclosable Pecuniary Interest and any other interest as defined in paragraph 7 of the Fire Authority's Code of Conduct at any meeting of the Fire Authority, a Committee (or Sub-Committee) at which the Member is present and, in the case of a DPI, withdraw from participating in the meeting where an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.

MINUTES OF HUMAN RESOURCES POLICY AND CHALLENGE GROUP MEETING HELD ON 16 DECEMBER 2015

Present: Councillors P Downing (Chair), M Ayub, J Mingay, M Riaz and Y Waheed

ACO Z Evans, SOC A Peckham, SOC T Rogers, Ms J Burnett, Ms D Clarke and Mr R Jones

15-16/HR/029 Apologies

An apology for absence was received from Councillor Atkins.

The Chair wished it to be recorded that the thoughts of the Members of the Policy and Challenge Group were with Councillor Atkins at this difficult time.

15-16/HR/030 Declarations of Disclosable Pecuniary and Other Interests

There were no declarations of interests.

15-16HR/031 Communications

ACO Evans advised that the Audit and Standards Committee had referred an item to this Policy and Challenge Group on the consideration of pay bands in relation to the aspiration of a £9 Living Wage by 2020. A report would be provided to the next meeting of the Policy and Challenge Group.

The Chair welcomed Mr Robert Jones, the newly appointed Service Diversity Adviser, to the meeting.

15-16/HR/032 Minutes

RESOLVED:

That the Minutes of the meeting held on 29 September 2015 be confirmed and signed as a true record.

15-16/HR/033 Human Resources Performance Monitoring 2015/16 Quarter 1 and Programmes to Date

ACO Evans submitted the report on Human Resources programme, projects to date and performance against Human Resources performance indicators and associated targets for the second quarter of 2015/16. The only project on the programme, relating to Business Systems Improvement, was on target.

In relation to the performance indicators, an exception report had been prepared for EQ1 (percentage of new entrants to the operational sector to be women) as there had been no women firefighters recruited to the RDS in the first two quarters. Three females had started the RDS course on 9 November 2015 and this would be captured in the performance report for quarter three.

ACO Evans reported that Members would be provided with the correct figures for the number of male firefighters recruited during the reporting period, as the report stated that only one had been recruited in the second quarter.

ACO Evans drew Members' attention to performance against HR1 (percentage of working time lost due to sickness) which was 13% higher than target. It was recognised that was a good indicator of organisational health.

Members discussed the targets for HR3a (percentage of returned appraisal documents to HR within 3 months – support staff and Station Managers and above) and HR3b (percentage of returned appraisal documents to HR within 3 months – firefighters/ crew and watch managers) and it was suggested that the targets for these indicators be increased at the target setting meeting in March 2016.

SOC A Peckham reported on the staff development performance indicators. Performance against the whole suite of indicators was very strong and performance against all the indicators had improved from that recorded for the first quarter. Significant work had been undertaken to improve performance and SOC Peckham gave examples of the improvement over the last 12 month period, including a 19% improvement against T8c (percentage of safety critical maintenance training programme completed by Control personnel via PDRPro within the last 12 months) and an improvement from amber to green for T4 (percentage of station based operational staff that have attended Compartment Fire Behaviour course within the last three years).

In relation to T1 (percentage of station based operational staff that have attended an assessed BA course within the last two years), which had missed the target by 8%, there were 6 personnel who required nomination and attendance on an assessed course.

In response to a question, SOC Peckham assured Members that the 6 personnel would receive the training by the end of January 2016. However, as it was a rolling programme of training, there may be another small cohort of individuals who had just fallen outside of the timescales by the end of the next reporting period.

Safety critical training was recorded on both the PDR and MIS systems so it could be monitored at a corporate and individual level. A four year forward plan of training was being developed and the Service was now planning training more proactively to identify individuals requiring reassessment at an earlier stage.

H2 (number of working days/shifts lost to accidents per 1000 employees) was reporting as amber as the performance was still being affected by an incident in the first quarter of the year which had resulted in the loss of 27 working days. Performance against this indicator had improved from 36% off target in the first quarter to 9% off target in the second quarter.

RESOLVED:

That the progress made on Human Resources Programmes and Performance be acknowledged.

15-16/HR/034 New Internal Audit Reports Completed to Date

SOC A Peckham presented the final internal audit report on the Training and Development of Operational Staff. The audit opinion was amber/red and the auditors had concluded that the Service had comprehensive systems in place for monitoring the compliance of operational staff in meetings national competencies and training objectives.

The auditors had looked at both the PDRPro and MIS systems; however, the majority of the detail in the report related to PDRPro. This was reliant on individuals recording the details of their training onto the system. The audit highlighted that there should be greater verification and challenge of these recorded details.

SOC Peckham reported that all safety critical training was recorded on the Service MIS system which was maintained by the Training and Development Centre. The Training and Development Team was providing support to operational staff to encourage greater engagement with PDRPro and an action plan had been developed to address the issues identified in the audit report, particularly in relation to verification of competencies.

Follow up was planned in 6 months' time.

RESOLVED:

That the attached internal audit report be received and the associated management comments/actions which will be added to the Audit and Governance Action Plan Monitoring report be endorsed.

15-16/HR/035 Corporate Risk Register

SOC T Rogers introduced the review of the Corporate Risk Register in relation to Human Resources. He reported that there had been no changes to individual risk ratings.

The update to CRR25 (if operational personnel either individually or collectively at any or all levels do not meet the minimum level of competence to safely deal with the full range of incidents which may be encountered, then there is the potential to cause significant injury or even deaths to our staff) had previously been considered during the discussion on the audit of training and development.

There was also an update to CRR40 (if there is a retirement of a large number of operational officers over a short period of time then we lose significant operational and managerial experience within the Service which could ultimately affect our Service Delivery and wider corporate functionality in the shorter term). Following a review of the establishment, a campaign to recruit 16 whole-time firefighters had commenced.

ACO Evans added that the Service maintained a comprehensive workforce development plan process. One of the factors which was considered was the level of unpredicted turnover. Whilst this was lower than in Service areas closer to London, there had been a higher level recently as a result of recruitment campaigns targeting firefighters for recruitment into another sector with higher rates of pay. The role of a modern day firefighter had also changed significantly and there was now a greater focus on prevention and protection.

The improved economy and greater number of alternative opportunities, as well as changes to the pension arrangements, were also contributing factors.

Ms D Clarke, Head of Human Resources, confirmed that exit interviews were conducted with leavers and that pay was identified as the main reason for leaving the Service.

The Service was still viewed positively, and the recent recruitment campaign had generated 665 applications (reduced to 469 (70%) when applying the essential criteria) for the 16 posts. This had now been narrowed down to 228 applicants and it was envisaged that the 16 successful applicants would be selected for training between April-June 2016 so that they would be operationally available by September 2016.

Interest was also generated when request for transfers-in were made. 33 firefighters had transferred into the Service during the last five years. This was another indicator that the Service was considered a good place to work.

Ms J Burnett, the outgoing Diversity Adviser, reported on the two positive action days that had recently been held to generate interest among women and those from minority ethnic communities to consider a career in the Fire and Rescue Service.

RESOLVED:

That the review by the Service of the Corporate Risk Register in relation to Human Resources be received.

15-16/HR/036 Service Gyms and Equipment

SOC T Rogers presented his report on the provision and use of fire station gyms across the Service. This was only one of the support mechanisms provided by the Authority to assist operational staff to maintain their fitness in accordance with the National Occupational Standards.

It was noted that although the Service provided access and time for fitness training for operational staff, personal fitness was a personal obligation and there was no requirement to use the station gyms. There was a requirement to maintain the required level of fitness.

Refurbishment of Kempston and Bedford Fire Station gyms had recently been completed as part of the Capital Programme and a refurbishment of Luton Fire Station gym was planned for 2017/18.

A site survey of all station gyms was conducted in September 2015 and remedial works were required at Ampthill Fire Station gym. None of these had been reported previously as defects to the Property Team and this highlighted the importance of undertaking a full annual conditions survey. The flat roof areas of Luton and Toddington Fire Station gym areas were due to be inspected imminently as they were projected to be approaching the end of their lives.

RESOLVED:

That the report be acknowledged.

15-16/HR/037 Review of Human Resources Policy and Challenge Group Effectiveness 2015/16

Members who had not already done so were asked to complete the questionnaire on the effectiveness of the Policy and Challenge Group at the conclusion of the meeting. The responses would be considered at the Members' Budget Workshop on 27 January 2016.

RESOLVED:

1. That the effectiveness of the Group be considered.
2. That the recorded Minutes of the meeting be fed into the facilitated meeting to be held on 27 January 2016 to review the Fire Authority's effectiveness in 2015/16.

15-16/HR/038 Work Programme 2015/16

Members received the Work Programme for 2015/16. As noted earlier in the meeting, a report on the impact of increasing the one remaining pay band in the Service under the aspirational Living Wage for 2020 of £9 and the potential impact on the pay bill and the Service's pay strategy would be submitted to the next meeting of the Policy and Challenge Group.

Ms D Clarke, Head of Human Resources, commented that the review of the Employee Assistance Programme would be incorporated into the Absence Year End Report and a separate report for the June 2016 meeting would not be required.

RESOLVED:

That the Work Programme be approved with the addition of a report on the Living Wage in March 2016 and the removal of an item on the review of the Employee Assistance Programme in June 2016 as this would be incorporated in the Absence Year End Report which would be submitted to the same meeting.

The meeting finished at 10.56am.

Agenda Item 5

For Publication

**Bedfordshire Fire and Rescue Authority
Human Resources Policy and Challenge
Group
15 March 2016
Item No. 5**

REPORT AUTHOR: ASSISTANT CHIEF OFFICER (HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT)

SUBJECT: HUMAN RESOURCES PROGRAMME AND PERFORMANCE 2015/16 QUARTER THREE (APRIL TO DECEMBER 2015)

For further information on this Report contact: Adrian Turner
Service Performance Analyst
Tel No: 01234 845022

Background Papers:

Previous Human Resources Quarterly Programme and Performance Summary Reports.

Implications (tick✓):

LEGAL	✓	FINANCIAL	✓
HUMAN RESOURCES	✓	EQUALITY IMPACT	✓
ENVIRONMENTAL	✓	POLICY	✓
CORPORATE RISK	Known	✓	OTHER (please specify)
	New		CORE BRIEF

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To provide the Human Resources Policy and Challenge Group with a report for 2015/16 Quarter 3, detailing:

1. Progress and status of the Human Resources Programme and Projects to date.
2. A summary report of performance against Human Resources performance indicators and associated targets for Quarter Three 2015/16 (1 April 2015 to 31 December 2015).

RECOMMENDATION:

Members acknowledge the progress made on Human Resources Programmes and Performance and consider any issues arising.

1. Programmes and Projects

- 1.1 Projects contained in this report have been reviewed and endorsed in February 2015 by the Authority's Policy and Challenge Groups as part of their involvement in the annual process of reviewing the rolling four-year programme of projects for their respective areas in order to update the CRMP in line with the Authority's planning cycle.
- 1.2 The review of the current programme of strategic projects falling within the scope of the Human Resources Policy and Challenge Group has confirmed that:
 - All existing projects are complete;
 - All new projects will be within the medium-term strategic assessment for Human Resources areas; and
 - The current programme is capable of incorporating, under one or more existing projects, all anticipated additional strategic improvement initiatives relating to Human Resources over the next three years.
- 1.3 Full account of the financial implications of the Human Resources programme for 2015/16 to 2018/19 has been taken within the proposed 2015/16 Budget and Medium-Term Financial Plan, as presented to the Authority for agreement in February 2015.
- 1.4 No new Human Resources projects have been added in this period (progress on the HR and Payroll system is covered under Business Systems Improvement and reported to the Corporate Services Policy and Challenge group). However, for information purposes progress on the delivery of the HR and Payroll system is included in Appendix A.
- 1.5 Other points of note, and changes for the year include the following:
 - The Corporate Management Team monitors progress of the Strategic Projects monthly. The Strategic Programme Board reviews the Programme at least twice a year with the next Programme Board review scheduled for 11 March 2016.

- 1.6 Appendix A gives a summary of status to date. No exception reports were submitted during this period, and there are currently no exceptions outstanding. The status of each project is noted using the following key:

Colour Code	Status
GREEN	No issues. On course to meet targets.
AMBER	Some issues. May not meet targets.
RED	Significant issues. Will fall outside agreed targets.

2. Performance

- 2.1 In line with its Terms of Reference, the Human Resources Policy and Challenge Group is required to monitor performance against key performance indicators and associated targets for areas falling within the scope of the Group. It has been previously agreed by the Group, that in order to facilitate this, it should receive quarterly summary performance reports at each of its meetings.
- 2.2 This report presents members with the performance summary outturn for Quarter Three 2015/16 which covers the period 1 April to 31 December 2015. Performance is shown in Appendix B. The indicators and targets included within the report are those established as part of the Authority's 2015/16 planning cycle.
- 2.3 The status of each measure is noted using the following key:

Colour Code	Exception Report	Status
GREEN	n/a	Met or surpassed target
AMBER	Required	Missed but within 10% of target
RED	Required	Missed target by greater than 10%

3. Summary and Exception Reports Q3 2015/16

All performance indicators achieved their target, except for:

- 3.1 **EQ2 Recruitment of minority ethnic staff across the whole organisation**
This measure is 2.5% short of target percentage as at Q3; however we are within a recruitment process and this percentage may change by year end.
- 3.2 **T8b Percentage of Safety Critical Maintenance training programme completed by RDS operational personnel via PDRPro within last 12 months.**
This measure is 4% short of target percentage which equates to 6 people who have not completed Safety Critical Maintenance Programmes. Training and Development Centre are working with Borough Commanders to continually improve performance; completion of e-learning modules by way of a frequency based 12 month programme are a continual requirement for operational personnel.

Compliance is monitored by Training and Development Centre, with performance reported to and managed through Operational Delivery Team on a monthly basis. Names of those unable to maintain currency with training are highlighted with support offered to ensure improvement where required.

3.3 H2 Number of working days/shifts lost to accidents per 1000 employees (excluding Retained Duty System employees).

Target missed by 14%. There were a total of 19 workplace injuries in this category reported in Quarter 3 2015/16 one less than in Quarter 2. 9 of these workplace injuries resulted in 56 days/shifts lost during Quarter 3 2015/16. Two injuries involving a slip, trip, fall accounted for 57% (32 days) of days/shifts lost. The performance indicator running total is currently at 83% of the year-end target so we are hopeful that H2 will be marginally back on target in quarter 4.

3.4 H3 Number of 24 hour cover periods lost to accidents per 1000 Retained Duty System (Full Time Equivalent) employees.

Target missed by 156%. There were a total of 3 workplace injuries in this category reported in Quarter 3 2015/16. One of these workplace injuries resulted in all 92 days/shifts lost during Quarter 3 2015/16. The injury event occurred at an operational incident and resulted in a knee injury partly attributed to repetitive access onto and out of a Rural Water Tender. The performance indicator running total has already exceeded the year-end target. The one workplace injury that caused this has resulted in the employee having over 250 days sick with the employee yet to return to work

**ZOE EVANS
ASSISTANT CHIEF OFFICER (HUMAN RESOURCES AND ORGANISATIONAL
DEVELOPMENT)**

HUMAN RESOURCES AND DEVELOPMENT PROGRAMME REPORT

Project Description	Aim	Performance Status	Comments
<p>Business Systems Improvement</p>	<p>Optimise the use of existing business systems and replace where appropriate.</p>	<p>Green</p>	<p>HR & Payroll System:</p> <p>Update February 2016</p> <p>The Fire Authority, in their meeting of 21 October 2015, approved additional funding £74,000 to provide additional support to run the HR System Project due to new and continued work pressures on the HR Team. This support is now in place and delivering pre-implementation activities.</p> <p>Indicative system and service costs have been received from the system provider and Greater Manchester Fire and Rescue Service. Following an evaluation of the costs and services and an increase in our own capabilities and understanding the proposal will not be progressed further. Technical, contractual and payroll related meetings have been held with the prospective system provider. Various work streams are now in train including those to identify information flows and requirements for maintaining MIS Personnel module as data repository. Final details of the contractual obligations are being finalised ahead of signature.</p>

SUMMARY OF HUMAN RESOURCES PERFORMANCE QUARTER THREE 2015/16

Measure				2015-16 Quarter 3					
No.	Description	Aim	Full Year Target	Average over Last 5 Years	Q3 2014-15	Q3 Actual	Q3 Target	Performance against Target	Comments

Human Resources									
EQ1	A % of new entrants to the operational sector to be women. (Due to budget constraints this will be measured in relation to retained recruitment only).	Higher is Better	7%	5%	12%	20%	7%	Green	3 Females Recruited
EQ2	Recruitment of minority ethnic staff across the whole organisation	Higher is Better	8%	10.14%	14%	6%	8%	Red	2 Ethnic minority staff from 36 recruited
HR1	The percentage of working time lost due to sickness	Lower is Better	3.60%	n/a	3.44%	3.32%	3.60%	Green	8% Better than target
HR1b	% working time lost to sickness excluding long term Sickness	For Info Only		n/a	1.81%	1.85%	For Info Only		

SUMMARY OF HUMAN RESOURCES PERFORMANCE QUARTER THREE 2015/16

Measure				2015-16 Quarter 3					
No.	Description	Aim	Full Year Target	Average over Last 5 Years	Q3 2014-15	Q3 Actual	Q3 Target	Performance against Target	Comments

Staff Development									
T1	Percentage of station based operational staff that have attended an assessed BA course within the last two years	Higher is Better	98%	96%	93%	98%	98%	Green	Achieved target
T2	Percentage of EFAD qualified firefighters that have attended EFAD Assessment course within the last three years	Higher is Better	98%	95%	99%	99%	98%	Green	1% better than target
T3	Percentage of station based operational staff that have attended Water First Responder course within the last three years	Higher is Better	98%	82%	97%	99%	98%	Green	1% better than target
T4	Percentage of station based operational staff that have attended Compartment Fire Behaviour course within the last three years	Higher is Better	98%	90%	99%	98%	98%	Green	Achieved target
T5	Percentage of station based operational Emergency Care for Fire and Rescue trained personnel that have attended a requalification course within the last three years.	Higher is Better	98%	n/a	88%	100%	98%	Green	2% better than target

SUMMARY OF HUMAN RESOURCES PERFORMANCE QUARTER THREE 2015/16

Measure				2015-16 Quarter 3					
No.	Description	Aim	Full Year Target	Average over Last 5 Years	Q3 2014-15	Q3 Actual	Q3 Target	Performance against Target	Comments

Staff Development (cont.)									
---------------------------	--	--	--	--	--	--	--	--	--

Page 14	T6	Percentage of station based operational Working at Height Operators that have attended a Working at Height recertification assessment within the last three years.	Higher is Better	70%	n/a	34%	81%	70%	Green	16% better than target
	T7	Percentage of Flexible Duty Officers that have attended an assessed Incident Command Assessment within the last 12 months.	Higher is Better	98%	n/a	100%	100%	98%	Green	2% better than target
	T8a	Percentage of Safety Critical Maintenance training programme completed by W/T operational personnel via PDRPro within last 12 months.	Higher is Better	92%	n/a	90%	95%	92%	Green	3% better than target

T8b	Percentage of Safety Critical Maintenance training programme completed by RDS operational personnel via PDRPro within last 12 months.	Higher is Better	92%	n/a	87%	88%	92%	Amber	Missed target by 4%
-----	---	------------------	-----	-----	-----	-----	-----	-------	---------------------

APPENDIX B

SUMMARY OF HUMAN RESOURCES PERFORMANCE QUARTER THREE 2015/16

Measure				2015-16 Quarter 3					
No.	Description	Aim	Full Year Target	Average over Last 5 Years	Q3 2014-15	Q3 Actual	Q3 Target	Performance against Target	Comments

Staff Development (Cont.)

T8c	Percentage of Safety Critical Maintenance training programme completed by Control personnel via PDRPro within last 12 months.	Higher is Better	92%	n/a	70%	92%	92%	Green	Achieved target
T8d	Percentage of senior management roles (SC to AC) personnel attainment in maintaining core, operational safety critical training modules within a rolling 12 month period.	Higher is Better	92%	n/a	0%	94%	92%	Green	2% better than target

Health and Safety

H1	Number of serious accidents (over 28 days) per 1000 employees.	Lower is Better	5.84	3.83	0.00	1.94	4.38	Green	56% better than target
----	--	-----------------	------	------	------	------	------	-------	------------------------

Page 15

H2	Number of working days/shifts lost to accidents per 1000 employees (excluding Retained Duty System employees).	Lower is Better	438.66	384.46	190.19	373.55	329.00	Red	Missed target by 14%
H3	Number of 24 hour cover periods lost to accidents per 1000 Retained Duty System (Full Time Equivalent) employees.	Lower is Better	760.59	483.51	187.50	1457.54	570.44	Red	Missed target by 156%

Notes: The comments column on the right hand side shows a comparison of actual against target as a percentage, it should be noted that all targets are represented as 100% and the actual is a percentage of that target.

Agenda Item 6

For Publication

Bedfordshire Fire & Rescue Authority
Human Resources Policy and Challenge
Group
15 March 2016
Item No. 6

REPORT AUTHOR: ASSISTANT CHIEF OFFICER (HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT)

SUBJECT: PROPOSED HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT INDICATORS AND TARGETS FOR 2016/17

For further information on this Report contact: Adrian Turner
Service Performance Analyst
Tel No: 01234 845022

Background Papers: None

Implications (tick ✓):

LEGAL		FINANCIAL	✓
HUMAN RESOURCES		EQUALITY IMPACT	
ENVIRONMENTAL		POLICY	✓
ORGANISATIONAL RISK	✓	OTHER (please specify)	
		CORE BRIEF	

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To advise Members of the proposed suite of Human Resources performance indicators and associated targets for 2016/17 and to seek the Group's endorsement to incorporate these into the Service's performance management framework.

RECOMMENDATION:

That Members consider the proposed suite of Human Resources performance indicators and targets for 2016/17 and endorse or require adjustment as appropriate.

1. Introduction

- a. In line with its Terms of Reference, the Human Resources Policy and Challenge Group is responsible for monitoring the performance of those areas of the Service's work falling within its scope. In order to facilitate this, the Group receives quarterly summary performance reports at each of its meetings.
- b. The Human Resources Policy and Challenge Group is involved in the process of agreeing the suite of indicators and of setting the associated targets and that this should take place, as far as practicable, alongside the annual budget-setting, medium-term financial planning and strategic project planning processes. The Group's Work Programme for the current financial year therefore included this as an item for its meeting in March 2016.
- c. This report advises the Human Resources Policy and Challenge Group of the proposed measures and targets for 2016/17. Members are requested to consider and endorse the proposed targets for 2016/17 as per Appendix A attached.
- d. The targets have been set taking account of Service plans, projects and budgetary allocations for 2016/17. The key considerations relevant to each area are outlined in the additional comments in the table and link the measure to Service objectives.

**ZOE EVANS
ASSISTANT CHIEF OFFICER (HUMAN RESOURCES AND ORGANISATIONAL
DEVELOPMENT)**

Proposed Human Resources Performance Indicators and Targets for 2016/17

EQUALITY & DIVERSITY						
Ref	Performance Indicator	Frequency of Reporting	BFRS Historical Performance	BFRS Target 2015/16	BFRS Target 2016/17	Target setting Rationale
EQ1A	Percentage of new entrants to the Retained Duty System to be women	Quarterly	2014/15 - 12% 2013/14 - 0% 2012/13 - 0% 2011/12 - 0% 2010/11 - 11% 2009/10 - 14% 2008/09 - 5%	7%	6%	<p>The Service has been challenged by inherent difficulties to recruit to the Retained Duty System (RDS) in general which are also documented in the recent Sir Ken Knight report 'Facing the Future' 2013. However the Service continues to seek to improve performance regarding the recruitment of women to the RDS with performance in 2014/15 running at 12%.</p> <p>Recommendation:</p> <p>Set a target at 1% above average performance rate (4.6%) over the last 5 years</p> <ul style="list-style-type: none"> Continue to encourage RDS station managers to use the coffee morning toolkit to support achieving SES equality objective.
EQ1B	Percentage of whole time operational staff to be women	Quarterly	2014/15 - 4.3%	n/a	5%	<p>Recommendations:</p> <p>To set a target which would bring BFRS in line with best performers across East Region FRS</p>
EQ2	Recruitment of Black and Minority Ethnic staff across the whole organisation	Quarterly	2014/15 - 12% 2013/14 - 15% 2012/13 - 6% 2011/12 - 19% 2010-11- 8% 2009/10 - 8% 2008/09 - 6%	8%	13%	<p>Target set at 1% above the 5 year average (12%) performance rate.</p>

EQUALITY & DIVERSITY						
Ref	Performance Indicator	Frequency of Reporting	BFRS Historical Performance	BFRS Target 2015/16	BFRS Target 2016/17	Target setting Rationale
EQ3	Parity in retention rates between BME and white employees (All Staff)	Annually	2014/15 - 12% 2013/14 - 10% 2012/13 - 15% 2011/12 - 21% 2010/11 - 12% 2009/10 - 23% 2008/09 - 4%	16%	14%	The average retention rate over the past 5 years stands at 14%. The workforce profile of people identifying from BME backgrounds currently stands at 7% and has remained broadly consistent during this 5 year period. Recommendation: Set a target at 14% consistent with the 5 year average.
EQ4	Parity in retention rates between men and women (Operational Staff)	Annually	2014/15 - 0% 2013/14 - 3% 2012/13 - 7% 2011/12 - 0% 2010/11 - 7% 2009/10 - 0% 2008/09 - 5%	4%	4%	The retention of women fire fighters over the past 5 years stands at 3.4%. Women representation in fire fighting roles has remained static for several years at around 4%. Recommendation: Target remains the same as linked to workforce profile

HUMAN RESOURCES

Ref	Performance Indicator	Frequency of Reporting	BFRS Historical Performance	BFRS Target 2015/16	BFRS Target 2016/17	Target setting Rationale
HR1	The percentage of working time lost due to sickness	Quarterly	2014/15 – 3.61% 2013/14 – 3.47%	3.6%	3.9%	In previous years the sickness target has been set using the MEAN average public sector absence as reported in the CIPD annual survey. or 2015 this is 4.1%. However given BFRS past performance, it is recommended that the target is set at the same level as the sickness ‘trigger’ (the level at which action commences under the sickness absence policy) of 3.9%.
HR2a	Turnover excluding retirement or dismissals - Excluding Retained	Annually	2014/15 - 3.70% 2013/14 - 2.79% 2012/13 - 4.39% 2011/12 - 2.26% 2010/11 - 1.82% 2009/10 - 4.25%	4%	6%	Average performance over last 3 years (rounded up) + 2%. This is a 1% increase on the method used in previous target setting. It reflects the likelihood of increased turnover given the changes in pensions and retirement age and the commonly held view that firefighting is no longer viewed as a lifetime career. Turnover is currently running at 5.5%. Note: Labour turnover results for 2014 (source XpertHR) were: Private sector 13.9%, public sector 9.3%.
HR2b	Turnover excluding retirement or dismissals - Retained only	Annually	2014/15 – 10.7% 2013/14 - 8.39% 2012/13 - 14.47% 2011/12 - 5.4% 2010/11 - 7.55% 2009/10 - 9.93%	12%	10%	In previous years the average performance over the last 3 completed years (rounded up) +2% has been used. The +2% has been used to reflect the volatile turnover within RDS. Given the apparent ‘blip’ in 2012/13 and current performance running at 7.69%, it is recommended that the target is set based on average performance over 5 years (rounded up). Note: Labour turnover results for 2014 (source XpertHR) were: Private sector 13.9%, public sector 9.3%.

HUMAN RESOURCES

Ref	Performance Indicator	Frequency of Reporting	BFRS Historical Performance	BFRS Target 2015/16	BFRS Target 2016/17	Target setting Rationale
HR3a	Percentage of returned appraisal documents to HR within 3 months of reporting year (end September) Support staff & Station Managers and above	Annually (after Sept each year)	2015 - 91% 2014 - 72% 2013 - 75% 2012 - 69% 2011 - 67% 2010 - 63% 2009 - 39% 2008 - 21%	75%	90%	A stretching target of 90% is suggested given the importance of appraisal and the 2015 performance result.
HR3b	Percentage of returned appraisal documents to HR within 3 months of reporting year (end September) Fire-fighters/Crew & Watch Managers	Annually (after Sept each year)	New indicator in 2015 2015 – 99%	50%	90%	A target of 90% is suggested given the importance of an annual appraisal and the 2015 performance. Although the 2015 performance was excellent at 99%, operational staff movement and organisational change can significant impact on the results. Thus a stretching but realistic target of 90% is suggested. Given appraisal was extended to this section of the workforce in 2015, it is recommended that separate targets are maintained for 2016 to enable accurate comparisons with previous years.

HUMAN RESOURCES (Occupational Health)

Ref	Performance Indicator	Frequency of Reporting	BFRS Historical Performance	BFRS Target 2015/16	BFRS Target 2016/17	Target setting Rationale
OH1	Percentage of personnel in operational Roles who have completed an annual fitness assessment in the past 12 months (excluding secondments, career breaks and modified and LTS).	Annually	2014/15 - 98% 2013/14 - 97% 2012/13 - 95% 2011/12 - 88% 2010/11 - 95% 2009/10 - 97%	97%	97%	It is recommended that a stretching target of 97% is maintained based on current performance (running at 96%) and robust approach to fitness testing which is consistent with the new Addendum to the Fire Service National Framework
OH2	Percentage of operational personnel achieving a pass category in their annual fitness test.	Annually	2014/15 - 95% 2013/14 - 96% 2012/13 - 94% 2011/12 - 95% 2010/11 - 93% 2009/10 - 92%	95%	95%	Target suggested is based on average of current performance and previous 2 years and continued robust approach to fitness.

ORGANISATIONAL DEVELOPMENT						
Ref	Performance Indicator	Frequency of Reporting	BFRS Historical Performance	BFRS Target 2015/16	BFRS Target 2016/17	Target Setting Rationale
T1	Percentage of Operational BA Wearers that have attended an assessed BA course within the last two years	Quarterly	2014/15 95% 2013/14 95% 2012/13 94%	98%	98%	<p>T1 – T6 cover safety critical operational training. Organisational expectation is to maintain a frequency based attendance for all ‘in scope’ personnel within these skillsets.</p> <p>Historical reporting shows 98% as stretch targets and that they remain a reasonable expectation, therefore unchanged for 2016/17.</p>
T2	Percentage of EFAD qualified fire-fighters that have attended EFAD Assessment course within the last three years	Quarterly	2014/15 99% 2013/14 100% 2012/13 98%	98%	98%	
T3	Percentage of station based operational staff that have attended Water First Responder course within the last three years	Quarterly	2014/15 90% 2013/14 96% 2012/13 81%	98%	98%	
T4	Percentage of Operational BA Wearers that have attended Compartment Fire Behaviour course within the last two years	Quarterly	2014/15 98% 2013/14 96% 2012/13 97%	98%	98%	
T5	Percentage of station based operational Emergency Care for Fire and Rescue trained personnel that have attended a requalification course within the last three years	Quarterly	2014/15 82%	98%	98%	
T6	Percentage of station based operational Working at Height Operators that have attended a Working at Height recertification assessment within the last three years	Quarterly	2014/15 41%	70%	98%	

ORGANISATIONAL DEVELOPMENT						
Ref	Performance Indicator	Frequency of Reporting	BFRS Historical Performance	BFRS Target 2015/16	BFRS Target 2016/17	Target Setting Rationale
T7	Percentage of FDS Cover Commanders that have attended an Incident Command Assessment within the last 12 months.	Quarterly	2014/15 100% 2013/14 97% 2012/13 93%	98%	98%	T7 covers command competence. Organisational expectation is to maintain a frequency based attendance for all 'in scope' personnel within these skillsets. Historical reporting shows 98% as stretch targets and that they remain a reasonable expectation, therefore unchanged for 2016/17.
T8a	Percentage of Wholetime Duty System personnel attainment in maintaining core, operational safety critical training modules within a rolling 12 month period	Quarterly	2014/15 94% 2013/14 92% 2012/13 87%	92%	92%	T8 (a-d) covers e-learning completion and learning recording for operational roles. Organisational expectation is to maintain current competencies for all 'in scope' personnel. Historical reporting shows 92% as stretch targets and that they remain a reasonable expectation, therefore unchanged for 2016/17. Evidence of compliance is measured using PDRPro.
T8b	Percentage of Retained Duty System personnel attainment in maintaining core, operational safety critical training modules within a rolling 12 month period	Quarterly	2014/15 90% 2013/14 87%	92%	92%	
T8c	Percentage of Control personnel attainment in maintaining core, operational safety critical training modules within a rolling 12 month period	Quarterly	2014/15 88% 2013/14 76%	92%	92%	
T8d	Percentage of senior management roles (SC to AC) personnel attainment in maintaining core, operational safety critical training modules within a rolling 12 month period	Quarterly	New Measure	92%	92%	

HEALTH AND SAFETY

Ref	Performance Indicator	Frequency of Reporting	BFRS 5 year average Performance	BFRS Target 2015/16	BFRS Target 2016/17	Target Setting Rationale
H1	Number of serious accidents (over 28 days) per 1000 employees.	Quarterly	5.98	5.84	4.78	Downward (positive) trend over last 5 years. Target has been set to achieve 20% reduction on 5 year average 2010-15.
H2	Number of working days/shifts lost to accidents per 1000 employees (excluding Retained Duty System employees).	Quarterly	465.26	438.66	372.20	Downward (positive) trend over last 5 years. Target has been set to achieve 20% reduction on 5 year average 2010-15.
H3	Number of 24 hour cover periods lost to accidents per 1000 Retained Duty System employees.	Quarterly	753.22	760.59	602.58	Downward (positive) trend over last 5 years. Target has been set to achieve 20% reduction on 5 year average 2010-15.

This page is intentionally left blank

Agenda Item 7

For Publication

Bedfordshire Fire and Rescue Authority
Human Resources Policy and Challenge
Group
15 March 2016
Item No. 7

REPORT AUTHOR: ASSISTANT CHIEF OFFICER (HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT)

SUBJECT: AUDIT AND GOVERNANCE ACTION PLANS MONITORING REPORT

For further information on this report contact: Karen Daniels
Service Assurance Manager
Tel No: 01234 845013

Background Papers:

- Action Plans contained in Internal and External Audit Reports
 - Action Plan contained in the Annual Governance Statement 2013/14
 - Minutes of the Audit Committee dated 5 April 2012
-

Implications (tick ✓):

LEGAL			FINANCIAL	✓
HUMAN RESOURCES			EQUALITY IMPACT	
ENVIRONMENTAL			POLICY	✓
CORPORATE RISK	Known	✓	OTHER (please specify)	
	New		CORE BRIEF	

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To report on progress made to date against current action plans arising from internal and external audit reports.

RECOMMENDATION:

That Members acknowledge progress made to date against the action plans and consider any issues arising.

1. Introduction

1.1 The Members of the Audit and Standards Committee previously endorsed that the Committee should receive monitoring reports at each of its meetings advising of progress against current action plans arising from internal and external audit reports, and the Authority's Annual Governance Statement.

1.2 In their meeting on 5 April 2012, Members of the Audit and Standards Committee agreed that progress on the action plans be reported to each meeting of the appropriate Policy and Challenge Group and action point owners report progress by exception to the Audit and Standards Committee. This is the second such report to the Human Resources Policy and Challenge Group for the year 2015/16.

2. Monitoring Report of Actions Arising From Internal and External Audit Reports

2.1 The monitoring report of progress made to date against agreed actions arising from internal and external audit reports is attached as Appendix A.

2.2 The monitoring report covers, in order, the following:

- Outstanding actions from internal and external audit reports, including those reports received during 2014/15 and those from previous years, which have a proposal to extend the original completion date. There are no requests to extend the original completion date.
- Outstanding actions from internal and external audit reports, including those reports received during 2014/15 and those from previous years, which are on target to meet the original or agreed revised completion date.
- Completed actions which are subject to a subsequent or follow up audit. These will remain on the report until this audit is complete and the action validated.
- Completed actions that are of a Low risk and do not require a follow-up audit. These will be removed from the report once they have been reported as completed to the Policy and Challenge Group.
- Any actions that have been superseded by new actions. (Actions are removed from the report once they have been reported as superseded to the Policy and Challenge Group.)

2.3 There are no requests to extend the original completion date.

3. Monitoring Report of Actions Arising from the Authority's Annual Governance Statement

3.1 The monitoring report covers the actions within the 2014/15 Annual Governance Statement (if applicable) which was formally adopted by Members of the Audit and Standards Committee, on behalf of the Authority, at their meeting on 25 June 2015, as part of the 2014/15 Statement of Accounts.

4. Organisational Risk Implications

- 4.1 The actions identified within internal and external audit reports and the Annual Governance Statement represent important improvements to the Authority's current systems and arrangements. As such, they constitute important measures whereby the Authority's overall management of organisational risk can be enhanced.
- 4.2 In addition, ensuring effective external and internal audit arrangements and the publication of an Annual Governance Statement are legal requirements for the Authority and the processes of implementation, monitoring and reporting of improvement actions arising therefore constitute an important element of the Authority's governance arrangements.

**ZOE EVANS
ASSISTANT CHIEF OFFICER
(HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT)**

**Monitoring Report of Actions Arising from Audit Reports
(incorporating any actions outstanding at 31 March 2015 from earlier reports)**

APPENDIX A

URN	Auditing Body & Source	Audit Area and Responsible Manager	Priority	Agreed Action	Progress Report to Date	Timing For Completion	Status ('Not Started', 'In Progress' or 'Completed')
TRDEV 1 15/16	RSM Nov 15: Final Report (15/16)	Training and Development (Ops) Head of Human Resources	Low	New The Head of Training and Development will ensure that the overdue Volume 9 policies and procedures are reviewed and updated where necessary in the timeliest manner.	V09 01-04 Attainment and Maintenance of Competence in Operational Roles has been reviewed and updated. An FSE 234 has been completed and the policy will be reviewed again in 18 months. V09 01-03 Technical Examinations for Operational and Control Roles has been reviewed and updated. An FSE 234 has been completed and the policy will be reviewed again in 12 months. Procedures are in place to ensure timely Volume 9 policy review. Position will be monitored.	Original Jun-16	Completed – No follow up audit required
TRDEV 2 15/16	RSM Nov 15: Final Report (15/16)	Training and Development (Ops) Head of Human Resources	High	New The Head of Operations, with the aid of the Training and Development Team, will develop a strategy and action plan to engage assessors and increase the quality and volume of assessments undertaken on PDRPro with regards to both competence completion and the achievement of training outcomes. Regular audits will be undertaken to provide assurance that assessments and verifications are taking place to ensure PDRPro clearly demonstrates competence and the achievement of training outcomes.	Borough Commander North has met with Development team to develop a strategy to engage assessors and increase the quality and volume of PDR assessments. Planned action is as follows: A member of the Development team will carry out a presentation to Station Commanders on assessment and verification of PDRpro and the findings of the audit of Training and Development. Station commanders will hold station management meetings attended by a Development Team Representative who will give a presentation on assessment and verification of PDR pro – Target for completion 31st March. Following these presentations Station Commanders will produce	Original Dec-15 (Plan) Mar-16 (compliance) Jun-16 (audit)	In Progress

**Monitoring Report of Actions Arising from Audit Reports
(incorporating any actions outstanding at 31 March 2015 from earlier reports)**

APPENDIX A

URN	Auditing Body & Source	Audit Area and Responsible Manager	Priority	Agreed Action	Progress Report to Date	Timing For Completion	Status ('Not Started', 'In Progress' or 'Completed')
-----	------------------------	------------------------------------	----------	---------------	-------------------------	-----------------------	--

					development plans for all Watch Commanders not carrying out regular PDR pro assessment. This will take place over a 3 month period starting from 01st April 2016. Additional work will take place to ensure supervisory managers attendance at standardisation meetings in line with service policy and quarterly audits of assessment and verification practice.		
TRDEV 4 15/16	RSM Nov 15: Final Report (15/16)	Training and Development (Ops) Head of Human Resources	Low	New The Quality Support and Training Administrator will update the Review/Amendment Log to capture the minimum next course review date.	All course design registers have been updated to include a review/amendment log. The review dates for each course is agreed as part of the course verification process and is also recorded on the FSRT 19c design verification checklist.	Original Jun-16	Completed – No follow up required
TRDEV 5 15/16	RSM Nov 15: Final Report (15/16)	Training and Development (Ops) Head of Human Resources	Low	New The Health and Safety Advisor and the Course Delivery Manager will work together and put in place a consistent plan to ensure that all service critical training delivered locally is assessed at regular intervals.	A localised programme of audit is in place for regular assessment of delivery of safety critical training. This takes place as active monitoring and assessment of Station based instructor safety critical training.	Original Jun-16	Completed – No follow up required

**Monitoring Report of Actions Arising from Audit Reports
(incorporating any actions outstanding at 31 March 2015 from earlier reports)**

APPENDIX A

URN	Auditing Body & Source	Audit Area and Responsible Manager	Priority	Agreed Action	Progress Report to Date	Timing For Completion	Status ('Not Started', 'In Progress' or 'Completed')
-----	------------------------	------------------------------------	----------	---------------	-------------------------	-----------------------	--

TRDEV 6A 14/15	RSM Nov 15: Final Report (15/16)	Training and Development (Ops) Head of Human Resources	Low	New The Executive Director that leads on Governance will review and develop the terms of references for the teams to ensure that they clearly identify their roles and responsibilities and, their reporting requirements.	A review of the Terms of Reference will be requested by HTD within February 2016 to ensure that they provide the assurance of roles and responsibilities.	Original Jun-16	In Progress
TRDEV 6B 15/16	RSM Nov 15: Final Report (15/16)	Training and Development (Ops) Head of Human Resources	Medium	New The service will continue discussions with PDRPro to develop the ability to run reports which can provide assurance that assessments and verifications are being undertaken.	Discussion has taken place regarding reports and this requires software development and associated costs. Awaiting final details from PDRpro. Assurance that assessment and verification is being undertaken will be included in monthly returns to Station Commanders.	Original March 2016 (compliance) June 2016 (audit)	Completed – To be confirmed by follow up audit
TRDEV 6C 15/16	RSM Nov 15: Final Report (15/16)	Training and Development (Ops) Head of Human Resources	Low	New When calculating the compliance statistics, the Admin Assistant will use the weighted average calculation method.	The Development Centre Administrator is now aware and will in future use the weighted average calculation method when compiling annual and six monthly PDRpro management reports on compliance.	Original Mar-16 (compliance) Jun-16 (audit)	Completed – No follow up required

Agenda Item 8

For Publication

**Bedfordshire Fire and Rescue Authority
Human Resources Policy and Challenge
Group
15 March 2016
Item No. 8**

REPORT AUTHOR: HUMAN RESOURCES SECTION MANAGER

**SUBJECT: FIREFIGHTER PENSION SCHEME DISCRETIONS FOR
THE 1992, 2006 AND 2015 SCHEMES, AND THE 2006
FIREFIGHTER COMPENSATION SCHEME**

For further information on this Report contact: Sally Green
Human Resources Section Manager
Tel No: 01234 845102

Background Papers: (Available on request)

- The Firemens Pension Scheme 1992
- The New Firefighters Pension Scheme 2006
- The Firefighters Compensation Scheme 2006
- The Firefighters Pension Scheme 2015

Implications (tick ✓):

LEGAL	✓	FINANCIAL	
HUMAN RESOURCES	✓	EQUALITY IMPACT	✓
ENVIRONMENTAL		POLICY	
CORPORATE RISK	Known	OTHER (please specify)	
	New	CORE BRIEF	

Any implications affecting this report are noted at the end of the report.

PURPOSE

To advise Members of the policy statements relating to employer discretions under the following pensions schemes:

- The Firemens Pension Scheme 1992
- The New Firefighters Pension Scheme 2006
- The Firefighters Compensation Scheme 2006
- The Firefighters Pension Scheme 2015

RECOMMENDATION

That Human Resource Policy and Challenge consider the Policy Statements attached at Appendix A for the Firefighter Pension Schemes and recommend their adoption to the Fire and Rescue Authority to be managed on a day-to-day basis by the Chief Fire Officer under existing delegations.

1. Background

- 1.1 As part of the Government's reforms to public service pensions, the Department for Communities and Local Government (DCLG) published a number of consultation documents introducing a new Firefighters' Pension Scheme from 1 April 2015. The 2015 scheme is a Career Average Revalued Earnings (CARE) scheme and is the only scheme available for all firefighters, unless they have full or tapered protection (based on age) from their previous 1992 or 2006 Firefighter Pension Schemes. The legislation to provide the framework for the new scheme was provided for in the Pension Services Act 2013. The Regulations to implement the new scheme were set out in the Firefighters' Pension Scheme (England) Regulations 2014. These were laid before Parliament at the end of October 2014.
- 1.2 With effect from 1 April 2015, 206 firefighters transferred into the 2015 scheme, whilst a further 69 will transfer into the 2015 scheme from either the 1992 or 2006 schemes over a period of seven years (tapered protection). A further 55 firefighters remain fully protected under the 1992 scheme, 8 remain fully protected under the 2006 scheme, whilst 8 have transferred into the Modified Scheme – the scheme that has recently been made available to RDS staff who were unable to join a pension scheme between 1 July 2000 and 5 April 2006.
- 1.3 As part of the introduction of the 2015 scheme, fire authorities are required to publish and keep under review their policy on certain discretions which they have the power to exercise in relation to firefighters of all of the firefighter schemes.
- 1.4 This report addresses all outstanding delegations and discretionary powers under the Firefighters Pension Scheme (1992), The New Firefighters Pension Scheme (2006), The Firefighters Compensation Scheme (2006) and the Firefighters Pension Scheme (2015). All pension schemes require organisations to have determined appropriate decision making arrangements for all powers set out within the scheme. In addition, the four pension schemes provide a range of discretions which may be exercised on behalf of the Authority.

1.5 To mitigate risk, it is recommended that the Service adopt the same best practice approach of a 'Service panel' to consider the application of discretionary powers. Members agreed this Panel to consider the application of discretionary powers for the Local Government Pension Scheme (LGPS) in July 2014. It is proposed that the panel for the fire pension scheme discretions is formed under the existing Chief Fire Officer delegations. The panel will comprise the same members, ie the Head of Human Resources, the Head of Finance and Treasurer, and the relevant Corporate Management Team (CMT) Manager. Where a panel member is unavailable, a suitable and relevant manager may substitute but the panel must always comprise at least one CMT member.

2. Factors for Consideration When Exercising Discretionary Powers

2.1 The following factors will be considered by the Service Panel:

- a. The extent to which the Service will exercise its discretionary powers, which unless properly limited, could lead to a serious loss of confidence in the public service; for example individuals receiving excessive pay outs and poor administration of the pension scheme;
- b. The Service must be satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs;
- c. Overall reasonableness in exercising the Service discretion;
- d. Real and substantial future benefits to the Service and its tax payers;
- e. Financial savings to be realised over future years; and
- f. Employee relations considerations.

3. Organisational Approach to Determining the Discretions Recommended to Members

3.1 In order to maintain consistency, the Service have continued to use the template approach that has been used for previous discretion documents. Assistance was provided by Clair Alcock of the LGA and our firefighter pension administrators, the London Pension Fund Administrators (LPFA).

3.2 The Service has been cognisant of the requirement to assess each case on its merits so as to ensure organisational flexibility, particularly in the current economic climate. The Service is proposing a policy statement to members that is economically viable, will be practically applied, and is consistent with developments in employment law and best practice.

3.3 In the proposed statement at Appendix A, each discretionary element is described followed by a proposed policy statement for BFRS.

4. Implications

4.1 **Legal:**

Bedfordshire Fire and Rescue Authority is required to publish a statement with regards to how the employer will respond to discretionary aspects of the Fire pension scheme rules and regulations.

This statement will be published on the Bedfordshire Fire and Rescue Authority website and will also be made freely available in other ways such as intranet sites, staff groups, trade unions and HR officers.

4.2 **Human Resources:**

In line with good practice, the discretions outlined in the Policy Statement will be exercised by a panel of Senior Officers comprising:

- Head of Human Resources
- Head of Finance
- Functional Head from the employing Department (or where last employed).

Information will be maintained and updated accordingly by HR in liaison with professional Pension Administrators and Advisers.

4.3 **Equality Impact**

As above, to ensure equality and transparency in decision making a panel will be formed to consider discretions outlined in the policy.

SALLY GREEN
HUMAN RESOURCES SECTION MANAGER

FIREFIGHTER PENSION SCHEME DISCRETIONS FOR THE 1992, 2006 AND 2015 SCHEMES, AND THE 2006 FIREFIGHTER COMPENSATION SCHEME

- The Firemens Pension Scheme 1992
- The New Firefighters Pension Scheme 2006
- The Firefighters Compensation Scheme 2006
- The Firefighters Pension Scheme 2015

Bedfordshire Fire & Rescue Authority is required to publish a statement with regards to how the employer will respond to discretionary aspects of the Fire pension scheme rules and regulations.

This statement will be published on the Bedfordshire Fire & Rescue Authority website and will also be made freely available in other ways such as intranet sites, staff groups, trade unions and HR officers.

The date of this publication is: 19th April 2016

The effective date of this policy is: 1st April 2016

This is the formal employers policy in respect of the employer that is currently known as:

Bedfordshire Fire & Rescue Authority

This policy applies to:

Prospective members, current contributory members and pensioner members of the Firefighter Pension Schemes, and their dependants.

Where quoted regulations refer to:

The Firemens Pension Scheme 1992

The New Firefighters Pension Scheme 2006

The Firefighters Compensation Scheme 2006

The Firefighters Pension Scheme 2015

This statement will be reviewed and may change from time to time. You should obtain the latest version of this document before making any decisions in respect of your retirement provisions as the situation may have changed.

You are advised to read this statement in conjunction with the information provided in respect of the benefits provided by the relevant fire pension scheme.

This policy does not convey any form of contractual rights for fire pension/staff members. The policy will be reviewed and may be subject to change, only the version of the policy that is 'current' at the time at which an event occurs will be the one applied for the purposes of fire pension scheme benefits or membership.

In publishing this policy the scheme employer is required to pay due regard to the requirement that the formulated policy and its application and the extent to which the exercise of the discretions could lead to a serious loss of confidence in the public service;

Bedfordshire Fire & Rescue Authority will not use this policy for any ulterior motive, it will ensure that such discretions will be exercised reasonably and where a cost is incurred it will only be used when there is a future benefit to the employer for incurring the extra costs that may arise or be associated with the discretion. It will ensure that where exercised any discretions that incur additional costs, will be applied and recorded as appropriate.

The discretions outlined in this Policy Statement will be exercised by a panel of Senior Officers comprising:

- Head of Human Resources
- Head of Finance
- Functional Head from the employing Department (or where last employed).

Where a panel member is unavailable, a suitable and relevant manager may substitute but the panel must always comprise at least one Corporate Management Team Member (CMT)

Any person dissatisfied with the consideration and application of this discretions Policy will have the right to utilise the Authority Internal Disputes Resolutions Policy (IDRP).

2015 Scheme Manager Discretions

The Firefighters' Pension Scheme (England) Regulations 2014 SI 2014/2848

Regulation 5

Delegation

The Scheme Manager must ensure that delegated powers are appropriate and current.

Bedfordshire Fire & Rescue Authority will ensure delegated powers are appropriate and current at all times.

Regulation 12 (5)

Opting into this scheme.

An optant-in will become an active member of the scheme with effect from the beginning of the first pay period following the date on which the option is exercised. There is an option for the scheme manager to vary the date on which the person becomes an active member, to such other time as the scheme manager considers appropriate.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make a reasonable decision as to the optant-in date for an active member. If the optant-in date is unclear, it will take effect from the beginning of the first pay period following the date on which the option is exercised. Any variation to this will be on an exceptional basis.

Regulation 16 (2) (b)

Opting out after the first three months.

An optant-out ceases to be in pensionable service with effect from the first day of the first pay period following the date on which the option is exercised. If the scheme manager considers that day to be inappropriate, it may vary the date to the first day of any later pay period as the scheme manager does consider appropriate.

Bedfordshire Fire & Rescue Authority's policy is: An optant-out will cease to be in pensionable service with effect from the first day of the first pay period following the date on which the option is exercised, unless the payroll has already been processed for that period, in which case the optant-out will cease to be in pensionable service with effect from the first day of the second pay period following the date on which the option is exercised. Any variation to this will be on an exceptional basis.

Regulation 17 (1) (d)

Pensionable Pay.

The scheme manager has discretion to determine if Continual Professional Development payments are to be treated as pensionable pay.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will treat CPD payments as pensionable.

Regulation 19 (c)

Active membership.

A person who is on unpaid authorised absence can count the period as active membership if the scheme manager permits them to be treated as an active member during that period. (Linked to Regulation 111 (4) and subject to the member paying the appropriate contributions).

Bedfordshire Fire & Rescue Authority's policy is: The Authority will allow a person who is on unpaid authorised absence to count the period as active membership subject to the member paying the appropriate contributions.

Regulation 28 (2)

Establishment of Pension Accounts.

The scheme manager must establish and maintain pension accounts for scheme members, but they may be kept in such form as the scheme manager considers appropriate.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will maintain pension accounts for scheme members in the most appropriate form considered by the Authority.

Regulation 37 (3), (4) and (5)

Closure and re-establishment of active member's account.

If a member has more than two active member's accounts and ceases pensionable service with less than three months' qualifying service in respect of one account, that account must be closed and benefits aggregated with one of the others; the member may select which one. If the member fails to choose, the scheme manager has discretion to choose.

Bedfordshire Fire & Rescue Authority's policy is: Where a member fails to choose an account to use to aggregate benefits, the Authority will choose the account considered most appropriate by the Authority. This is likely to be the most cost effective account to the Authority but each case will be considered on its merits and full details of the circumstances will be required.

Regulation 49 (3) and (4)

Closure of deferred member's account after gap in pensionable service not exceeding five years.

If a deferred member re-enters pensionable employment after a gap of five years or less, the scheme manager must close the deferred member's account and re-establish the active member's account, transferring entries from the deferred account. If the person had more than one relevant deferred member's account, they must select – within three months of re-entering scheme employment - which one should close. If they fail to make a selection, the scheme manager must make the choice for them.

Bedfordshire Fire & Rescue Authority's policy is: Where a member has more than one deferred account and fails to choose which account to close, the Authority will choose the account considered the most appropriate by the Authority. This is likely to be the most cost effective account to the Authority but each case will be considered on its merits. Full details of the circumstances will be required.

Regulation 62 (1) and (2)

Employer initiated retirement.

An employer can determine that an active member age 55 or over but under age 60 who on the grounds of business efficiency is dismissed or has their employment terminated by mutual consent, can receive immediate payment of retirement pension without the early payment reduction. An employer may only use this discretion if the employer determines that a retirement pension awarded on this basis would assist the economical, effective and efficient management of its functions having taken account of the costs likely to be incurred in the particular case.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will not allow immediate payment of retirement pension without early payment reduction for any of its employees unless there is a clear financial or operational advantage to be gained by the Authority by so doing.

Regulation 63 (5)

Exercise of partial retirement option.

An active member aged at least 55 who would be entitled to immediate payment of pension if they leave pensionable service and who claims payment of the pension, may opt to claim the whole of their accrued pension but continue in pensionable service. The person concerned must give appropriate notice to the scheme manager and the partial retirement option is taken to be exercised on a date agreed between the member and the scheme manager.

Bedfordshire Fire & Rescue Authority's policy is: Where a member aged at least 55 opts to claim the whole of their accrued pension but continue in pensionable service, the Authority will agree a date most suitable for the Authority, taking into account operational requirements.

Regulation 68 (1) and (2)

Review of ill-health award or early payment of retirement pension.

The scheme manager must have a policy for reviewing, at such intervals as it considers appropriate, the award of ill-health pensions where the recipient is under deferred pension age and has been receiving the award for less than 10 years, and for reviewing the early payment of deferred pensions on ill-health grounds for so long as the recipient is below deferred pension age.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will undertake regular ill health pension reviews on individuals who are under the deferred pension age and have been receiving the award for less than 10 years, and will review the early payment of deferred pensions on ill-health grounds for so long as the recipient is below deferred pension age.

Regulation 69 (3)

Consequences of review.

If, following the review of a lower tier ill-health pension under Regulation 68, the scheme manager determines that the recipient is capable of performing the duties appropriate to the role from which the person retired on grounds of ill-health, the employer must consider whether or not to make an offer of re-employment.

Bedfordshire Fire & Rescue Authority's policy is: Where a member is receiving a lower tier ill-health pension and becomes capable of performing the duties appropriate to the role from which they retired, the Authority will consider making an offer of re-employment based on the individual circumstances.

Regulation 70 (7) and (8)

Commencement of pensions.

(7) If a deferred member requests, and is entitled to, the early payment of retirement pension on grounds of ill-health, the scheme manager must determine the date of payment as being the date on which the person became incapable of undertaking regular employment because of infirmity of mind or body or, if that date cannot be ascertained, the date of the member's request for early payment.

(8) If a deferred member requests deferral of payment of a deferred pension beyond deferred pension age, or requests early payment with an early payment reduction

before deferred pension age, the scheme manager will decide the payment date after the claim for payment has been made.

Bedfordshire Fire & Rescue Authority's policy is: A request for early payment of deferred benefits will only be considered in exceptional circumstances where there are grounds to justify this. Where it is considered that a deferred member is entitled to early payment of a deferred pension, or early payment of pension, the Authority will decide the payment date after the claim for payment has been made on an individual basis. Each case will be considered on its merits and full details of the circumstances will be required.

Regulation 72 (3) (b) and (4)

Allocation election.

The scheme manager must give consent for the allocation of a portion of pension to a dependant who is not the spouse, civil partner or cohabiting partner of an active or deferred member. (Consent can be withheld if the scheme manager is not satisfied that the person nominated is not substantially dependent of the active member.)

Bedfordshire Fire & Rescue Authority's policy is: Where a portion of a pension has been allocated to a dependant who is not the spouse, civil partner or cohabiting partner of the member, the Authority will withhold the payment if they cannot be satisfied that the person nominated is substantially dependent on the member. Each case will be considered on its merits and full details of the circumstances will be required.

Regulation 75 (1) and (2)

Adjustment of allocated benefit.

If a member who has made an allocation election dies after reaching age 75, and the amount of allocated pension does not qualify as a dependant's scheme pension under section 167 of the Finance Act 2004 (pension death benefit rules), the amount may be adjusted in a manner determined by the scheme manager.

Bedfordshire Fire & Rescue Authority's policy is: Where an allocated pension does not qualify as a dependant's scheme pension, the Authority will adjust the amount accordingly.

Regulation 76 (1) (b) (v) and (2)

Meaning of "Surviving Partner".

A cohabiting partner may be considered a "surviving partner" and potentially qualify for a pension provided they meet certain conditions, one of which is that they must have been in a "long-term relationship" – a continuous period of at least two years –

at the date at which entitlement needs to be considered. The scheme manager has discretion to allow the person to qualify where the period is less than two years.

Bedfordshire Fire & Rescue Authority's policy is: Where a Surviving Partner has been a in a long-term relationship for a continuous period of less than two years, the Authority will not consider that person to qualify unless in exceptional circumstances. Each case will be considered on its merits and full details of the circumstances will be required.

Regulation 95

Person to whom lump sum death benefit payable.

The scheme manager has absolute discretion as to the recipient of any lump sum death benefit payable.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make the final decision as to who the recipients of any lump sum death benefits should be on a case by case basis and will withhold payment where it is considered appropriate.

Regulation 100 (2)

Payment of pensions under Part 6 "Death Benefits".

If a child's pension is due in respect of an eligible child under age 18, the scheme manager will determine to whom it should be paid and will give directions to that person as to how the payment should be applied for the eligible child's benefit.

Bedfordshire Fire & Rescue Authority's policy is: When paying Death Benefits to an eligible child under age 18, the Authority will make considerations on a case by case basis as to whom it should be paid and how the payment should be applied.

Regulation 101 (2) and (3)

Surviving partner's pensions and eligible child's pensions: suspension and recovery.

A scheme manager has the right to cease paying a surviving partner's pension and/or eligible child's pension and recover any payment made in respect of a pension where it appears to the scheme manager that the recipient made a false declaration, or deliberately suppressed a material fact in connection with the award. (This does not affect the scheme manager's right to recover a payment or overpayment under any other provision where the scheme manager considers it appropriate to do so.)

Bedfordshire Fire & Rescue Authority's policy is: The Authority will cease payment of a surviving partner's pension and/or eligible child's pension and recover any payment made in respect of a pension where it appears a false declaration had been made or where a material fact has been deliberately suppressed.

Regulation 102 (2) and (3)

Provisional awards of eligible child's pensions: later adjustments.

If children's pensions have been made to certain persons on the basis that they were eligible children and there were no others, and subsequently it appears that any of those children were not eligible, or there was a further eligible child to whom no payment has been made, or that a child born after the member's death is an eligible child, the scheme manager has discretion to adjust the amount of pensions as required in view of the facts as they subsequently appear. The adjustments may be made retrospectively. (This does not affect the scheme manager's right to recover a payment or overpayment under any other provision where the scheme manager considers it appropriate to do so.)

Bedfordshire Fire & Rescue Authority's policy is: Where a child is eligible/ineligible to a child's pension, the Authority will adjust the pensions accordingly. Each case will be considered on its merits and full details of the circumstances will be required.

Regulation 104 (1) (a) and (2)

Adjustment of benefits to comply with FA 2004 where members die over 75.

If a member dies after reaching age 75 and any part of a pension to which a person becomes entitled on the death would not qualify as a dependant's scheme pension for the purposes of section 167 of the Finance Act 2004 (the pension death benefit rules), the scheme manager has discretion to adjust the benefit payable to the person so that it would qualify under that section of the Act.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may adjust benefits payable to individuals who do not qualify as a dependant's scheme pension under the Finance Act 2004. Each case will be considered on its merits and full details of the circumstances will be required.

Regulation 110 (5), (7) (h)

Member Contributions.

(5) Where there is a change in scheme employment or a material change which affects the member's pensionable pay in the course of a financial year and the revised amount falls into a different contribution rate band, the scheme manager must determine that this rate should be applied and inform the member of the new contribution rate and the date from which it is to be applied.

(7) (h) When identifying the appropriate contribution rate, a reduction in pay in certain circumstances as listed in Regulation 110 are to be disregarded. In addition,

the scheme manager can specify the circumstances in a particular case where a reduction in pensionable pay will be disregarded.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will assess contributions when there is a change to pensionable pay and revise contribution rates accordingly. Members will receive written communication of the change at the time of the change.

Regulation 111 (2), (3) and (4)

Contributions during absence from work due to illness, injury, trade dispute or authorised absence.

Where an active member is absent from scheme employment because of illness or injury and not entitled to receive pensionable pay, or because of trade dispute or authorised unpaid absence, they may pay member contributions; if they do, the scheme employer may require that they should also pay employer contributions.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual is absent from work due to a trade dispute or unauthorised absence, the Authority will require them to pay the member contributions and the employer contributions for the period of absence. All other cases will be considered on an individual basis. However it is likely that an individual who is absent from work due to illness or injury (on authorised absence) will only be required to pay member contributions for the period of absence; the Authority will pay the employer contributions.

Regulation 114 (1), (2) and (3)

Deduction and payment of contributions.

(1) Member contributions due under Regulation 110 may be deducted by the scheme employer from each instalment of pensionable pay as it becomes due, unless another method of payment has been agreed between the scheme manager and the member.

(2) Contributions due in respect of absence from work on reserve forces service leave may be deducted from any payment made under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.

(3) Contributions which the member is required to pay, or has elected to pay under Regulations 111 and 113 may be paid by a lump sum or by deduction from instalments of pensionable pay as agreed between the member and the scheme manager.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will ensure that member contributions due under Regulation 110 may be deducted from each instalment of pensionable pay as it becomes due, unless another method of payment

has been agreed between the Authority and the member. The Authority will ensure that member contributions due in respect of absence from work on reserve service leave may be deducted from any payment made under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951. The Authority will ensure that member contributions which the member is required to pay, or has elected to pay under Regulations 111 and 113, may be paid by a lump sum or by deduction from instalments of pensionable pay as agreed between the member and the Authority, and agreed on a case by case basis.

Regulation 135 (4)

Statement of entitlement.

The scheme manager must specify in a statement of entitlement the "guarantee date" date by reference to which the cash equivalent or club transfer value is calculated; this date must fall within the three months beginning with the date of the member's application for the statement of entitlement and within ten days ending with the date on which the member is provided with the statement. The scheme manager has discretion, if it believes reasonable, to extend this date to within six months of the date of the member's application if, for reasons beyond the scheme manager's control, the information needed to calculate the transfer value cannot be obtained before the end of the three month period.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will only extend the date of calculation of transfer value where the information needed to calculate the transfer value cannot be obtained before the end of the three month period, or where there are circumstances beyond their control. The date of extension will not be extended beyond six months of the member's application.

Regulation 141 (3)

Request for acceptance of a transfer payment.

There is a time limit of one year from becoming an active member in which a person can request a transfer payment from a non-occupational pension scheme. The scheme manager has the discretion to extend this period.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will not extend the 12 month election period unless there are extenuating circumstances, eg the Pension Administrator has not actioned the member's request.

Regulation 142 (2)

Transfer statement.

The scheme manager can require an active member to ask the scheme manager of a previous nonclub pension scheme to provide a statement of the amount of

transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may require an active member to ask the Authority of a previous non club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count. Each case will be considered on an individual basis.

Regulation 144 (2)

Club transfer value statement.

The scheme manager can require an active member to ask the scheme manager of a previous club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may require an active member to ask the Scheme Manager of a previous club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count. Each case will be considered on an individual basis.

Regulation 148 (1)

Appeal concerning entries on the certificate.

If a member is not satisfied with a certificate setting out the details in their pension account(s) as required under Regulation 146, they can require the scheme manager to deal with their disagreement under arrangements implemented by the scheme manager in accordance with the requirements of section 50 of the Pensions Act 1995 (resolution of disputes) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008. The scheme manager must have these arrangements in place.

Bedfordshire Fire & Rescue Authority's policy is: If a member is not satisfied with a certificate setting out the details in their pension account(s) as required under Regulation 146, the member can follow the Internal Dispute Resolution Procedure (IDRP) to seek resolution.

Regulation 151

Determinations by the scheme manager.

It is the scheme manager that must determine whether a person is entitled to an award or to retain an award.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make awards in accordance with the regulations and following guidance from their Pension Administrators.

Regulation 152 (1), (7)

Role of IQMP in determinations by the scheme manager.

(1) The scheme manager must select an Independent Qualified Medical Practitioner to provide a written opinion in respect of medical matters which may only be decided by having regard to such an opinion.

(7) If a person wilfully or negligently fails to submit to medical examination by the selected IQMP and the IQMP is unable to give an opinion on the basis of the medical evidence available, the scheme manager can make the determination based on such medical evidence as the scheme manager thinks fit, or without medical evidence.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual negligently fails to submit to medical examination by the IQMP and the IQMP is unable to provide an opinion on the basis of the medical evidence available, the Authority will make determination based on such medical evidence as they think fit, or without medical evidence.

Regulation 153 (1), (4) and (5)

Review of medical opinion.

Where a member requests a review of an IQMP's opinion in the light of new evidence received by the scheme manager within 28 days of the member having received the opinion, the scheme manager may agree to giving the IQMP the opportunity of reviewing the opinion.

(4) and (5) Upon receiving the IQMP's response the scheme manager must confirm or revise its original determination and advise the member accordingly.

Bedfordshire Fire & Rescue Authority's policy is: Where the Authority receives new evidence from a member within 28 days of the opinion; the Authority will request the IQMP to review the opinion. Upon receiving the IQMP's advice, the Authority will confirm or revise its original determination and advise the member accordingly.

Regulation 155 (2)

Notice of appeal.

If a member wishes to appeal against a determination made by the scheme manager and their grievance lies in the medical opinion upon which the determination was based, they can appeal to a board of medical referees. The appeal must be made within 28 days of the date on which the member receives the relevant documents under Regulation 154(4). If the appeal is not made within this time limit and the

scheme manager is of the opinion that the person's failure to give notice within the required period was not due to the person's own default, the scheme manager has a discretion to extend the time limit for such period as the scheme manager considers appropriate, not exceeding six months from the date the Regulation 154(4) documents were supplied.

Bedfordshire Fire & Rescue Authority's policy is: Where an appeal is not made within the specified time limit and the Authority believes it is not due to the person's own default, the Authority will extend the time limit for appeal by a maximum of one month from the date of the original appeal deadline.

Regulation 156 (8) to (12)

(see also Regulation 161)

Reference of appeal to the board.

Where a member has given notice of appeal to a board of medical referees, before the board arranges a time and place for the interview and medical examination a member of the board will review the documents supplied to the board in accordance with Regulation 156. If the board member is of the opinion that the board may regard the appeal as frivolous, vexatious or manifestly ill-founded the board member will notify the Secretary of State accordingly. This will be copied to the scheme manager who must, in turn, send a copy of it to the scheme member advising that if their appeal is unsuccessful, the member may be required to pay the scheme manager's costs and requesting notification from the member as to whether, in the circumstances, they wish to continue with, or withdraw, the appeal.

Bedfordshire Fire & Rescue Authority's policy is: Where a Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations.

Regulation 157 (6) to (9)

Procedure where appeal to be pursued.

The scheme manager must decide which persons will attend the interview as its representatives. The scheme manager must also decide whether or not to submit written evidence or a written statement (and must decide a response to any written evidence or written statement from the appellant).

Bedfordshire Fire & Rescue Authority's policy is: It is likely that BFRA's representation at a Medical Appeal Board will be the Head of Human Resources and any other individual they consider appropriate. The Authority will submit written evidence to a Medical Appeal Board in accordance with the regulations.

Regulation 161 (2)

Expenses of each party.

If the medical appeal board determines in favour of the scheme manager and states that in its opinion the appeal was frivolous, vexatious or manifestly ill-founded, the scheme manager can require the appellant to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate.

Bedfordshire Fire & Rescue Authority's policy is: Where the medical appeal board determine that an appeal is frivolous, vexatious or manifestly ill-founded, the Authority will require the appellant to pay it the maximum sum allowable not exceeding the total amount of the fees and allowances payable to the board under Regulation 160 (1).

Regulation 161 (3) (a)

Expenses of each party.

If the appellant withdraws the appeal requesting cancellation, postponement or adjournment of the date appointed for interview and/or medical examination less than 22 working days before the date appointed, the scheme manager can require the member to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate.

Bedfordshire Fire & Rescue Authority's policy is: Where an appellant withdraws an appeal requesting cancellation, postponement or adjournment, the Authority will require the appellant to pay it the maximum sum allowable not exceeding the total amount of the fees and allowances payable to the board under Regulation 160 (1).

Regulation 161 (3) (b)

Expenses of each party.

If the appellant's acts or omissions cause the board to cancel, postpone or otherwise adjourn the date appointed or interview and/or medical examination less than 22 days before the date appointed, the scheme manager can require the member to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate.

Bedfordshire Fire & Rescue Authority's policy is: Where an appellant's acts or omissions cause the board to cancel, postpone or otherwise adjourn the appeal, the Authority will require the appellant to pay it the maximum sum allowable not exceeding the total amount of the fees and allowances payable to the board under Regulation 160 (1).

Regulation 163

Appeals on other issues.

If a member disagrees with a scheme manager's determination of award under Regulation 151 and the disagreement does not involve an issue of a medical nature, the member can require the scheme manager to deal with the disagreement under requirements which the scheme manager must have in place in accordance with section 50 of the Pensions Act 1995 (requirement for dispute resolution arrangements) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008.

Bedfordshire Fire & Rescue Authority's policy is: Where a member disagrees with the Authority's determination of award under Regulation 151 and the disagreement does not involve an issue of a medical nature, the member can follow the Internal Dispute Resolution Procedure (IDRP) to seek a resolution.

Regulation 167

Commutation of small pensions.

If the pension entitlement of a member of the scheme, or the pension entitlement of a member's beneficiary, does not exceed the small pensions commutation maximum the scheme manager may pay the entitlement as a lump sum. This would, however, be subject to the consent of the recipient and must comply with the commutation provisions that apply in the circumstances.

Bedfordshire Fire & Rescue Authority's policy is: Where appropriate BFRA will allow the conversion of a small pension to a single lump sum in accordance with the financial limits set. Each case will be considered on an individual basis.

Regulation 168

Payments for persons incapable of managing their affairs.

If it appears to the scheme manager that a person other than an eligible child who is entitled to benefits under the scheme, is by reason of mental incapacity or otherwise, incapable of managing his or her affairs, the scheme manager may pay the benefits or any part of them to a person having the care of the person entitled, or such other person as the scheme manager may determine, to be applied for the benefit of the person entitled. If the scheme manager does not pay the benefits in this way, the scheme manager may apply them in such manner as it may determine for the benefit of the person entitled, or any beneficiaries of that person.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make the final decision as to the recipient to receive any sum payable to a person incapable of managing their own affairs.

Regulation 169

Payments due in respect of deceased persons.

If, when a person dies, the total amount due to that person's personal representatives under the scheme (including anything due at the person's death) does not exceed the limit specified in the Administration of Estates (Small Payments) Act 1965, the scheme manager can pay the whole or part of the amount due to the personal representatives or any person or persons appearing to the scheme manager to be beneficially entitled to the estate, without requiring the production of grant of probate or letters of administration.

Bedfordshire Fire & Rescue Authority's policy is: When paying personal representatives death benefits, the Authority will consider each case on an individual basis.

Regulation 171 (1) (2), (3), (4) and (5)

Forfeiture: offences committed by members, surviving partners or eligible children.

If a member, surviving partner or eligible child is convicted of a relevant offence, the scheme manager can withhold pensions payable under the scheme to a member, any person in respect of the member, a surviving partner or an eligible child, to such extent and for such duration as it considers appropriate. "Relevant offence" is defined in this Regulation. The definition includes offences injurious to the State (including treason) or likely to lead to a serious loss of confidence in the public service. There are certain conditions set out in the Regulation, e.g. it is only the part of the pension that exceeds any guaranteed minimum pension that can be withheld. (4) Where a pension is withheld, the scheme manager can at any time, and to such extent and for such duration as the manager thinks fit, apply the pension for the benefit of any dependant of the member or restore it to the member.

Bedfordshire Fire & Rescue Authority's policy is: When forfeiting a pension, the Authority will consider each case on an individual basis and details of full circumstances will be required.

Regulation 172 (1) to (5)

Forfeiture of pensions: offences committed by other persons.

If a surviving partner or eligible child is convicted of the murder of a scheme member from whose benefits their pension would be derived the scheme manager must withhold all of the survivor's or child's pension otherwise payable. However, if a surviving partner or eligible child is convicted of the manslaughter of the member or any other offence, apart from murder, of which the unlawful killing of the member is an element, the scheme manager has discretion as to whether or not to withhold the

pension to which they would otherwise be entitled. The amount withheld must only be that part of the pension which exceeds any guaranteed minimum pension. If the conviction is subsequently quashed, the pension must be restored with effect from the day after the date on which the member died. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled.

Bedfordshire Fire & Rescue Authority's policy is: When forfeiting a pension, the Authority will consider each case on an individual basis and details of full circumstances will be required.

Regulation 173

Forfeiture of lump sum death benefit: offences committed by other persons.

If a person is convicted of a relevant offence, i.e. the murder or manslaughter of the member, or any other offence of which the unlawful killing of the member is an element, the scheme manager must withhold all of any lump sum death benefit payable to that person. If, however, the conviction is subsequently quashed on appeal, the scheme manager may, to such extent and for such duration as it thinks fit, restore to the person the amount of benefit withheld. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled.

Bedfordshire Fire & Rescue Authority's policy is: When forfeiting a pension, the Authority will consider each case on an individual basis and details of full circumstances will be required.

Regulation 174

Forfeiture: relevant monetary obligations and relevant monetary losses.

If a member has a relevant monetary obligation or has caused a relevant monetary loss, the scheme manager may, to such extent and for such duration as it considers appropriate, withhold benefits payable to that person under the scheme. "Relevant monetary obligation" and "relevant monetary loss" are defined in the Regulation. There are certain limits, e.g. the amount withheld may only be that which exceeds the person's guaranteed minimum pension and the scheme manager may only withhold it if there is no dispute about the amount or, if there is, there is a court order or the award of an arbitrator. The monetary obligation must have been incurred to the employer after the person became an active member and arising out of or connected with the scheme employment in respect of which the person became a member of the scheme, and arising out of the person's criminal, negligent or fraudulent act or omission. The procedure is set out in Regulation 176.

Bedfordshire Fire & Rescue Authority's policy is: When forfeiting a pension, the Authority will consider each case on an individual basis and details of full circumstances will be required.

Regulation 175

Set-off.

A scheme manager has a discretion to set off a "relevant monetary obligation" against a member's entitlement to benefits under the scheme, subject to certain conditions which are similar to those contained in Regulation 174 (Forfeiture). The procedure is set out in Regulation 176.

Bedfordshire Fire & Rescue Authority's policy is: Where the Authority proposes to withhold benefits, the procedure set out in Regulation 176 will be followed. The Authority will consider each case on an individual basis.

Regulation 178

Payment on behalf of members of lifetime allowance charge.

At a scheme member's request, the scheme manager may pay on the member's behalf any amount that is payable by way of the lifetime allowance charge under section 214 of the Finance Act 2004. The scheme manager may only comply with the request if the member pays it the amount in question on or before the date on which the event occurs or the member authorises the deduction of the amount from a lump sum becoming payable to the member under the scheme at the same time as the event occurs.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may make a lifetime allowance charge payment on behalf of a member in exceptional circumstances. Each case will be considered on an individual basis.

Regulation 184 (1) and (2) and (3)

Evidence of entitlement.

(1) and (2) The scheme manager can require any person who is in receipt of a pension or may have entitlement to a pension or lump sum under the scheme to provide such supporting evidence as the scheme manager may reasonably require so as to establish the person's identity and their continuing or future entitlement to the payment of any amount under the scheme.

(3) If a person fails to comply with the scheme manager's requirements in this respect, the scheme manager can withhold the whole or part of any amount that it otherwise considers to be payable under the scheme.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual fails to comply with the Authority's requirements regarding evidence of entitlement, the Authority will withhold the whole or part of any amount that is otherwise payable.

Schedule 1 Part 1, Paragraph 4

Amount of accrued added pension may not exceed overall limit of extra pension.

The total amount of accrued added pension must not exceed a certain limit. If it appears to the scheme manager that a member who has elected to make periodical contributions will exceed the limit the scheme manager may cancel the election (by written notice to the member).

Bedfordshire Fire & Rescue Authority's policy is: Where it appears that a member who has elected to make periodical contributions will exceed the limit, it is likely that the Authority will cancel the election. Each case will be considered on an individual basis.

Schedule 1 Part 1, Paragraph 7 (3)

Member's election to make periodical contributions for added pension.

If a scheme member wishes to make periodical payments for added pension, the scheme manager can set a minimum amount which must be paid.

Bedfordshire Fire & Rescue Authority's policy is: Where a Scheme Member wishes to make periodical payments for added pension, the Authority will set a minimum amount which must be paid.

Schedule 1 Part 2, Paragraph 8 (3)

Periodical payments.

If a scheme member wants to make periodical payments for added pension, but does not want them to be deducted from pensionable pay, the scheme manager may agree another method of payment.

Bedfordshire Fire & Rescue Authority's policy is: Where a member wishes to make payments for added pension but does not want them to be deducted from pensionable pay, the Authority may agree another method of payment, to be agreed on a case by case basis.

Schedule 1 Part 2, Paragraph 10 (4)

Periodical payments during periods of assumed pensionable pay.

After a period of assumed pensionable pay or a period of reduced pay, the member may give written notice to the scheme manager authorising the employer to deduct the aggregate of payments – which would have been made but for the leave – from the member's pay during the period of six months from the end of the period of reduced pay. The scheme manager can extend this period of six months.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will not extend the period of six months for payments during periods of assumed pensionable pay unless in exceptional circumstances.

Schedule 2 Part 1, Paragraph 3

Meaning of "tapered protection closing date".

The tapered protection closing dates for tapered protection members are given in the 1992 scheme tables in Schedule 2 Part 4. In most cases the appropriate closing date can be ascertained by reference to the band of dates in which the firefighter's birthday falls. The tapered protection date for a tapered protection member of FPS 2006 to whom paragraph 9(5) or 21 applies (members returning to pensionable service) is determined by the scheme manager.

Bedfordshire Fire & Rescue Authority's policy is: Scheme Members were notified of their tapered protection dates at the time the 2015 scheme was introduced.

New Firefighters Pension Scheme 2006

Part 2, Rule 1

Determination of eligibility for membership of NFPS.

Bedfordshire Fire & Rescue Authority's policy is: This scheme is now closed and there is no facility for new members to join.

Part 2, Rule 4

Last day of membership

Decision, by agreement with firefighter, as to last day of membership where firefighter on unpaid leave or absent without permission on the day on which he/she leaves the Scheme.

Bedfordshire Fire & Rescue Authority's policy is: Where the Firefighter is on unpaid leave or absent without permission, the Authority will agree an appropriate date with the firefighter as to the last day of their membership of the scheme.

Part 2, Rule 6

Optant-out rejoining

Resolution that an optant-out may not rejoin the Scheme unless he/she has undergone a medical examination at his/her own expense and satisfied the Fire and Rescue Authority as to his/her good health.

This allows the consideration of whether to require a medical examination before allowing a firefighter that has opted out of the pension scheme before allowing them to re-join the scheme.

Bedfordshire Fire & Rescue Authority's policy is: Where a firefighter has opted out of the scheme, the Authority may require them to undertake a medical examination before allowing them to rejoin the scheme. Each case will be considered on an individual basis.

Part 3, Rule 5

Early payment of deferred pension

Discretion to refuse a firefighter's request for early payment of a deferred pension ('member-initiated early retirement') where this is likely to be less than the GMP at State pensionable age.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may refuse a firefighter's request for early payment of a deferred pension where this is likely to be less than the GMP at State pensionable age. Each case will be considered on an individual basis.

Part 3, Rule 6

Authority-initiated retirement

Discretion to retire a firefighter aged 55 or over on grounds of economical, effective and efficient management of their functions ('authority-initiated early retirement').

This discretion allows the early payment of a pension to a firefighter aged 55 or over where the retirement is in the interests of the management of the Service.

Bedfordshire Fire & Rescue Authority's policy is: Where the retirement of a firefighter aged 55 or over is in the interests of the management of the Service, the Authority may process an early retirement for the individual. Each case will be considered on an individual basis.

Part 3, Rule 10

Discretion to commute a small pension payable to firefighter.

This discretion allows consideration of a small pension to a single lump sum payment.

Bedfordshire Fire & Rescue Authority's policy is: Where appropriate BFRA will allow the conversion of a small pension to a single lump sum in accordance with the financial limits set. Each case will be considered on an individual basis.

Part 3, Rule 11, Paragraphs 2(b) and 3

Discretion to permit a firefighter to allocate a portion of pension for a dependant other than a spouse, civil partner, or nominated partner.

This discretion allows consideration of a firefighter allocating a portion of pension for a dependant other than a spouse, civil partner or nominated partner.

Bedfordshire Fire & Rescue Authority's policy is: Where a portion of a pension has been allocated to a dependent who is not a spouse, civil partner or cohabiting partner of the member, the Authority will withhold the payment if they cannot be satisfied that the person nominated is substantially dependent on the member. Each case will be considered on its merits and full details of the circumstances will be required.

Part 3, Rule 11, Paragraph 6(a)

Acceptance of good health and normal life expectancy for allocation purposes.

This is similar to the delegation above and allows a firefighter to allocate (give up) part of their pension during their lifetime when they first become eligible to retire to provide, on their death, a pension for a spouse, civil partner or a dependant. There

is a requirement that the member has normal life expectancy and this discretion allows consideration of whether this is so.

Bedfordshire Fire & Rescue Authority's policy is: Where a Firefighter elects to give up part of their pension (as per Part 3, Rule 11, Paragraphs 2(b) and 3), the Authority may require them to undertake a medical examination to ensure they are in good health before permitting them to do so. Each case will be considered on an individual basis.

Part 4, Rule 1, Paragraph 3

Discretion to withhold all or part of a survivor's pension, permanently or temporarily, where the deceased's spouse, civil partner, or nominated partner is convicted of manslaughter of the deceased.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will permanently withhold the survivor's pension where the deceased's spouse, civil partner, or nominated partner is convicted of manslaughter of the deceased.

Part 4, Rule 7, Paragraph 5

Discretion to withhold all or part of a child's pension, permanently or temporarily, where the child is convicted of manslaughter of the deceased.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will permanently withhold the child's pension where the deceased's child is convicted of manslaughter of the deceased.

Part 4, Rule 7, Paragraph 9

Child's pension on change of circumstances

Decision to cease payment of a child's pension where the Fire and Rescue Authority are satisfied that the child is no longer permanently disabled or the child's pension should not have been awarded.

This discretion allows the Authority to deal with the review of a child's pension on change of circumstances.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may cease payment of a child's pension following a review of change of circumstances or as a result of new information received.

Part 5, Rule 1, Paragraph 10

Discretion as to recipient of death grant.

This discretion allows the Authority to decide who should receive a death grant.

Bedfordshire Fire & Rescue Authority's policy is: It is the Authority's decision as to the recipient of a death grant.

Part 5, Rule 1, Paragraph 12

Discretion to pay part of any death grant not paid in full, to a person whose conviction for murder or manslaughter of the deceased has been quashed.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may re-instate all, or part of, any death grant not paid in full to a person whose conviction for murder or manslaughter of the deceased has been quashed. Each case will be considered on an individual basis.

Part 6, Rule 2

Discretion, with the agreement of the pension credit member, to commute whole of pension credit pension.

This discretion allows the commutation of a small pension into a lump sum in the circumstances of divorce. A small pension is defined in Paragraph 20 Schedule 29 of the Finance Act 2004 as a lump sum which is not more than 1% of the standard lifetime allowance on the date the lump sum is paid.

Bedfordshire Fire & Rescue Authority's policy is: In the circumstances of divorce, BFRA may allow the conversion of a small pension to a single lump sum in accordance with the financial limits set. Each case will be considered on an individual basis.

Part 6, Rule 5, Paragraph 2

Discretion to pay a post-retirement death grant in respect of a pension credit member to such person or persons as the Fire and Rescue Authority think fit.

This discretion allows the consideration of who to pay a post retirement death grant.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make the final decision as to the recipient for a post retirement death grant as they feel appropriate.

Part 8, Rule 2, Paragraph 1

Determination, in the first instance, of entitlement to and type of award due under the NFPS.

This is the general power to make awards under the NFPS.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make awards in accordance with the regulations and following guidance from their Pension Administrators.

Part 8, Rule 2, Paragraph 2

IQMP

Requirement to use, but right to select independent qualified medical practitioner (IQMP) for providing a medical opinion.

The NFPS requires that an IQMP is used to provide a medical opinion. This discretion allows the Authority to appoint such a person.

Bedfordshire Fire & Rescue Authority's policy is: The Authority shall select an appropriate IQMP in line with the regulations to provide medical opinions as necessary.

Part 8, Rule 2, Paragraph 6

Failure to attend medical examination

Discretion to determine award without an independent qualified medical practitioner's opinion if the firefighter wilfully or negligently fails to submit him or herself to medical examination and the medical practitioner is unable to give an opinion on the basis of medical evidence available to him/her.

This discretion allows the Authority to make decisions in the absence of an IQMP opinion if the firefighter wilfully or negligently fails to submit him or herself to a medical examination.

Bedfordshire Fire & Rescue Authority's policy is: Bedfordshire Fire & Rescue Authority's policy is: Where an individual negligently fails to submit to medical examination by the IQMP and the IQMP is unable to provide an opinion on the basis of the medical evidence available, the Authority will make determination based on such medical evidence as they think fit, or without medical evidence.

Part 8, Rule 3, Paragraph 1

IQMP Review

Discretion to agree with person concerned that the Independent Qualified Medical Practitioner should be given the opportunity to review his/her medical opinion if new evidence is presented within appropriate timescales.

This discretion allows the opportunity for an IQMP to review a decision where new medical evidence is presented.

Bedfordshire Fire & Rescue Authority's policy is: Where the Authority receives new evidence from a member within 28 days of the opinion, the Authority will request the IQMP to review the opinion. Upon receiving the IQMP's advice, the Authority will confirm or revise its original determination and advise the member accordingly.

Part 8, Rule 3, Paragraphs 4 and 5

IQMP Reconsideration

Confirmation or revision of decision following an independent qualified medical practitioner's reconsideration of opinion.

This delegation requires the Authority to confirm the decision after IQMP reconsideration of opinion within specific timescales.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will act within all timescales prescribed by the regulations.

Part 8, Rule 4, Paragraph 4

Appeals

Discretion to extend time limit for an appeal against the Authority's decision based on medical advice.

This discretion allows the Authority to consider exceptions to the 28 day time limit for a firefighter to submit an appeal.

Bedfordshire Fire & Rescue Authority's policy is: Where an appeal is not made within the specified time limit and the Authority believe it is not due to the person's own default, the Authority will extend the time limit for appeal by a maximum of one month from the date of the original appeal deadline.

Part 8, Rule 5

IDRP

Requirement to deal with appeals under Internal Disputes Resolution Procedure.

This requirement applies where a person disagrees with the Authority's decision and the question is not of a medical nature.

Bedfordshire Fire & Rescue Authority's policy is: In line with the regulations, the Authority will deal with appeals using the Internal Disputes Resolution Procedure.

Part 9, Rule 1, Paragraph 1

Requirement to review ill-health pensions

Requirement to decide, at such intervals as the Fire and Rescue Authority think proper, whether a person under State pensionable age and in receipt of an ill-health pension for less than 10 years has become capable of carrying out any duty appropriate to the role from which he/she retired on health grounds and, in the case of a higher tier ill-health pension, whether that person has become capable of carrying out any regular employment.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will undertake regular ill health pension reviews on individuals who are under state pension age and have been in receipt of an ill-health pension for less than 10 years and they become capable of carrying out any duty appropriate to the role from which they retired on health grounds and, in the case of a higher tier ill-health pension, that person has become capable of carrying out any regular employment.

Part 9, Rule 1, Paragraph 2

Requirement to review deferred pensions paid early on permanent disablement

Requirement to decide, at such intervals as the Fire and Rescue Authority think proper, whether a person under State pensionable age who for less than 10 years has been in receipt of a deferred pension paid early on permanent disablement, has become capable of undertaking any regular employment.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will undertake regular reviews of individuals who are receiving deferred pensions paid early on permanent disablement.

Part 9, Rule 3, Paragraph 3(b)

Offer of re-employment following medical review

Requirement to decide whether to make to a person whose ill-health pension has been reviewed under Part 9 Rule 1 and who is found to be capable of performing duties appropriate to his/her former role, an offer of employment in that role.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will consider offering employment to a person whose ill-health pension has been reviewed and who is found to be capable of performing duties appropriate to their former role. Each case will be considered on an individual basis.

Part 9, Rule 3, Paragraphs 1 and 2

This discretion allows consideration of withdrawing a firefighter pension in payment if the person is re-employed as a regular firefighter.

Discretion to withdraw the whole or part of a Part 3 (personal award) pension paid to a former regular firefighter during any period of re-employment as a regular firefighter, or to a retained or volunteer firefighter during any period of re-employment as a retained or volunteer firefighter.

Bedfordshire Fire & Rescue Authority's policy is: Where a firefighter has retired and been re-employed as a firefighter, their pension will be subject to abatement.

Part 9, Rule 3, Paragraph 3

Abatement

Discretion to abate a pension under Part 3 (personal award) for so long as the recipient is employed in any capacity by any Fire and Rescue Authority.

This discretion allows consideration of withdrawing a firefighter pension in payment if the person is re-employed in any capacity by any Fire and Rescue Authority.

Bedfordshire Fire & Rescue Authority's policy is: Where a firefighter has retired and been re-employed by the Authority in any capacity, their pension will be subject to abatement.

Part 9, Rule 4

Early payment of deferred pension

Discretion to disallow early payment of a deferred pension under Part 3, Rule 3, Paragraph 4 because of firefighter's dismissal from the Fire and Rescue Authority's employment.

Part 3 Rule 3 Paragraph 4 contains the power to pay a deferred pension early where a person is permanently disabled. This discretion allows consideration of not making such a payment where the firefighter was dismissed.

Bedfordshire Fire & Rescue Authority's policy is: Early payment of a deferred pension due to permanent disability may not be made where a Firefighter has been dismissed from the Authority. Each case will be considered on an individual basis.

Part 9, Rule 5

Discretion to withdraw pension in whole or in part, permanently or temporarily, on a person's conviction of certain offences.

This discretion only applies in the case of an offence committed in connection with his employment by an Authority, which is certified by the Secretary of state – (i) as gravely injurious to the interests of the State; or (ii) as likely to lead to serious loss of confidence in the public service.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual is convicted for offences covered in Part 9 Rule 5, it is likely that the Authority will withdraw their pension. However, each case will be considered on an individual basis.

Part 9, Rule 5, Paragraph 4

This is the discretion to restore a pension withdrawn as in delegation above.

Discretion, at any time and to such extent as the Fire and Rescue Authority think fit, to restore a pension withdrawn under Part 9, Rule 5, or to apply it for the benefit of any dependant of the pensioner.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may restore a pension withdrawn under Part 9, Rule 5 or apply it for the benefit of any dependent of the pensioner. Each case will be considered on an individual basis.

Part 9, Rule 6

This discretion allows consideration to what extent an award should be forfeited in the circumstances described.

Discretion to decide to what extent an award should be forfeited by a person who has been convicted of an offence under section 36(6) of the Fire and Rescue Services Act 2004 (acts or omissions for purposes of obtaining awards or other sums). Section 34(6) of the Fire and Rescue Services Act 2004 states that a person commits an offence if he does an act or makes an omission as a result of which he is injured or becomes ill, for the purpose of obtaining, for himself or another person:

- (a) an award under a scheme brought into operation under this section, or
- (b) a sum in respect of the repayment or application of contributions made under such a scheme.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will consider to what extent an award should be forfeited in the circumstances described in Part 9, Rule 6. Each case will be considered on an individual basis.

Part 10, Rule 1

Decision as to the amount of qualifying service which a firefighter may reckon.

Power to determine qualifying service.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will determine qualifying service in line with the regulations and advice from our Pension Administrators.

Part 10, Rules 2 and 3

Decision as to the amount of pensionable service a firefighter may reckon.

Power to determine pensionable service.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will determine pensionable service in line with the regulations and advice from our Pension Administrators.

Part 11, Rule 1

Determination of pensionable pay.

This delegation allows the Authority to determine what is pensionable pay.

Bedfordshire Fire & Rescue Authority's policy is: Details are held in the Payroll Department at BFRS HQ on which elements of pay are pensionable.

Part 11, Rule 4, Paragraph 3

Discretion to extend the time limit in which an election to pay pension contributions in respect of unpaid additional maternity or adoption leave must be made.

Bedfordshire Fire & Rescue Authority's policy is: Late applications will be considered up to a maximum of 90 days.

Part 11, Rule 4, Paragraph 6

Discretion to deduct contributions in respect of unpaid additional maternity or adoption leave from the death grant payable under Part 5 if the member dies without giving notice within the election time limit that he/she wishes to pay such contribution.

This discretion allows the Authority to consider whether to treat as pensionable service a period of unpaid leave where the member dies without giving notice within the election time limit that they wish to pay such contributions.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may treat a period of unpaid leave as pensionable where the member has died without giving notice of their election. Each case will be considered on an individual basis.

Part 11, Rule 5, Paragraph 5

Discretion to allow a part-time regular firefighter to purchase pro rated additional service.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may allow a part-time regular firefighter to purchase pro-rated additional service. Each case will be considered on an individual basis.

Part 11, Rule 8, Paragraph 1

This discretion is to allow a firefighter to cease making additional contribution.

Discretion to agree to a firefighter member's request to discontinue payment of additional contributions to purchase service provide this is solely on the grounds of the member's financial circumstances.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will agree to discontinuance of payment of additional contributions for increased benefits where the member is able to provide evidence of financial hardship.

Part 11, Rule 8, Paragraph 2

Additional Contributions

Decision as regards timing of recommencement of payment of additional contributions to purchase service where agreed with member that discontinuance should be no greater than 6 months.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will decide the timing of recommencement of payment of additional contributions where it has been agreed that discontinuance shall be no greater than six months.

Part 11, Rule 9, Paragraph 4(c)

Discretion to extend time limit for the payment of contributions in respect of periods of unpaid service or absence.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may extend the time limit for payment of contributions in respect of periods of unpaid service or absence. Each case will be considered on an individual basis.

Part 12, Rule 3, Paragraphs 1 and 2

This discretion allows the determination of a guarantee date for the calculation of a transfer value from the New Firefighter Pension.

Selection of 'the guarantee date' statement of cash equivalent transfer value entitlement.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will select the 'guarantee date' statement of cash equivalent transfer value entitlement in line with the regulations and advice from our Pension Administrators.

Part 12, Rule 3, Paragraph 6

Discretion to charge member for third or subsequent statement of cash equivalent transfer value entitlement requested within any 12 month period.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may charge a member for third or subsequent statements of cash equivalent transfer values requested in any 12 month period. Each case will be considered on an individual basis.

Part 12, Rule 9, Paragraph 2

Discretion to extend the one-year time limit for an application for a transfer payment into the NFPS from another pension arrangement.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will not extend the one year time limit unless in extenuating circumstances, eg the Pension Administrator has not actioned the member's request.

Part 12, Rule 10, Paragraph 1, subject to Paragraph 3

Discretion to accept a transfer value.

Bedfordshire Fire & Rescue Authority's policy is: Where there is discretion to accept a transfer value, advice will be sought from BFRA's Pension Administrators regarding the appropriate value.

Part 12, Rule 12, Paragraphs 3 to 5

Discretion to determine pensionable service via IDRPs.

Determination, if so required by the firefighter, of accuracy of information contained in certificate of pensionable service to be supplied on firefighter's transfer to another English Fire and Rescue Authority – the determination to be decided via Internal Dispute Resolution Procedures (IDRP) set up by Authority.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will determine the outcome using the IDRPs.

Part 12, Rule 14, Paragraph 3

Discretion to extend 12-month time limit for acceptance of 'mis-selling' transfer value payment.

Bedfordshire Fire & Rescue Authority's policy is: It is unlikely that there will be further cases.

Part 12, Rule 14, Paragraph 6

Discretion to adjust 'mis-selling' transfer value to take account of any earlier service credit.

Bedfordshire Fire & Rescue Authority's policy is: It is unlikely that there will be further cases.

Part 13, Rule 4, Paragraphs 3 and 4

Requirement to estimate amounts payable to, and out of, the Firefighters' Pension Fund for each financial year and discretion to submit revised information to Secretary of State.

This requirement should be delegated to the Director of Finance and Contractual Services as it deals with the financial status of the scheme. See also Rule LA4.

Bedfordshire Fire & Rescue Authority's policy is: This discretion is delegated to the Head of Finance and Treasurer.

Part 14, Rule 3, Paragraph 2(a)

Discretion to delay payment of an award to the extent necessary for determining any question as to the Fire and Rescue Authority's liability.

The Fire authority need not pay the sum until they are satisfied as to the eligibility of an award.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will delay the payment of an award until they are satisfied as to the eligibility of an award.

Part 14, Rule 3, Paragraph 2(b)

Discretion to pay an award at other reasonable intervals if impracticable to pay at the standard monthly periods.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may pay an award at reasonable intervals if it is impracticable to pay at the standard monthly periods.

Part 14, Rule 3, Paragraph 5

Overpayments after death

Discretion to recover all or part of an overpayment following a pensioner's death of which the Fire and Rescue Authority were not informed (possibly by making an off-set against any other awards payable under the NFPS in respect of the deceased).

Bedfordshire Fire & Rescue Authority's policy is: The Authority will recover any overpayments made following a pensioner's death in line with the 'Managing Public Money' guidance.

Part 14, Rule 5, Paragraph 1

Discretion as to recipient of any sum payable to a minor.

This discretion allows the payment of sums due to a minor to an appropriate person.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make the final decision as to the recipient to receive any sum payable to a minor.

Part 14, Rule 5, Paragraph 2

Discretion as to recipient, or application, of payments due to a person incapable of managing his/her own affairs.

This discretion allows the consideration of payment of an award to an appropriate person where the recipient is deemed incapable of managing their affairs.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make the final decision as to the recipient to receive any sum payable to a person incapable of managing their own affairs.

Part 14, Rule 6, Paragraph 1

Discretion, following the death of a person, as to recipient(s) of sums less than the amount specified in the Administration of Estates (Small Payments) Act 1965.

This discretion deals with awards less than £5,000 and allows decisions to be made of who should receive this amount.

Bedfordshire Fire & Rescue Authority's policy is: Following the death of a person, the Authority's decision as to who the recipient should be of any awards less than £5,000.

Part 14, Rule 6, Paragraphs 4 to 6

Reclaim sums lost as a result of fraud

Discretion to withhold sums due in respect of an award to a firefighter where there has been a loss to the funds of the Fire and Rescue Authority as a result of fraud, theft or negligence on the part of that person in connection with his/her employment.

This discretion allows the authority to reclaim sums lost as a result of fraud, theft or negligence on the part of that person in connection with their employment.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will withhold sums due in respect of an award to a firefighter where there has been a loss to the funds of BFRA as a result of fraud, theft or negligence on the part of that person in connection with his/her employment.

Part 15, Rule 3

Confirmation of identity when making an award

Discretion to require a person who is or may be entitled to a pension or a lump sum under the NFPS to provide the Fire and Rescue Authority with supporting evidence as to identity and to continuing entitlement to any payment under the Scheme, and discretion to withhold the whole or part of any amount due where a person fails to comply with this requirement.

This discretion gives the Authority the ability to require confirmation of identity when making an award.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual fails to comply with the Authority's requirements regarding evidence of entitlement, the Authority will withhold the whole or part of any amount that is otherwise payable.

Part 15, Rule 4

Decision as to date of issue of annual benefit statements and relevant date for the pension illustration.

Bedfordshire Fire & Rescue Authority's policy is: Annual Benefit Statements will be issued in August each year in line with the regulations.

Annex 2, Paragraph 1(2)

Medical appeals

Discretion to extend 28 day time limit in which a person must lodge a medical appeal to a period not exceeding 6 months from the date of issue of the documents under part 8, Rule 4, Paragraph 4, provided the Authority are of the opinion that the person's failure to lodge the appeal within the 28 days was not due to his/her own default.

This discretion allows consideration of an extension to the time limit to make a medical appeal.

Bedfordshire Fire & Rescue Authority's policy is: Where an appeal is not made within the specified time limit and the Authority believe it is not due to the person's own default, the Authority will extend the time limit for appeal by a maximum of one month from the date of the original appeal deadline.

Annex 2, Paragraph 6(5)

Discretion to decide Fire and Rescue Authority's representative at Medical Appeal Board interview.

Bedfordshire Fire & Rescue Authority's policy is: It is likely that BFRA's representation at a Medical Appeal Board will be the Head of Human Resources and any other individual they consider appropriate.

Annex 2, Paragraph 7(1)

Discretion to decide whether or not to submit written evidence or a written statement to Medical Appeal Board.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will submit written evidence to a Medical Appeal Board in accordance with the regulations

Annex 2, Paragraph 10(2)

Vexatious appeals

Discretion, where Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded', to require the appellant to pay to the Fire and Rescue Authority such sum as the Authority think fit, not exceeding the total amount of fees and allowances payable by the Authority to the Board under Annex 2, Paragraph 9(1).

This discretion allows the Authority to require the appellant to pay a sum to the Authority where the appeal board decide that the appeal was frivolous, vexatious, or manifestly ill-founded.

Bedfordshire Fire & Rescue Authority's policy is: Where a Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations.

Annex 2, Paragraph 10(3)

Withdrawn appeals

Discretion, where appellant withdraws appeal less than 22 working days before the date appointed for interview or medical examination, to require the appellant to pay to the Fire and Rescue Authority such sum as they think fit, not exceeding the Medical Appeal Board's total amount of fees and allowances payable to the Board by the Authority under Annex 2, paragraph 9(1).

This discretion allows the Authority to require the appellant to pay a sum to the Authority where the appellant withdraws their appeal at short notice.

Bedfordshire Fire & Rescue Authority's policy is: Where an appellant withdraws their appeal less than 22 working days before the date appointed for interview or medical examination, the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations.

Firefighters' Compensation Scheme 2006

Part 2, Rule 3, Paragraph 6

Reduction of compensation where misconduct contributed to injury

Discretion to reduce compensation for death or permanent incapacity while on duty if the firefighter's serious and culpable negligence or misconduct contributed in any material respect to the circumstances in which the injury was sustained; the reduction may be of such amount as the Fire and Rescue Authority consider appropriate.

This discretion allows consideration of the reduction of compensation where serious and culpable negligence or misconduct contributed in any material respect to the circumstances in which the injury was sustained.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual has contributed to an infirmity by their default, it is likely that the Authority will reduce their compensation to not less than half the amount due. However, each case will be considered on an individual basis by the Authority.

Part 2, Rule 4

Discretion to commute small compensatory pension for a lump sum.

Bedfordshire Fire & Rescue Authority's policy is: Where appropriate BFRA will allow the conversion of a small compensatory pension to a single lump sum in accordance with the financial limits set. Each case will be considered on an individual basis.

Part 3, Rule 2, Paragraph 2(b) and (c)

Discretion to pay augmented award to spouse or civil partner where specific conditions of eligibility are not met.

This discretion allows some flexibility on whether to pay an award if it would be considered inequitable to do so.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may pay an augmented award to a spouse or civil partner where specific conditions of eligibility are not met. Each case will be considered on an individual basis.

Part 3, Rule 4, Paragraphs 6 and 7

Increase of spouse's or civil partner's augmented award

Discretion to increase, for such period as the Fire and Authority think fit, the level of spouse's or civil partner's special or augmented award where firefighter and spouse

or civil partner were living apart at the date of death and the normal level of benefit is reduced under FCS rules.

This discretion allows consideration of payment of such an award. This does not apply to members of the NFPS 2006, nor to firefighters appointed on or after 6.4.2006 who have opted out of the NFPS – because the ‘living apart’ limitation would not apply. No payment would normally be due for all other firefighters.

Bedfordshire Fire & Rescue Authority’s policy is: The Authority may increase, for a period decided by the Authority, the level of spouse’s or civil partner’s special or augmented award. Each case will be considered on an individual basis by the Authority.

Part 3, Rule 5, Paragraphs 1 and 2

Reinstatement of spouse’s or civil partner’s augmented award

Discretion to reinstate all or part of a spouse’s or civil partner’s special or augmented award for such period as the Authority think fit following the termination of award on marriage, remarriage, formation of a civil partnership or subsequent civil partnership.

This discretion allows consideration of payment of such an award. This does not apply to members of the NFPS 2006, nor to firefighters appointed on or after 6.4.2006 who have opted out of the NFPS – because the post-retirement marriage/civil partnership limitation would not apply. No payment would normally be due for all other firefighters.

Bedfordshire Fire & Rescue Authority’s policy is: It is unlikely that the Authority will reinstate an ex-spouses pension at the end of a new remarriage or civil partnership or cohabitation. However, each case will be considered on an individual basis by the Authority.

Part 4, Rule 3, Paragraph 5(c)

This discretion allows the review of a child’s pension on change of circumstances.

Decision to cease payment of a child’s pension where the Fire and Rescue Authority are satisfied that the child is no longer permanently disabled or the child’s pension should not have been awarded.

Bedfordshire Fire & Rescue Authority’s policy is: The Authority may cease payment of a child’s pension following a review of change of circumstances or as a result of new information received.

Part 5, Rule 1

Discretion to award an adult dependent relative’s special pension for such period(s) as the Fire and Rescue Authority may determine.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may award an adult dependant relative's special pension for a period determined by the Authority where an individual can prove they were dependant on the member. Each case will be considered on an individual basis.

Part 5, Rule 2, Paragraph 3

Discretion to award a dependent relative's gratuity.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may award a dependent relatives' gratuity where an individual can prove they were dependant on the member. Each case will be considered on an individual basis.

Part 5, Rule 3

This discretion allows the consideration of substitution of a lump sum for a small pension.

Discretion, with the consent of the person entitled to the award, to commute for a lump sum a small pension awarded to a surviving spouse or civil partner.

Bedfordshire Fire & Rescue Authority's policy is: Consideration of commutation of a limited amount of a spouse or civil partner's pension into a lump sum will be given in exceptional circumstances where financial hardship can be demonstrated. Each case will be considered on an individual basis.

Part 5, Rule 4

This discretion allows the consideration of substitution of a lump sum for a small pension.

Discretion, with the consent of the child, surviving parent or guardian, to commute for a lump sum a small pension awarded to a child.

Bedfordshire Fire & Rescue Authority's policy is: Consideration of commutation of a limited amount of a child's pension into a lump sum will be given in exceptional circumstances. Each case will be considered on an individual basis.

Part 6, Rule 1

Determination, in the first instance, of entitlement to, and type of, award under FCS.

This is the general power to determine payments under the scheme.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make awards in accordance with the regulations and following guidance from their Pension Administrators.

Part 6, Rule 1

Requirement to use, but right to select independent qualified medical practitioner for providing a medical opinion.

This is the general provision to obtain medical evidence so injury compensation can be determined.

Bedfordshire Fire & Rescue Authority's policy is: The Authority shall select an appropriate IQMP in accordance with the regulations to provide medical opinions as necessary.

Part 6, Rule 1

Discretion to decide award without an independent qualified medical practitioner's opinion if a person wilfully or negligently refused to submit to medical examination.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual negligently fails to submit to medical examination by the IQMP and the IQMP is unable to provide an opinion on the basis of the medical evidence available, the Authority will make determination based on such medical evidence as they think fit, or without medical evidence.

Part 6, Rule 3

Requirement to reconsider an award IDR is appropriate.

Requirement to reconsider, at person's request, his/her claim to an award where the Fire and Rescue Authority do not admit the claim at all, or to its full extent.

Bedfordshire Fire & Rescue Authority's policy is: In accordance with the regulations, the Authority will deal with disagreements using the Internal Disputes Resolution Procedure.

Part 7, Rule 2

This discretion allows the consideration of increasing the award for a serviceman injured during his/her forces period.

Discretion to increase an award for a serviceman who, at the end of his/her forces period, is permanently disabled by a qualifying injury or injury received during his/her forces period.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may increase an award for a serviceman who is injured and permanently disabled during their forces period. The Authority will consider each case on an individual basis.

Part 7, Rule 3

Death of Serviceman

Discretion to increase dependants' benefits under the FPS 1992 to the level of a flat-rate award if a serviceman dies from the effects of an injury received during his/her forces period or a qualifying injury.

This applies in respect of those covered by the FPS 1992.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may increase dependants' benefits to the level of a flat-rate award if a serviceman dies from the effects of an injury received during their forces period. Each case will be considered by the Authority on an individual basis.

Part 7A, Rule 2

Injured Reservist

Discretion to increase an award to a reservist who is permanently disabled as a result of an injury received during his/her forces period or a qualifying injury. This applies in respect of those covered by the NFPS 2006.

This discretion allows the consideration of increasing the award for a reservist injured during his/her forces period.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may increase an award to a reservist who is permanently disabled as a result of an injury received during their forces period. Each case will be considered by the Authority on an individual basis.

Part 7A, Rule 3

Death of Reservist

Discretion to increase dependants' benefits if a reservist dies from the effects of an injury received during his/her forces period or a qualifying injury. This applies in respect of those covered by the NFPS 2006.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may increase dependants' benefits if a reservist dies from the effects of an injury received during their forces period. Each case will be considered on an individual basis.

Part 8, Rule 1

This discretion is the general discretion to pay an award to an employee of the Fire Authority who is injured while in attendance at a fire.

Discretion to pay an award to or in respect of an employee of a Fire and Rescue Authority who is not a firefighter but who has to retire, or dies, as a result of an injury received without his/her own default while in attendance at a fire in the execution of duties as an employee of the Authority.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will pay an award to, or in respect of, an employee who is not a firefighter but who has to retire, or dies, as a result of an injury received without his/her own default while in attendance at a fire in the execution of their duties as an employee of the Authority. The amount of the award will be decided by the Authority and each case will be considered on an individual basis.

Part 9, Rule 1, Paragraph 1

This discretion allows the Authority to set timescales for review of payments under the scheme.

Discretion to decide intervals at which a person's degree of disablement should be reviewed.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual is below state pension age, the Authority will undertake regular reviews of their degree of disablement and, where relevant, will adjust their payment accordingly.

Part 9, Rule 1, Paragraph 3

This discretion allows the Authority to decide to make no further reviews of degree of disablement.

Discretion, 5 years after an injury pension first becomes payable, to resolve that no further review of degree of disablement should take place.

Bedfordshire Fire & Rescue Authority's policy is: Five years after an injury pension becomes payable, the Authority may decide to make no further reviews of degree of disablement. Each case will be considered on an individual basis.

Part 9, Rule 2

This discretion allows the Authority to reduce an award where a person contributed to the infirmity by his/her own default.

Discretion to reduce the level of an injury award to not less than half of the full amount where a person contributed to the infirmity by his/her own default.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual has contributed to an infirmity by their default, it is likely that the Authority will reduce their injury

award to not less than half the amount due. However, each case will be considered on an individual basis by the Authority.

Part 9, Rule 3

Abatement

Discretion to withdraw the whole or part of a person's pension (other than a spouse's or civil partner's award) during any period of re-employment as a firefighter with a Fire and Rescue Authority.

This discretion allows the Authority to withdraw a pension if the person is re-employed as a firefighter.

Bedfordshire Fire & Rescue Authority's policy is: Where a firefighter has retired and been re-employed as a firefighter, their pension will be subject to abatement.

Part 9, Rule 4, Paragraphs 1 to 3

Withdrawal of pension

Discretion to withdraw a pension in whole or in part, permanently or temporarily, on a person's conviction of certain offences.

This discretion allows the withdrawal of a pension if the pensioner is convicted of an act of treason, or a serious offence under the Official Secrets Act.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual is convicted for treason or for a serious offence under the Official Secrets Act, it is likely that the Authority will withdraw their pension. However, each case will be considered on an individual basis.

Part 9, Rule 4, Paragraph 4

Reinstatement of pension

Discretion to restore at any time and to such extent as the Fire and Rescue authority think fit, a pension withdrawn under Part 9, Rule 4, Paragraphs 1 to 3, to the pensioner or to apply it for the benefit of any dependant of the pensioner.

This discretion allows the consideration of reinstatement of a pension withdrawn at as above.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may restore a pension withdrawn under Part 9, Rule 4, Paragraphs 1 to 3 or apply it for the benefit of any dependant of the pensioner. Each case will be considered on an individual basis.

Part 9, Rule 5

Forfeiture of pension

Discretion to decide to what extent an award should be forfeited by a person who has been convicted of an offence under section 34(6) of the Fire and Rescue Services Act 2004 (acts or omissions for the purposes of obtaining awards or other sums). Section 34(6) of the Fire and Rescue Services Act 2004 states that a person commits an offence if he does an act or makes an omission as a result of which he is injured or becomes ill, for the purpose of obtaining, for himself or another person:

- a) an award under a scheme brought into operation under this section, or
- b) a sum in respect of the repayment or application of contributions made under such a scheme.

This discretion allows consideration to what extent an award should be forfeited in the circumstances described.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will consider to what extent an award should be forfeited in the circumstances described in Part 9, Rule 5. Each case will be considered on an individual basis.

Part 10, Rule 1 and Rule 3

This discretion allows the concept of split liability for payment of an award.

Decision as to responsibility for payment of awards in respect of a qualifying injury where person employed by more than one Fire and Rescue Authority and injury relates to more than one employment.

Bedfordshire Fire & Rescue Authority's policy is: Where the person is employed by more than one Fire and Rescue Authority and the injury relates to more than one employment, the injury award will be paid by the Authority who the individual was working for at the time of the injury.

Part 10, Rule 2, Paragraph 1

Determination of intervals at which instalments of injury pension should be paid.

This requirement is to determine the frequency of pension payments.

Bedfordshire Fire & Rescue Authority's policy is: Pensions will be paid to individuals on a monthly basis.

Part 10, Rule 2, Paragraph 1

Discretion to delay payment of an award to the extent necessary for determining any questions of the Fire and Rescue Authority's liability.

This discretion allows the Authority to delay payment of the sum until satisfied as to the eligibility for an award.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will delay the payment of an award until they are satisfied as to the eligibility of an award.

Part 10, Rule 2, Paragraph 7

This discretion allows the consideration of paying regular payments instead of a lump sum gratuity.

Discretion to pay a gratuity in instalments, rather than as a lump sum, of such reasonable amounts and over such reasonable period as the Fire and Rescue Authority think fit.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may consider paying a gratuity in instalments rather than as a lump sum. Each case will be considered on an individual basis.

Schedule 5, Paragraph 1(2)

Medical appeals

Discretion to extend the 14-day time limit in which a person must lodge a medical appeal, to a period not exceeding 6 months from the date of issue of the medical opinion to the person, provided the fire and rescue authority are of the opinion that the person's failure to lodge the appeal within 14 days was not due to his/her own default.

Bedfordshire Fire & Rescue Authority's policy is: Where an appeal is not made within the specified time limit and the Authority believe it is not due to the person's own default, the Authority will extend the time limit for appeal by a maximum of one month from the date of the original appeal deadline.

Schedule 5, Paragraph 5(5)

Discretion to decide Fire and Rescue Authority's representation at Medical Appeal Board interview.

Bedfordshire Fire & Rescue Authority's policy is: It is likely that BFRA's representation at a Medical Appeal Board will be the Head of Human Resources and any other individual they consider appropriate.

Schedule 5, Paragraph 6(1)

Discretion to decide whether or not to submit written evidence or a written statement to Medical Appeal Board.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will submit written evidence to a Medical Appeal Board in accordance with the regulations.

Schedule 5, Paragraph 9

Vexatious appeals

Discretion, where Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' to require the appellant to pay the Fire and Rescue authority such sum as the Authority think fit, not exceeding the fees and allowances of the specialist member of the Board.

This discretion allows the Authority to require the appellant to pay a sum to the Authority where the appeal board decide that the appeal was frivolous, vexatious, or manifestly ill-founded.

Bedfordshire Fire & Rescue Authority's policy is: Where a Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations.

Schedule 5, Paragraph 9(3)

Withdrawal of appeal

Discretion, where appellant withdraws appeal within 21 working days before the date appointed for interview or medical examination, to require the appellant to pay to the Fire and Rescue Authority such sum as the Authority think fit, not exceeding the Board's total fees and allowances.

This discretion allows the Authority to require the appellant to pay a sum to the Authority where the appellant withdraws their appeal at short notice.

Bedfordshire Fire & Rescue Authority's policy is: Where an appellant withdraws their appeal within 21 working days before the date appointed for interview or medical examination, the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations.

Discretions Firefighter Pension Scheme 1992

Rule A3

Determination of eligibility for membership of the FPS

Bedfordshire Fire & Rescue Authority's policy is: The 1992 scheme is now closed and there is no facility for new members to join.

Rule B5 (c)

Temporary Allowances and Emoluments

This discretion introduces new powers for the Authority to make certain temporary allowances, which satisfy the prescribed requirements, pensionable under the additional pension benefit arrangements.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will treat CPD payments as pensionable. Payments for Temporary Promotion will be treated as non-pensionable.

Rule B7 (5a)

Increased Commutation Limit

This discretion provides employers with the ability to permit those 1992 scheme members with less than 30 years' service and under age 55 to commute the maximum of a quarter of their pension for a lump sum on retirement. Under this new provision, the employer would be liable for any additional cost should they exercise this discretion.

Bedfordshire Fire & Rescue Authority's policy is: Each case will be considered on an individual basis depending on the needs of the Service. A full business case would be needed demonstrating the economical, effective and efficient management of its functions with associated costs.

Rule B8

Commutation of trivial pension.

This discretion allows the consideration of conversion of a small pension to a single lump sum payment and is governed by financial limits set by the Finance Act 2004. A small pension is defined in Paragraph 20 Schedule 29 of the Finance Act 2004 as a lump sum which is not more than 1% of the standard lifetime allowance on the date the lump sum is paid.

Bedfordshire Fire & Rescue Authority's policy is: Where appropriate BFRA will allow the conversion of a small pension to a single lump sum in accordance with the financial limits set. Each case will be considered on an individual basis.

Rule B9(6)

Acceptance of conditions of normal life expectancy for allocation purposes.

Rule B9 allows a member of FPS to allocate (give up) part of their pension during their lifetime, when they first become eligible to retire, to provide, on their death, a pension for a spouse, civil partner or a dependant.

Bedfordshire Fire & Rescue Authority's policy is: Where a Firefighter elects to give up part of their pension (under Rule B9), the Authority may require them to undertake a medical examination to ensure they are in good health before permitting them to do so. Each case will be considered on an individual basis.

Rule C9

Discretion to reinstate all or part of a spouse's or civil partner's pension or gratuity for such period as the Fire and Rescue Authority think fit following termination on marriage, remarriage, formation of a civil partnership or subsequent civil partnership.

Discretion to allow reinstatement of all or part of a widow(er)'s pension which had ceased on remarriage of the widow(er). This provision comes into effect only should the widow(er)'s new spouse/civil partner die or the marriage or civil partnership be dissolved.

Bedfordshire Fire & Rescue Authority's policy is: It is unlikely that the Authority will reinstate an ex-spouses pension at the end of a new remarriage or civil partnership or cohabitation. However each case will be considered on an individual basis by the Authority.

Rule D5(5) and (3)(b)

Award of benefit to a child aged 17 or over who has had an interruption in whole-time education or vocational training.

The FPS allows the payment of a child's pension when the child is in full time education. This provision allows the consideration of reinstatement of the pension when there has been an interruption in whole-time education or vocational training.

Bedfordshire Fire & Rescue Authority's policy is: Where there has been an interruption in whole-time education or vocational training for a child aged 17 or over, BFRA will consider re-instatement of their pension. Each case will be considered on an individual basis.

Rule D5(4)(c) and (3)(a)

Award of benefit to a child aged 17 or over who is permanently disabled and who would not otherwise qualify for an award.

Bedfordshire Fire & Rescue Authority's policy is: Where a child aged 17 or over is permanently disabled and would not otherwise qualify for an award, an award will be considered by BFRA. Each case would be considered on an individual basis.

Rule E3

Award of dependent relative's gratuity to a dependent relative.

Bedfordshire Fire & Rescue Authority's policy is: Where a portion of a pension has been allocated to a dependent who is not a spouse, civil partner or cohabiting partner of the member, the Authority will withhold the payment if they cannot be satisfied that the person nominated is substantially dependent on the member. Each case will be considered on its merits and full details of the circumstances will be required.

Rule E5 subject to limitations in Rule E7

Decision to commute for a lump sum, part or all of a spouse's civil partner's pension which is of limited amount.

This discretion allows consideration of commutation of a limited amount of a spouse or civil partner's pension into a lump sum.

Bedfordshire Fire & Rescue Authority's policy is: Consideration of commutation of a limited amount of a spouse or civil partner's pension into a lump sum will be given in exceptional circumstances where financial hardship can be demonstrated. Each case will be considered on an individual basis.

Rule E6 subject to limitations in Rule E7

Decision to commute for a lump sum part or all of a child's pension.

This discretion allows consideration of commutation of a limited amount of a child's pension into a lump sum.

Bedfordshire Fire & Rescue Authority's policy is: Consideration of commutation of a limited amount of a child's pension into a lump sum will be given in exceptional circumstances. Each case will be considered on an individual basis.

Rule E9(6)

Decision to substitute a higher amount of child's flat rate award where neither of the child's parents is alive.

This discretion allows consideration of substitution of a higher amount than the child's flat rate when neither of the child's parents are alive.

Bedfordshire Fire & Rescue Authority's policy is: Consideration of a higher pension than the child's flat rate when neither of the child's parents are alive will be given. Each case will be considered on an individual basis.

Rule F1

Decision as to amount of pensionable service to be set out in Certificate of Pensionable Service with notice of right of appeal.

This discretion allows a decision to be made on the amount of pensionable service and notification of appeal rights to the secretary of state.

Bedfordshire Fire & Rescue Authority's policy is: A decision will be made on the amount of pensionable service and notification of appeal rights to the secretary of state as required.

Rule F4(1)(c), (3)(c), 4(d) and Rule F5(1)(c)

Extension of 6-month time limit for election to pay certain sums in order that earlier pensionable service may count on rejoining the Fire and Rescue Service.

This discretion allows consideration of an extension of the time limit for an election to pay for previous service where a firefighter commences work with another Fire Authority after retiring without a pension.

Bedfordshire Fire & Rescue Authority's policy is: An extension will not be granted to the six month time limit for an election to pay for previous service where a firefighter commences work with another fire Authority after retiring without a pension.

Rule F6A(3)(b)

Extension of 12 month time limit for acceptance of 'mis-selling' transfer value payment.

Bedfordshire Fire & Rescue Authority's policy is: It is unlikely that there will be further cases.

Rule F6A(6)

Discretion to adjust 'mis-selling' transfer value to take account of any earlier service credit.

Bedfordshire Fire & Rescue Authority's policy is: It is unlikely that there will be further cases.

Rule F7(1) subject to Rule F7(2) and (3)

Discretion to accept a transfer value.

Bedfordshire Fire & Rescue Authority's policy is: Where there is discretion to accept a transfer value, advice will be sought from BFRA's Pension Administrators regarding the appropriate value.

Rule F9(2)

Extension of 6 month time limit for a former firefighter to request payment of a transfer value to another pension scheme.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will not extend the six month time limit for a former firefighter to request payment of a transfer value to another pension scheme.

Rule F9(5)

Extension of 12 month time limit after leaving in which a former firefighter must be subject to a new scheme and may request a transfer value after having previously received a gratuity or repayment of pension contributions.

This discretion allows consideration of the situation of a firefighter who has received a gratuity or a refund of contributions requesting a transfer value instead. The refund of contributions or gratuity must also be paid back.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will not extend the 12 month time limit.

Rule G1(1)

Determination of pensionable pay.

This discretion allows consideration of which elements of pay are pensionable.

Bedfordshire Fire & Rescue Authority's policy is: Details are held in the Payroll Department at BFRS HQ on which elements of pay are pensionable.

Rule G2(2)

Discretion to deduct pension contributions from instalments of pay.

Bedfordshire Fire & Rescue Authority's policy is: Contributions will be deducted from instalments of pay where the pay is pensionable.

Rule G2A(3)

Discretion to extend 30-day time limit in which an election to pay contributions in respect of unpaid additional maternity or adoption leave must be made.

Bedfordshire Fire & Rescue Authority's policy is: Late applications will be considered up to a maximum of 90 days.

Rule G6(4)(b)

Discretion not to accept a firefighter's election to purchase increased benefits through the payment of additional contributions unless the firefighter has undergone a medical examination at own expense and satisfied the Fire and Rescue Authority as to his/her good health.

This discretion allows the Authority to require that the Firefighter is in good health before accepting additional contributions.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will require the firefighter to undergo a medical examination at their own expense to provide evidence of good health before accepting additional contributions.

Rule G7(3)

Discretion of Fire and Rescue Authority to agree to discontinuance of payment of periodical contributions for increased benefits where satisfied that payment is causing, or likely to cause, financial hardship.

This discretion is to allow a firefighter to cease making additional contributions.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will agree to discontinuance of payment of periodical contributions for increased benefits where the member is able to provide evidence of financial hardship.

Rule 12(3), and 13(3)

Discretion to pay a pension in lieu of gratuity, or increase an ill-health pension, for a serviceman injured during his forces period.

Bedfordshire Fire & Rescue Authority's policy is: It is unlikely that the Authority will agree to pay a pension in lieu of gratuity, or to increase an ill-health pension for a serviceman injured during his forces period. However, each case will be considered on an individual basis.

Rule K1(1) and (2)

Requirement to decide, at such intervals as the Fire and Rescue Authority think proper, whether a person under age 60 and in receipt of an ill-health pension for less

than 10 years has become capable of carrying out any duty appropriate to the role from which he/she retired on health grounds and, in the case of a higher tier ill-health pension, whether that person has become capable of carrying out any regular employment.

Requirement to review ill health pensions.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will undertake regular ill health pension reviews on individuals who are under age 60 and have been in receipt of an ill-health pension for less than 10 years.

Rule K1(3)

Requirement to decide, at such intervals as the Fire and Rescue Authority think proper, whether a person under age 60 and in receipt of a deferred pension has become capable of firefighting and performing any other duties appropriate to his former role as a firefighter.

Requirement to review deferred pensions paid early on permanent disablement.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will undertake regular reviews, at intervals based on SMA advice, of individuals who are receiving deferred pensions paid early on permanent disablement.

Rule K1A(2)

Requirement to decide whether to offer a person, whose ill-health pension has been reviewed under Rule K1 and who is found to be capable of performing duties appropriate to his/her former role, an offer of employment in that role.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will consider offering employment to a person whose ill-health pension has been reviewed and who is found to be capable of performing duties appropriate to their former role. Each case will be considered on an individual basis.

Rule K3(1)

The discretion to reduce the level of an ill-health pension to not less than half of the full amount where firefighter contributed to infirmity by own default.

This discretion permits the reduction of a firefighter pension to not less than half the amount due where it is considered that they have contributed to an infirmity by their default.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual has contributed to an infirmity by their default, it is likely that the Authority will reduce their pension to not less than half the amount due. However, each case will be considered on an individual basis by the Authority.

Rule K4

Discretion to withdraw whole or part of a person's pension (other than a spouse's or civil partner's award under FPS) during any period of his/her re-employment as a regular firefighter with a Fire and Rescue Authority.

This discretion allows abatement of a firefighter pension where the employee has been re-employed as a regular firefighter.

Bedfordshire Fire & Rescue Authority's policy is: Where a firefighter has retired and been re-employed as a regular firefighter, their pension will be subject to abatement.

Rule K5(1)

Discretion to withdraw a pension in whole or in part, permanently or temporarily, on a person's conviction of certain offences.

This discretion only applies in the case of treason or a serious offence under the Official Secrets Act.

Bedfordshire Fire & Rescue Authority's policy is: Where an individual is convicted for treason or for a serious offence under the Official Secrets Act, it is likely that the Authority will withdraw their pension. However, each case will be considered on an individual basis.

Rule K5(5)

Discretion to restore, at any time and to such extent as the Fire and Rescue Authority think fit, a pension withdrawn under Rule K5(1) to the pensioner or to apply it for the benefit of any dependant of the pension.

This discretion allows consideration of the reinstatement of the pension withdrawn as a result of a decision made regarding the above discretion.

Bedfordshire Fire & Rescue Authority's policy is: The Authority may restore a pension withdrawn under Rule K5 (1) or apply it for the benefit of any dependant of the pensioner. Each case will be considered on an individual basis.

Rule L3(1)

Determination of intervals at which instalments of pension shall be paid.

This discretion allows the arrangement of normal monthly payments of annual pension.

Bedfordshire Fire & Rescue Authority's policy is: Pensions will be paid to individuals on a monthly basis.

Rule L3(1)

Discretion to delay payment of an award to the extent necessary for determining any question as to the Fire and Rescue Authority's liability.

This discretion allows the Fire Authority to delay the payment of an award sum until they are satisfied as to the eligibility of an award.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will delay the payment of an award until they are satisfied as to the eligibility of an award.

Rule L3(7) and (8)

Discretion to decide an earlier payment date for survivors' benefits than the date prescribed where the deceased received a gratuity, and an option to pay a gratuity in instalments rather than as a single lump sum.

This discretion allows consideration of earlier payment of survivor benefits which are normally paid one year after the date the member deceased. There is also the option to pay a smaller amount in regular instalments where this would be of advantage to the person entitled.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will consider earlier payment of survivor benefits and/or a smaller amount in regular instalments where this would be of advantage to the person entitled. Each case will be considered on an individual basis.

Rule L5(1)

Discretion as to the recipient of any sum payable to a minor.

This discretion allows the payment of any sum due to a minor to any appropriate person.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make the final decision as to the recipient to receive any sum payable to a minor.

Rule L5(2)

Discretion as to recipient, or application, of payments due to a person incapable of managing his/her own affairs.

This discretion allows the consideration of payment of an award to an appropriate person where the recipient is deemed to be incapable of managing their affairs.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will make the final decision as to the recipient to receive any sum payable to a person incapable of managing their own affairs.

Rule L5(3)

Discretion, following death of a person, as to recipient(s) of sums less than amount specified in the Administration of Estates (Small Payments) Act 1965.

This discretion deals with awards less than £5,000 and allows decision to be made of who should receive this amount.

Bedfordshire Fire & Rescue Authority's policy is: Following the death of a person, it is the Authority's decision as to who the recipient should be of any awards less than £5,000.

Rule L5(6)

Discretion to withhold sums due in respect of an award to a firefighter where there has been a loss to the funds of the Fire and Rescue Authority as a result of fraud, theft or negligence on the part of that person in connection with his/her employment.

This discretion allows the Authority to reclaim sums lost as a result of fraud, theft or negligence on the part of that person in connection with their employment.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will withhold sums due in respect of an award to a firefighter where there has been a loss to the funds of BFRA as a result of fraud, theft or negligence on the part of that person in connection with his/her employment.

Rule LA4

Retirement to estimate amounts payable to, and out of, the Firefighters' Pension Fund for each financial year and discretion to submit revised information to Secretary of State.

This requirement should be delegated to the Director of Finance and Contractual Services as it deals with the financial status of the Scheme.

Bedfordshire Fire & Rescue Authority's policy is: This discretion is delegated to the Head of Finance and Treasurer.

Schedule 6, Part 1, Paragraph 1(4)

Discretion to deduct from an award any outstanding balance of payments in respect of previous service.

This discretion relates to where a member has elected to pay additional sums in respect of previous pension service and then retires before completing the payments. The scheme provides that they will receive a pension as if they have completed the payments. This discretion allows the recovery of the payments not made.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will not put any pension into payment until any outstanding payments have been recovered.

Schedule 7

Discretions in respect of elections to count War Service.

Bedfordshire Fire & Rescue Authority's policy is: No new cases are likely.

Schedule 9, Part 1, Paragraph 1(2)

Discretion to extend 14-day time limit in which a person must lodge a medical appeal, to a period not exceeding 6 months from the date of issue of the medical opinion to that person, provided the Fire and Rescue Authority are of the opinion that the person's failure to lodge the appeal within 14 days was not due to his/her own default.

This discretion allows consideration of extending the time limit for an appeal.

Bedfordshire Fire & Rescue Authority's policy is: Where an appeal is not made within the specified time limit and the Authority believe it is not due to the person's own default, the Authority will extend the time limit for appeal by a maximum of one month from the date of the original appeal deadline.

Schedule 9, Part 1, Paragraph 4(5)

Discretion to decide the Fire and Rescue Authority's representation at Medical Appeal Board interview.

This discretion deals with the arrangements for representation at a medical appeal board.

Bedfordshire Fire & Rescue Authority's policy is: It is likely that BFRA's representation at a Medical Appeal Board will be the Head of Human Resources and any other individual they consider appropriate.

Schedule 9, Part 1, Paragraph 5

Discretion to decide whether or not to submit written evidence or a written statement to a Medical Appeal Board.

This discretion allows consideration of whether to present written evidence to a medical appeal board. In practice this is always done.

Bedfordshire Fire & Rescue Authority's policy is: The Authority will submit written evidence to a Medical Appeal Board in accordance with the regulations.

Schedule 9, Part 1, Paragraph 8(2)

Discretion, where Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' to require the appellant to pay to the Fire and Rescue Authority such sum as the Authority think fit, not exceeding the fees and allowances of the specialist member of the Board.

Bedfordshire Fire & Rescue Authority's policy is: Where a Medical Appeal Board decide that a person's appeal was 'frivolous, vexatious or manifestly ill-founded' the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations.

Schedule 9, Part 1, Paragraph 8(2A)

Discretion, where appellant withdraws appeal within 21 working days before the date appointed for interview or medical examination, to require the appellant to pay to the Fire and Rescue Authority such sum as the Authority think fit not exceeding the Medical Appeal Board's total fees and allowances payable to the Board by the Authority.

Bedfordshire Fire & Rescue Authority's policy is: Where an appellant withdraws their appeal within 21 working days before the date appointed for interview or medical examination, the Authority will require the appellant to pay any sum they think fit subject to capping as per the regulations.

This page is intentionally left blank

For Publication

**Bedfordshire Fire and Rescue Authority
Human Resources Policy and Challenge
Group
15 March 2016
Item No. 9**

REPORT AUTHOR: HEAD OF HUMAN RESOURCES

**SUBJECT: INTRODUCTION OF THE NATIONAL LIVING WAGE
2016**

For further information on this report contact: Denise Clarke
Head of Human Resources
Tel No: 01234 845048

Background Papers: The National Minimum Wage (Amendment) Regulations
2016 (available on request)

Implications (tick ✓):

LEGAL	X	FINANCIAL	X
HUMAN RESOURCES	X	EQUALITY IMPACT	X
ENVIRONMENTAL		POLICY	
CORPORATE RISK	Known	OTHER (please specify)	
	New	CORE BRIEF	

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To advise Human Resource Policy and Challenge of the implementation of a National Living Wage (NLW) in 2016 and the comments of Audit and Standards Committee dated 24 September 2015, recommending that:

'Human Resource Policy and Challenge consider increasing the hourly rate of the one employee not currently receiving £9.00 per hour, the forecast National Living Wage for 2020.'

RECOMMENDATION:

That HRPC consider the report and maintain the existing national pay bargaining arrangements for Green Book employees. This would mean NOT adopting the anticipated 2020 NLW hourly rate of £9.35 (as reported by the Local Government Association) in 2016.

1. Introduction
- 1.1 On 1 April 2016 the Government will introduce a compulsory living wage for all working people aged 25 and over, set at £7.20p per hour.
- 1.2 A living wage is meant to reflect the hourly amount at which a worker should be paid in order for them to be able to afford basic living necessities such as rent, healthy food, travel and leisure, and to reduce their reliance on the Government.
- 1.3 The decision to institute a standardised NLW was made, in part, to better address the issue of working poverty where some workers work more than one job, yet still struggle to afford basic living necessities. The living wage will differ from the National Minimum Wage (NMW).
- 1.4 Workers under the age of 25 will earn the NMW while workers over the age of 25 will earn the new NLW.
- 1.5 The NMW for those under the age of 25 will continue to be subject to annual review and apply as follows:
 - age 21-24 years old £6.70
 - age 18-20 years old £5.30
 - age 16-17 years old £3.87
 - Apprentice rate £3.30 (aged 24 or younger)
- 1.6 Generally all those currently covered by the NMW aged 25 or older will now be covered by the NLW, these include:
 - Employees
 - Most workers and agency workers
 - Casual labourers
 - Agricultural workers
 - Apprentices who are aged 25 or older
- 1.7 The penalty for deliberate non-payment of the NLW will be 200% of the amount owed, unless the arrears are paid within fourteen days. There is a maximum penalty of £20,000.
- 1.8 The Low Pay Commission, the body who currently recommend the level of the National Minimum Wage will recommend any future rises to the National Living Wage. The rate is expected to rise on an incremental basis so that by 2020 it reaches 60% of national median earnings; this amount is currently an estimated £9.35 per hour as reported by the Local Government Association.

2. Bedfordshire Fire and Rescue Authority Approach to Green Book Pay
- 2.1 Salary and remuneration levels for support staff roles are determined in accordance with the National Joint Council for Local Government Services (NJC) National Agreement on Pay and Conditions of Service (Green Book). The Service pay structure is aligned to the National spinal column point system with the spinal column points configured into groups, to provide incremental pay points. The national salary increases agreed through a process of collective bargaining between the employers and employees side of the NJC are then applied to the spinal column points as notified by the NJC, this is usually on an annual basis.
- 2.2 The Service overlays the spinal column points with a grading structure and each job within the Service is assigned a grade using the HAY analytical job evaluation system. The grading structure creates an organisational job hierarchy with pay differentials between each grade and spinal column point.
3. Application of the National Living Wage
- 3.1 The lowest spinal column point currently used by the Service is point 15 (grade 6); this applies to one employee only and has an hourly rate of £8.59p per hour (2015 rate). This is below the estimated £9.35 per hour to be achieved by 2020 but well above the £7.20 level being introduced on 1 April 2016.
- 3.2 Prior to commencing the collective bargaining process in respect of any 2016 pay offer that may be made to the recognised Trade Unions the National Employers held a number of regional pay consultation briefings and employers views have been reflected in the final pay offer of 9 December 2015. This final pay offer proposed a two year agreement (for 2016 and 2017) with a headline increase of 1% in both years. It also included increasing the bottom pay points to take account of the National Living Wage of £7.20 per hour to be introduced on 1 April 2016.
- 3.3 The pay offer is also designed to start the process of moving towards the expected level of the National Living Wage by 2020, whilst maintaining pay differentials across all spinal column points with an offer equivalent to more than 6% on the four National lowest pay points. The offer would provide a 1.2% pay award to the Service's lowest paid employee in 2016 and a further 1.8% in 2017.
- 3.4 There is a clear commitment from the National Employers side to ensure that future pay offers ensure that Green Book employees' salaries meet the requirements of the National Living Wage whilst ensuring that the pay differentials between the spinal column points are maintained.

4. Consideration of Audit and Standards Committees Proposal

- 4.1 Minutes 15-16/AS/031 Minutes refers. This states that consideration of increasing the pay band currently under £9.00 per hour be referred to the Human Resource Policy and Challenge Group.
- 4.2 If the Service were to implement the anticipated 2020 National Living Wage now, as suggested, it would also need to apply a salary uplift to three other spinal column points (16,17 and 18) whose hourly earnings are currently below £9.35 per hour. Currently the Service has no employees on spinal column point 16 and two employees on point 17. Whilst the proposal affects a small number of employees it would impact on the transparency of pay allocation.
- 4.3 Furthermore the Service would also need to apply a salary uplift to the remaining 44 spinal column points, in order to maintain existing pay differentials. This would result in direct costs to the Service; it would remove the Service from the National pay bargaining process and require the Service to adopt regular, probably annual local pay bargaining in a non-unionised section of the workforce.
- 4.4 There are equality implications in uplifting an employee, or several employees salaries to a rate estimated for 2020 outside of the current national pay bargaining machinery. There are potential transparency, fairness and equal pay challenges, in uplifting an individual or a group of individuals salaries whilst also affecting the pay differentials across the remainder of the Green Book workforce. In addition the current transparent National pay process, based on incremental progression would be adversely affected.

4. Recommendation

That Human Resource Policy and Challenge maintain the existing national pay bargaining arrangements for Green Book employees and do not adopt the anticipated 2020 National Living Wage hourly rate of £9.35 in 2016.

5. Implications of this Report

The legal implications of the report have been described at Section 1, the HR implications of this report have been explained at Section 4, as have the financial and equality implications.

**DENISE CLARKE
HEAD OF HUMAN RESOURCES**

For Publication

**Bedfordshire Fire and Rescue Authority
Human Resources Policy and Challenge
Group
15 March 2016
Item No. 10**

REPORT AUTHOR: DIVERSITY ADVISER

SUBJECT: EQUALITY DUTY REPORT

For further information on this Report contact: Robert Jones
Diversity Adviser
Tel No: 01234 845057

Background Papers: None

Implications (tick ✓):

LEGAL		✓	FINANCIAL	
HUMAN RESOURCES			EQUALITY IMPACT	✓
ENVIRONMENTAL			POLICY	
CORPORATE RISK	Known	✓	OTHER (please specify)	
	New		CORE BRIEF	

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To present the 2014/15 Annual Workforce Data Report for Members' consideration.

RECOMMENDATION:

That the submitted report be approved.

1 Introduction

1.1 Welcome to the 4th Annual Workforce Data Report which supports Bedfordshire Fire and Rescue Service in demonstrating our duties regarding the requirements of the Public Sector Equality Duty.

1.2 This report provides an overview of our equality and diversity employment monitoring data as at 31 March 2015. It covers age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The data relates only to those who are directly employed by Bedfordshire Fire and Rescue Service, it excludes agency staff.

- 1.3 The information contained in this report forms part of the Service's continuing dialogue in demonstrating our compliancy with the Public Sector Equality Duty (PSED).
- 1.4 The Workforce Data report is set out in a similar format to our previous Workforce annual reports and is detailed across a number of sections covering our accomplishments and progress during 2014/15.
- 1.5 Previous Workforce Data Reports are available on request from the Service Diversity Advisor at equalityanddiversity@bedsfire.com.

2. Implications

- 2.1 In developing and publishing this report the Service provides firm assurance that we remain committed to furthering the equality and diversity agenda for the foreseeable future.

2.2 **Legal:**

The Annual Workforce Data Report constitutes part of our on-going dialogue for demonstrating compliance against the Public Sector Equality Duty and may be used as evidence along with the forthcoming progress report on the single equality scheme which will be published on the Service website.

2.3 **Corporate Risk:**

CRR 24 is contained on our Corporate Risk Register and due to our actions is currently reduced as a tolerable risk.

2.4 **Equality Impact:**

Evidence across 'Protected Characteristic' areas demonstrating compliance with the Public Sector Equality Duty.

ROBERT JONES
DIVERSITY ADVISER



Bedfordshire Fire and Rescue Service



Workforce Data Report 2014 - 2015

Contents

Background	1
Scope	1
Data Quality.....	1
Introduction	2
Foreword	2
The General Duties.....	2
The Specific Duties.....	2
Interpreting the Data.....	2
Diversity Report	3
A Representative and Diverse Workforce	3
Overall Workforce Diversity	3
Representation by organisational level.....	3
Job Applications, Recruitment and Promotions.....	4
Staff Starters.....	4
Staff Leavers.....	5
An Inclusive Workplace Culture.....	5
Working Patterns	5
Pregnancy and maternity leave	6
Grievances.....	6
Equal Pay and Reward.....	6
Appendix	
.....	8
Reporting categories	8
Age	8
Disability	8
Gender.....	8
Gender Reassignment.....	8
Religion or belief	10
Sexual orientation	10
Workforce Profile.....	11
Workforce Profile by Pay Band	12
Job Applications – Support Staff	14

Job Applications – Uniformed Staff	15
Staff Starters	16
Staff Leavers	17
Promotions	18
Grievances	19

Background

Under section 149 of the Equality Act 2010 (the Public Sector Equality Duty) and the Equality Act 2010 Specific Duties Regulations 2011, Bedfordshire Fire and Rescue Service is required to publish equality information to demonstrate our compliance with the general equality duty. Our workforce monitoring data forms part of the information that we collate, monitor and publish to help us ensure equality considerations are embedded within our policies and practices as well as meet our responsibilities under the duty.

Scope

This report provides an overview of our equality and diversity employment monitoring data as at 31st March 2015. It covers age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation.

The data relates only to those who are directly employed by Bedfordshire Fire and Rescue Service, it excludes agency staff.

Data Quality

Bedfordshire Fire and Rescue Service holds equality and diversity trend information enabling identification of disparities, investigation of highlighted issues and assessment of progression.

Introduction

Foreword

Welcome to the 4th Annual Workforce Data Report which supports Bedfordshire Fire & Rescue Service in demonstrating our duties regarding the requirements of the Public Sector Equality Duty:

The General Duties

1. Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
3. Foster good relations between people who share a protected characteristic and people who do not share it.

The Specific Duties

1. Set out in SMART form and publish equality objectives at least every four years.
2. Publish information annually to demonstrate compliance with the PSED; in particular, information relating to their employees and others affected by their policies and practices (such as service users).

Interpreting the Data

Please note the following when interpreting the data presented in this report:

- Information is published in accordance with the Data Protection Act 1998 and does not identify individuals.

Diversity Report

A Representative and Diverse Workforce

Overall Workforce Diversity

As at 31 March 2015, Bedfordshire Fire and Rescue Service (BFRS) employed 592 people. During 2014/15, 57 employees left and there were 41 new appointments. Overall, there was no significant change to BFRS's workforce profile. The main change was the proportion of staff declaring a Religion or Belief.

BFRS's profile as of 31 March 2015 is provided in the appendix.

In summary:

- 78.0 per cent of our workforce is male; a minimum decrease from previous years.
- 3.5 per cent of our workforce described themselves as having a disability which is broadly the same as previous years.
- 6.9 per cent of our workforce declared they are from an ethnic minority group which is broadly the same as 2013/14.
- 25.6 per cent of our workforce is aged under 34, compared to 26.8 per cent the previous year; 10.1 per cent are aged over 55 compared to 9.3 per cent the previous year.
- 1.7 per cent of our workforce declared they are lesbian, gay or bisexual; little change from the previous year.
- No employee has identified themselves as transgender.

Representation by organisational level

The majority of the Service's workforce is within lower level roles (87.8 per cent). Overall, our workforce has a higher proportion of men than women (78.0 per cent). However, this changes when you look at the representation of men in support roles (11.5 per cent).

Female representation at senior levels remains consistent at 27.3 per cent.

Ethnic minority staff represents 6.9 per cent of the Service's overall workforce. There is an under representation of ethnic minorities at management level (0.8 per cent).

BFRS staff declaring a disability account for 3.5 per cent of the workforce, which remains consistent with previous years.

The Service has similar levels of staff with disabilities at the lowest grades (9.3 per cent) and highest grades (9.1 per cent), whilst middle management is less at 1.4 per cent. Age groups of staff declaring a disability fall mostly between the ages of 25 - 54, broken down as follows:

16 – 24	=	1.4%
25 – 34	=	24.2%
35 – 44	=	30.2%
45 – 54	=	34.1%
55 – 64	=	9.6%
65+	=	0.5%

Job Applications, Recruitment and Promotions

Recruitment to BFRS is through fair and open competition based on merit, with individuals assessed for their ability to demonstrate the required competences, knowledge and skills for the role.

BFRS is committed to ensure that all recruitment is free from unfair and unlawful discrimination. Reasonable adjustments for disabled people are made at all stages of the recruitment process, as required.

BFRS have the two tick accreditation awarded to employers who demonstrate they are committed to the employment, retention, training and career development of people with a disability. We guarantee a job interview to all people with a disability who meet a job's criteria as set out in the job specification, and to consider them on their merit.

In 2014/15 we saw a decline in numbers of people with disabilities applying for posts with BFRS. Out of 101 job applicants only 2 (2%) declared a disability, whereas during 2013/14, out of 248 job applicants, 13 (5.2%) declared a disability and during 2012/13, out of 295 jobs, 17 (5.8%) declared a disability.

Staff Starters

During 2014/15, 41 employees joined Bedfordshire Fire and Rescue Service (compared with 48 in 2013/14). Comparing the data of those who joined the Service in 2014/15 to 2013/14, there was a large increase of those aged 16-34 but a large decrease in those aged 34-44 and 55-64. There were also small decreases in disabled and ethnic minority employees joining the Service.

In 2015/16 we held:

- Two positive action events prior to the whole-time fire-fighter recruitment campaign.
- Positive action coffee mornings at Fire stations to encourage retained fire-fighter applications.

Staff Leavers

During 2014/15, 57 employees left Bedfordshire Fire and Rescue Service (compared with 53 in 2013/14). Comparing the data from 2013/14, there was an increase in staff leaving who were aged 16-34 and a decrease of those who left aged 55-64. There were also small increases in females, those from an ethnic minority background and disabled employees leaving the Service. There was a large decrease of leavers who had not declared their personal characteristics with the Service.

The Service conducts exit interviews to gather the reason(s) people are choosing to leave. This identifies any patterns, ensuring data is provided to enable research to correct any areas that can be improved.

An Inclusive Workplace Culture

BFRS strives to create a workplace and culture that enables staff to achieve their potential through protecting them from unfair treatment and ensuring they can reach their goals.

Staff Survey

We conduct bi-annual staff surveys of all our employees to develop a clear understanding of both the type of culture we have now and the type of culture we are aiming for.

In June 2015 we conducted a staff survey trialling an on-line option as well as paper based which resulted in improved return rates.

BFRS is committed to ensuring the wellbeing of all its employees and provides an in house Occupational Health and Fitness provision and an Employee Assistance Programme.

Working Patterns

Understanding the value of a healthy work-life balance, Bedfordshire Fire and Rescue Service offer employees the opportunity to request flexible working hours, homeworking, part-time, job-share and compressed/staggered/annualised hours. Non-operational staff (where appropriate) work on a flexitime system between the hours of 8am and 6pm.

Pregnancy and maternity leave

As part of Bedfordshire Fire and Rescue Service's commitment to diversity, we support employee's balance between home and work through offering flexible employment policies and provide enhanced pay and leave for adoption, maternity and paternity.

Year	Women on Maternity Leave	Women on Maternity Leave carried forward to next year	Women returning to work from Maternity Leave
12/13	6	3	2
13/14	6	3	3
14/15	6	1	5

During each financial year there were 6 employees who were either pregnant or on maternity leave (1.0% per cent of the workforce profile).

During 2012/13, of the 6 women on Maternity Leave, 1 woman did not return to work, 2 women returned to work and 3 remained on Maternity Leave.

During 2013/14, 3 more women went on Maternity Leave totalling 6 for this year. 3 women returned to work and 3 remained on Maternity Leave.

During 2014/15, 3 more women went on Maternity Leave, totalling 6. 5 women returned to work and 1 remained on Maternity Leave.

Grievances

During 2014/15 only a small number of grievances (7) were raised by employees; of these, 1 concerned discrimination/equal pay.

As the number of grievances raised was small, there can be no meaningful statistical analysis or conclusion.

Equal Pay and Reward

In 2015/16 the Service is investigating pay gaps through using a single measure by comparing full time equivalent earnings of different groups of staff (in relation to their protected characteristics). For example, the full-time gender pay gap compares the average hourly pay, excluding overtime, of men and women working full time.

It is important to note that a pay gap does not necessarily mean a difference in pay for comparable jobs or work of equal value.

We are committed to ensuring that our pay strategy is fair and transparent. We will also take action to address under-representation at different levels in the organisation through positive action.

What we are doing in 2015/16:

- Continuing to monitor our workforce's protected characteristics to highlight any areas requiring improvement.
- Implementing a Pay Policy across the organisation ensuring a fair, open and transparent approach to pay & reward
- Considering the impact of equality when implementing business changes.
- Investigating best practice on equal pay audits.

Appendix

Reporting categories

Our reporting categories are defined as follows:

Age

Staff members were asked to place themselves into one of six age groups:

- 16-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65+
- Prefer not to say

Disability

Staff members were asked whether they consider themselves to be disabled under the definitions of the Equality Act 2010:

Section 6(1) of the Equality Act 2010 states that a person has a disability if:

- a) That person has a physical or mental impairment, and
- b) The impairment has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Staff members were asked to select one of the following:

- Yes – Limited a lot
- Yes – Limited a little
- No
- Prefer not to say

Gender

This is recorded as male or female.

Gender Reassignment

Staff members were asked whether they defined themselves as transgender.

Ethnicity

Staff members were asked to classify themselves on the basis of the Census 2011 categories of ethnicity:

White

- English/Welsh/Scottish/Irish/Northern Irish/British
- Gypsy/Irish Traveller

Mixed/Multiple ethnic groups

- White and Black Caribbean
- White and Black African
- White and Asian
- Any other mixed/multiple ethnic background

Asian/Asian British

- Indian
- Pakistani
- Bangladeshi
- Chinese
- Any other Asian background

Black/African/Caribbean/Black British

- African
- Caribbean
- Any other Black/African/Caribbean background

Other Ethnic Groups

- Arab
- Any other ethnic group
- Any other white background

Religion or belief

Staff members were asked to classify themselves on the basis of the Census 2011 categories of religion or belief:

- No religion
- Buddhist
- Christian
- Hindu
- Jewish
- Muslim
- Sikh
- Any other religion
- Prefer not to say

Sexual orientation

Staff members were given the options of:

- Heterosexual
- Gay woman/lesbian
- Gay man
- Bisexual
- Other
- Prefer not to say

Workforce Profile

Protected Characteristic	2014/2015	2013/2014	2012/2013
Age			
16-24	1.4%	1.9%	2.4%
25-34	24.2%	24.9%	26.5%
35-44	30.2%	30.3%	29.2%
45-54	34.1%	33.5%	32.3%
55-64	9.6%	8.5%	8.7%
65+	0.5%	0.8%	0.8%
Disability			
Disabled	3.5%	3.7%	3.6%
Non-disabled	90.0%	89.7%	89.3%
Not declared	6.4%	6.6%	7.1%
Gender			
Male	78.0%	78.7%	79.8%
Female	22.0%	21.3%	20.2%
Gender reassignment			
Transgender or Transsexual	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%
Ethnicity			
Black and ethnic minority	6.9%	7.1%	9.5%
White	89.0%	88.1%	85.5%
Not declared	4.1%	4.8%	5.0%
Religion or belief			
Religion or belief	50.0%	26.3%	50.7%
No Religion or Belief	30.1%	49.0%	24.6%
Not declared	19.9%	24.7%	24.7%
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	1.7%	1.6%	1.9%
Heterosexual	78.4%	74.0%	73.7%
Not declared	19.9%	24.4%	24.4%

Workforce Profile by Pay Band

Protected Characteristic	Support: Apprentice - Grade 13	Support: Grade 14 - 18	Uniformed: Fire-fighter, Crew Manager & Watch Manager	Uniformed: Station Manager & Group Manager	Senior Management Tier	2014/2015 BFRS Profile
Age						
16-24	1.0%	0.0%	1.7%	0.0%	0.0%	1.4%
25-34	16.5%	13.2%	28.8%	0.0%	0.0%	24.2%
35-44	19.6%	13.2%	34.8%	26.1%	18.2%	30.2%
45-54	28.9%	42.1%	31.7%	73.9%	63.6%	34.1%
55-64	30.9%	31.6%	3.1%	0.0%	18.2%	9.6%
65+	3.1%	0.0%	0.0%	0.0%	0.0%	0.5%
Not declared	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Disability						
Disabled	9.3%	5.3%	1.4%	8.7%	9.1%	3.5%
Non-disabled	87.6%	92.1%	91.0%	82.6%	90.9%	90.0%
Not declared	3.1%	2.6%	7.6%	8.7%	0.0%	6.4%
Gender						
Male	28.9%	60.5%	90.8%	87.0%	72.7%	78.0%
Female	71.1%	39.5%	9.2%	13.0%	27.3%	22.0%
Not declared	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Gender reassignment						
Transgender or Transsexual	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Ethnicity						
Black and ethnic minority	11.3%	10.5%	5.0%	4.3%	0.0%	6.9%
White	88.7%	89.5%	89.6%	95.7%	100.0%	89.0%
Not declared	0.0%	0.0%	5.4%	0.0%	0.0%	4.1%
Religion or belief						
Religion or belief	67.0%	55.3%	44.2%	82.6%	72.7%	50.0%
No Religion or Belief	22.7%	36.8%	32.2%	13.0%	27.3%	60.1%
Not declared	10.3%	7.9%	23.6%	4.3%	0.0%	39.9%
Sexual Orientation						
Gay/Lesbian/Bisexual/Other	2.1%	0.0%	1.9%	0.0%	0.0%	1.7%
Heterosexual	84.5%	92.1%	74.9%	87.0%	100.0%	78.4%
Not declared	13.4%	7.9%	23.2%	13.0%	0.0%	19.9%

Job Applications – Support Staff

Protected Characteristic	2014/2015 BRFS Support Workforce Profile	2014/2015	2013/2014	2012/2013
Age				
16-24	0.7%	3.0%	11.7%	14.6%
25-34	15.1%	22.8%	17.3%	18.0%
35-44	18.7%	20.8%	16.5%	19.0%
45-54	32.4%	27.7%	25.8%	22.7%
55-64	30.9%	12.9%	10.9%	15.6%
65+	2.2%	0.0%	0.0%	1.4%
Not declared	0.0%	12.9%	17.7%	8.8%
Disability				
Disabled	7.9%	2.0%	5.2%	5.8%
Non-disabled	89.2%	91.1%	79.8%	85.4%
Not declared	2.9%	6.9%	14.9%	8.8%
Gender				
Male	37.4%	39.6%	49.2%	58.6%
Female	62.60%	55.4%	40.3%	33.6%
Not declared	0.0%	5.0%	10.5%	7.8%
Gender reassignment				
Transgender or Transsexual	0.0%	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%	100.0%
Ethnicity				
Black and ethnic minority	10.8%	27.7%	19.8%	17.6%
White	89.2%	63.4%	64.9%	74.2%
Not declared	0.0%	8.9%	15.3%	8.1%
Religion or belief				
Religion or belief	64.0%	61.4%	53.6%	62.0%
No Religion or Belief	25.9%	27.7%	27.4%	15.9%
Not declared	10.1%	10.9%	19.0%	22.0%
Sexual Orientation				
Gay/Lesbian/Bisexual/Other	1.4%	12.9%	15.3%	2.7%
Heterosexual	87.0%	85.1%	77.4%	84.1%
Not declared	11.5%	2.0%	7.3%	13.2%

Job Applications – Uniformed Staff

Protected Characteristic	2014/2015 BRFS Uniformed~ Workforce Profile	2014/2015	2013/2014	2012/2013
Age				
16-24	1.5%	3.0%	6.8%	5.5%
25-34	26.9%	22.8%	53.0%	43.6%
35-44	33.8%	20.8%	28.8%	29.1%
45-54	34.7%	27.7%	7.6%	20.0%
55-64	3.1%	12.9%	0.0%	0.0%
65+	0.0%	0.0%	0.0%	0.0%
Not declared	0.0%	12.9%	3.8%	1.8%
Disability				
Disabled	2.2%	2%	0.8%	1.8%
Non-disabled	90.3%	91.1%	93.9%	94.5%
Not declared	7.5%	6.9%	5.3%	3.6%
Gender				
Male	90.7%	55.4%	94.7%	94.5%
Female	9.3%	39.6%	3.8%	3.6%
Not declared	0.0%	5.0%	1.5%	1.8%
Gender reassignment				
Transgender or Transsexual	0.0%	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%	100.0%
Ethnicity				
Black and ethnic minority	5.1%	28.7%	7.6%	1.8%
White	89.6%	62.4%	84.8%	94.5%
Not declared	5.3%	8.9%	7.6%	3.6%
Religion or belief				
Religion or belief	45.7%	61.4%	45.5%	61.8%
No Religion or Belief	31.3%	27.7%	45.5%	21.8%
Not declared	23.0%	10.9%	9.8%	5.5%
Sexual Orientation				
Gay/Lesbian/Bisexual/Other	1.8%	85.1%	2.3%	1.8%
Heterosexual	75.7%	12.9%	87.9%	92.7%
Not declared	22.5%	2.0%	9.8%	5.5%

~ Uniformed Staff are those who are Wholetime, Retained and Control

Staff Starters

Protected Characteristic	2014/2015	2013/2014	2012/2013
Age			
16-24	12.2%	6.3%	11.4%
25-34	53.7%	45.8%	37.2%
35-44	19.5%	27%	17.1%
45-54	14.6%	14.6%	25.7%
55-64	0.0%	6.3%	8.6%
65+	0.0%	0.0%	0.0%
Not declared	0.0%	0.0%	0.0%
Disability			
Disabled	0.0%	2.1%	2.9%
Non-disabled	92.7%	95.8%	97.1%
Not declared	7.3%	2.1%	0.0%
Gender			
Male	80.5%	79.2%	82.9%
Female	19.5%	20.8%	17.1%
Not declared	0.0%	0.0%	0.0%
Gender reassignment			
Transgender or Transsexual	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%
Ethnicity			
Black and ethnic minority	12.2%	14.6%	2.9%
White	87.8%	85.4%	97.1%
Not declared	0.0%	0.0%	0.0%
Religion or belief			
Religion or belief	43.9%	45.8%	62.8%
No Religion or Belief	41.5%	31.3%	28.6%
Not declared	14.6%	22.9%	8.6%
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	2.4%	4.2%	0.0%
Heterosexual	83.0%	77.1%	91.4%
Not declared	14.6%	18.7%	8.6%

Staff Leavers

Protected Characteristic	2014/2015	2013/2014	2012/2013
Age			
16-24	5.3%	3.8%	6.5%
25-34	21.1%	18.9%	17.7%
35-44	17.5%	17.0%	17.7%
45-54	36.8%	35.8%	32.3%
55-64	14.0%	17.0%	25.8%
65+	5.3%	7.5%	0.0%
Not declared	0.0%	0.0%	0.0%
Disability			
Disabled	3.5%	5.7%	3.2%
Non-disabled	91.2%	79.2%	95.2%
Not declared	5.3%	15.1%	1.6%
Gender			
Male	80.7%	86.8%	83.9%
Female	19.3%	13.2%	16.1%
Not declared	0.0%	0.0%	0.0%
Gender reassignment			
Transgender or Transsexual	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%
Ethnicity			
Black and ethnic minority	12.3%	9.4%	8.1%
White	84.2%	81.1%	91.9%
Not declared	3.5%	9.4%	0.0%
Religion or belief			
Religion or belief	50.9%	60.4%	48.4%
No Religion or Belief	24.6%	9.4%	17.7%
Not declared	24.6%	30.2%	33.9%
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	1.8%	1.9%	4.8%
Heterosexual	78.9%	67.9%	67.7%
Not declared	19.3%	30.2%	27.4%

Promotions

Protected Characteristic	2014/2015	2013/2014	2012/2013
Age			
16-24	0.0%	0.0%	0.0%
25-34	22.2%	33.3%	30.3%
35-44	33.3%	40.0%	39.4%
45-54	33.3%	26.7%	30.3%
55-64	11.1%	0.0%	0.0%
65+	0.0%	0.0%	0.0%
Not declared	0.0%	0.0%	0.0%
Disability			
Disabled	5.6%	0.0%	87.9%
Non-disabled	94.4%	73.3%	9.1%
Not declared	0.0%	26.7%	3.0%
Gender			
Male	77.8%	100.0%	90.9%
Female	22.2%	0.0%	9.1%
Not declared	0.0%	0.0%	0.0%
Gender reassignment			
Transgender or Transsexual	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%
Ethnicity			
Black and ethnic minority	5.6%	13.3%	3.0%
White	94.4%	80.0%	90.9%
Not declared	0.0%	6.7%	6.1%
Religion or belief			
Religion or belief	66.7%	53.3%	51.5%
No Religion or Belief	22.2%	20.0%	18.2%
Not declared	11.1%	26.7%	30.3%
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	5.6%	0.0%	9.1%
Heterosexual	83.3%	73.3%	66.7%
Not declared	11.1%	26.7%	24.2%

Grievances

Protected Characteristic	2014/2015	2013/2014	2012/2013
Age			
16-24	0.0%	0.0%	0.0%
25-34	0.0%	0.0%	0.0%
35-44	42.9%	0.0%	50.0%
45-54	42.9%	100.0%	50.0%
55-64	14.3%	0.0%	0.0%
65+	0.0%	0.0%	0.0%
Not declared	0.0%	0.0%	0.0%
Disability			
Disabled	0.0%	0.0%	0.0%
Non-disabled	71.4%	100.0%	100.0%
Not declared	28.6%	0.0%	0.0%
Gender			
Male	71.4%	100.0%	100.0%
Female	28.6%	0.0%	0.0%
Not declared	0.0%	0.0%	0.0%
Gender reassignment			
Transgender or Transsexual	0.0%	0.0%	0.0%
Not declared	100.0%	100.0%	100.0%
Ethnicity			
Black and ethnic minority	14.3%	0.0%	0.0%
White	57.1%	100.0%	100.0%
Not declared	28.6%	0.0%	0.0%
Religion or belief			
Religion or belief	28.6%	100.0%	50.0%
No Religion or Belief	42.9%	0.0%	0.0%
Not declared	28.6%	0.0%	50.0%
Sexual Orientation			
Gay/Lesbian/Bisexual/Other	0.0%	0.0%	0.0%
Heterosexual	71.4%	100.0%	100.0%
Not declared	28.6%	0.0%	0.0%

This page is intentionally left blank

For Publication

Bedfordshire Fire and Rescue Authority
Human Resources Policy and Challenge
Group
15 March 2016
Item No. 11

REPORT AUTHOR: HEAD OF SAFETY AND STRATEGIC PROJECTS

SUBJECT: CORPORATE RISK REGISTER

For further information on this Report contact: Service Operational Commander Tony Rogers
Head of Safety and Strategic Projects
Tel No: 01234 845163

Background Papers: None

Implications (tick ✓):

LEGAL			FINANCIAL	
HUMAN RESOURCES			EQUALITY IMPACT	
ENVIRONMENTAL			POLICY	
CORPORATE RISK	Known	✓	CORE BRIEF	
	New		OTHER (please specify)	

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To consider the Service's Corporate Risk Register in relation to Human Resources.

RECOMMENDATION:

That Members note and approve the review by the Service of the Corporate Risk Register in relation to Human Resources.

1. Introduction

- 1.1 Members have requested a standing item to be placed on the Agenda of the Policy and Challenge Groups for the consideration of risks relating to the remit of each Group. In addition, the Fire and Rescue Authority's (FRA) Audit and Standards Committee receives regular reports on the full Corporate Risk Register.

1.2 An extract of the Corporate Risk Register showing the risks appropriate to the Human Resources Policy and Challenge Group will be available at the meeting. Explanatory notes regarding the risk ratings applied is appended to this report.

2. Current Revisions

2.1 The register is reviewed on a monthly basis during the Service's Corporate Management Team (CMT) meetings and by CMT members between these meetings if required. A copy of the risks relevant to the Human Resources Policy and Challenge Group are attached for your information and approval.

2.2 Changes to individual risk ratings in the Corporate Risk Register: None. All risks that are reported to the Human Resources Policy and Challenge Group have been reviewed and there are no risk updates to report to Members.

2.3 Updates to individual risks in the Corporate Risk Register:

- **CRR40: If there is a retirement of a large number of operational officers over a short period of time then we lose significant operational and managerial experience within the Service which could ultimately affect our Service Delivery and wider corporate functionality in the shorter term:** The Corporate Management Team, in particular the Head of Human Resources and the Head of Training and Development regularly review the establishment figures of the Service. At the last HR Policy and Challenge Group Meeting in 2015 Members were advised of a Firefighter recruitment campaign to conclude in March 2016. Following a further review of the establishment which included the predicted turnover of operational staff, CMT have agreed to increase the number of wholtime recruits from 16 to 24 to accommodate the predicted projection shortfalls.

3. Business Continuity

3.1 As part of the Service's Business Continuity (BC) arrangements further BC plans have been developed covering the potential of Functional and Service wide Business Interruptions. These plans build upon existing arrangements forming part of a developing programme of testing ensuring that the Service is best placed to deliver vital services to the communities in the event of a business failure.

**SERVICE OPERATIONAL COMMANDER TONY ROGERS
HEAD OF SAFETY AND STRATEGIC PROJECTS**

Explanatory tables in regard to the risk impact scores, the risk rating and the risk strategy.

Risk Rating

Risk Rating/Colour	Risk Rating Considerations / Action
Very High	<p>High risks which require urgent management attention and action. Where appropriate, practical and proportionate to do so, new risk controls must be implemented as soon as possible, to reduce the risk rating. New controls aim to:</p> <ul style="list-style-type: none"> • reduce the likelihood of a disruption • shorten the period of a disruption if it occurs • limit the impact of a disruption if it occurs <p>These risks are monitored by CMT risk owner on a regular basis and reviewed quarterly and annually by CMT.</p>
High	<p>These are high risks which require management attention and action. Where practical and proportionate to do so, new risk controls <i>should</i> be implemented to reduce the risk rating as the aim above. These risks are monitored by CMT risk owner on a regular basis and reviewed quarterly and annually by CMT.</p>
Moderate	<p>These are moderate risks. New risk controls should be considered and scoped. Where practical and proportionate, selected controls should be prioritised for implementation. These risks are monitored and reviewed by CMT.</p>
Low	<p>These risks are unlikely to occur and are not significant in their impact. They are managed within CMT management framework and reviewed by CMT.</p>

Risk Strategy

Risk Strategy	Description
Treat	Implement and monitor the effectiveness of new controls to reduce the risk rating. This may involve significant resource to achieve (IT infrastructure for data replication/storage, cross-training of specialist staff, providing standby-premises etc) or may comprise a number of low cost, or cost neutral, mitigating measures which cumulatively reduce the risk rating (a validated Business Continuity plan, documented and regularly rehearsed building evacuation procedures etc).
Tolerate	A risk may be acceptable without any further action being taken depending on the risk appetite of the organisation. Also, while there may clearly be additional new controls which could be implemented to 'treat' a risk, if the cost of treating the risk is greater than the anticipated impact and loss should the risk occur, then it may be decided to tolerate the risk maintaining existing risk controls only.
Transfer	It may be possible to transfer the risk to a third party (conventional insurance or service provision (outsourcing)), however it is not possible to transfer the responsibility for the risk which remains with BLFRS.
Terminate	In some circumstances it may be appropriate or possible to terminate or remove the risk altogether by changing policy, process, procedure or function.

This page is intentionally left blank

For Publication

Bedfordshire Fire and Rescue Authority
Human Resources Policy and Challenge
Group
15 March 2016
Item No. 12

REPORT AUTHOR: ASSISTANT CHIEF OFFICER (HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT)

SUBJECT: REVIEW OF WORK PROGRAMME 2015/16

For further information on this report contact: Karen Daniels
Service Assurance Manager
Tel No: 01234 845013

Background Papers: None

Implications (tick ✓):

LEGAL			FINANCIAL	
HUMAN RESOURCES			EQUALITY IMPACT	
ENVIRONMENTAL			POLICY	
CORPORATE RISK	Known	✓	OTHER (please specify)	
	New		CORE BRIEF	

Any implications affecting this report are noted at the end of the report.

PURPOSE:

To review and report on the work programme for 2015/16 and to provide Members with an opportunity to request additional reports for the Human Resources Policy and Challenge Group meetings for 2016/17.

RECOMMENDATION:

That Members review the work programme for 2015/16 and note the 'cyclical' Agenda Items for each meeting in 2016/17.

ZOE EVANS
ASSISTANT CHIEF OFFICER (HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT)

HUMAN RESOURCES POLICY AND CHALLENGE GROUP: PROGRAMME OF WORK 2015/16

Meeting Date	'Cyclical' Agenda Items		Additional/Commissioned Agenda Items	
	Item	Notes	Item	Notes
23 June 2015	<ul style="list-style-type: none"> • Election of Vice Chair • Terms of Reference • Audit and Governance Action Monitoring Report • New Internal Audits Completed to date • Human Resources Performance Monitoring Report and Programmes to date • Absence Year End Report • Draft 2015-16 Corporate Health and Safety Objectives • Annual Equality and Diversity review and report • Occupational Accidents Year End Report • Annual Report of Provision of External Training • Corporate Risk Register • Work Programme 	Deferred from March 2015	Review of Employee Assistance Programme	Requested July 2014

Meeting Date	'Cyclical' Agenda Items		Additional / Commissioned Agenda Items	
	Item	Notes	Item	Notes
29 September 2015	<ul style="list-style-type: none"> • Audit and Governance Action Monitoring Report • New Internal Audits Completed to date • Human Resources Performance Monitoring Report and Programmes to date • Health and Safety Annual Report • Public Sector Equality Scheme Review • Corporate Risk Register • Work Programme 		PDR Pro Demonstration Employee Survey 2014/15	Added and HRPCG meeting 23 June 2015 ACO Z Evans
16 December 2015	<ul style="list-style-type: none"> • Audit and Governance Action Monitoring Report • New Internal Audits Completed to date • Human Resources Performance Monitoring Report and Programmes to date • Corporate Risk Register • Review of the Fire Authority's Effectiveness • Work Programme 	Note Baker Tilly name change to RSM from Oct 2015		

Meeting Date	'Cyclical' Agenda Items		Additional / Commissioned Agenda Items	
	Item	Notes	Item	Notes
15 March 2016	<ul style="list-style-type: none"> • Audit and Governance Action Monitoring Report • New Internal Audits Completed to date • Human Resources Performance Monitoring Report and Programmes to date • Approve Annual HR Performance Indicators and Targets for 2016/17 • Equality Duty Report • Corporate Risk Register • Review of Work Programme 2015/16 		<ul style="list-style-type: none"> • The National Living Wage • Discretions – Fire Pensions Schemes 	<p>Added by Audit and Standards Committee – 10 Dec 15</p> <p>Added by ACO Feb 2016</p>

HUMAN RESOURCES POLICY AND CHALLENGE GROUP: PROGRAMME OF WORK 2016/17

Meeting Date	'Cyclical' Agenda Items		Additional / Commissioned Agenda Items	
	Item	Notes	Item	Notes
7 June 2016	<ul style="list-style-type: none"> • Election of Vice Chair • Terms of Reference • Audit and Governance Action Monitoring Report • New Internal Audits Completed to date • Human Resources Performance Monitoring Report and Programmes to date • Absence Year End Report • Draft 2016-17 Corporate Health and Safety Objectives • Occupational Accidents Year End Report • Annual Report of Provision of External Training • Public Sector Equality Scheme Review • Corporate Risk Register • Work Programme 2016/17 			

Meeting Date	'Cyclical' Agenda Items		Additional / Commissioned Agenda Items	
	Item	Notes	Item	Notes
21 September 2016	<ul style="list-style-type: none"> • Audit and Governance Action Monitoring Report • New Internal Audits Completed to date • Human Resources Performance Monitoring Report and Programmes to date • Health and Safety Annual Report • Corporate Risk Register • Work Programme 2016/17 			
5 January 2017	<ul style="list-style-type: none"> • Audit and Governance Action Monitoring Report • New Internal Audits Completed to date • Human Resources Performance Monitoring Report and Programmes to date • Corporate Risk Register • Review of the Fire Authority's Effectiveness • Work Programme 2016/17 			

Meeting Date	'Cyclical' Agenda Items		Additional / Commissioned Agenda Items	
	Item	Notes	Item	Notes
21 March 2017	<ul style="list-style-type: none"> • Audit and Governance Action Monitoring Report • New Internal Audits Completed to date • Human Resources Performance Monitoring Report and Programmes to date • Approve Annual HR Performance Indicators and Targets for 2017/18 • Equality Duty Report • 2017/18 Corporate Health and Safety Objectives • Corporate Risk Register • Review of Work Programme 2016/17 			

This page is intentionally left blank