

PENSIONS OMBUDSMAN'S DETERMINATION ON COMMUTATION

In early May this year the Pensions Ombudsman delivered a determination on a case brought by a retired firefighter. You may well have already seen or read some or all of the information on this case.

That determination had a knock on effect for a very large number of public service personnel who retired in similar circumstances and that included police officers who retired between **1st December 2001 and 30th November 2006.**

If you left the service with a pension between these dates, this decision will affect you. In short, the figure that was used to calculate your lump sum has now been determined to have not been updated sufficiently during the time period mentioned above.

Two things immediately affect whether or not you know need to concern yourself as to what happens next.

- 1) ONLY if you left the service between 1st December 2001 and 30th November 2006 does this concern you.
- 2) ONLY if you commuted part of your pension entitlement does this concern you as it is the actuarial figures used to calculate that sum that have been changed following this determination.

What has happened since May?

Inevitably, where the government are concerned, wheels grind slowly. The good news is that in this case the government have already expressed a desire to have this matter dealt with as quickly as possible. The bad news is, that will not happen (has not happened) overnight.

The first step was an acceptance that officers had been disadvantaged; that happened as no appeal against this determination was made. The second step was for individual force pension providers to identify who was affected.

Now we come down to a local level and concern ourselves with what has happened in Sussex. This is where the Federation and NARPO got involved and a dialogue began with Sussex Police and our pension provider CAPITA.

What is happening now?

A senior member of Sussex Police HR team has been appointed to liaise with CAPITA and put in place a method for affected officers to be identified, to calculate the individual payments that need to be made and to meet a timescale for all this to be done. Sounds simple – if only.

The government have issued guidelines for this to be done. They have given December this year as a time for people to be identified and initial contact to be made. April 2016 is the suggested time for payments to be commenced.

During this time CAPITA have to identify personnel to carry out the work and they have already indicated to Sussex Police that this will be work over and above their contract, which means additional resources and additional cost for the work to be done. That will require Sussex Police to agree to the additional cost. That is the point at which we find ourselves now.

What happens next?

Once the work is agreed and financed an estimate of cost has to be sent to central government.

The funds to meet the cost have to be approved and made available to the pension provider and then individuals contacted and paid. Every individual will have a personal calculation and interest will be paid on the sum owed and included in the payment.

We believe there are some 520 Sussex Officers that are affected.

Not all of these will be members of NARPO, but all will have the support of both NARPO and the Federation to ensure that matters are not allowed to stagnate. An agreement with Sussex Police to maintain a flow of information on progress will be facilitated through the Federation Office and NARPO Branch Secretaries.

The one thing that will help the process is for individuals not to contact CAPITA or Sussex Police about their cases at this stage. Rather, let the process take its course and if issues need to be addressed these can be raised when you are contacted by CAPITA.

Remember the time scale is December this year for initial contact and April 2016 for payments to commence and you will be notified if this changes.