



West Yorkshire Pension Fund

## Firefighters Pension Scheme

### East Sussex Fire & Rescue Authority

**As a result of your decision to ask West Yorkshire Pension Fund to process retirement calculations under Immediate Detriment Guidance please confirm your acceptance of the points below.**

Any quotation requests made by ESFRA and any options provided to you as a result of these requests are based on our current understanding of the position of the Scheme and the age discrimination cases brought in respect of it.

The final legal position may change as cases are heard that relate to the Scheme. The Government has also not yet provided definitive guidance on how to implement the changes that will be needed as a result of the cases already heard.

Therefore, any figures provided may change in the future even though we have provided them based on our best understanding of the current position and having taken legal advice.

Should your scheme members decide to take benefits based on any quotations provided by WYPF, they will need to be aware that we will need to review and possibly re-calculate those benefits once the government has provided final guidance, and the Scheme's own rules change.

Scheme members also need to be aware that we will review benefits that they have elected to receive but have not been put into payment, if at that point our own understanding of the approach has also changed. If this happens, we will send you another quotation for the member to decide whether to draw benefits based on that quotation.

If members need to make any additional contributions in order to qualify for the higher benefits under the old 1992 Firefighters Pension Scheme, then you will need to confirm to WYPF that these have been made before benefits can come into payment.

If a member elects to take benefits and afterwards the law is made clear meaning that the basis on which we calculated these benefits changes then WYPF will need to recalculate and adjust members' benefits at a point after they have been put into payment. This could mean the benefits could go up or down and you will be responsible for any overpayment if this cannot be recovered from the member

If the benefits go up, the Scheme will pay the member an extra sum to cover the extra benefits. If this is the case the member will need to pay additional contributions in respect of those extra benefits. How that will be done will be determined at the

time, but it may be that a decision is made that the extra lump sum paid is reduced to cover any additional contributions required from the member.

If the benefits go down the member will need to repay the extra benefits over a period of time. That will be done by reducing the member's benefits temporarily until the overpayment is recovered. The recovery period will be agreed with the member.

### **FRA Declaration**

We confirm that West Yorkshire Pension Fund will not be liable for any issues arising from any calculations, diligently and competently performed, which have been undertaken before the full regulations are in force as a result of the Immediate Detriment guidance request.

We also confirm that the information detailed above will be communicated to each member as part of the Immediate Detriment Guidance process.

We also confirm that all members going through the process understand that benefits could be subject to review by WYPF at any time and at any stage of the retirement process as further guidance or legislation is issued by the Government i.e.

- The initial quote stage
- Once benefits have been elected for but not put into payment
- After benefits have been put into payment.

And this could result in benefits going up or down.

Signed .....

Position.....

Date .....