



Matt Wrack General Secretary
Bradley House, 68 Coombe Road,
Kingston-upon-Thames, Surrey KT2 7AE
fbu.org.uk | @fbunational
020 8541 1765 | office@fbu.org.uk

Circular: 2022HOC0501MR

To: All Members

Dear Brother/Sister

RDS: Second Options Exercise, Information form to send to FRA and FAQs

The original legal settlement under the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 only allowed certain retained firefighters with service between 1 July 2000 and 5 April 2006 to become members of the pension scheme. Eligible firefighters were asked whether they wanted to join this scheme in an options exercise which took place in 2014-2015. Elections to join had to be received by 30 September 2015. This was the 'first options exercise'.

More recently, this judgment was challenged at the European Court of Justice in relation to fee-paid judges. The Court ruled in that case that service going back to the start of employment could be taken into account. The government accepted that the same principles apply to certain retained firefighters, whether they have made a legal claim or not.

The link below to the Firefighters Pension Scheme website gives important information in relation to the second options exercise.

<https://fpsmember.org/fps-2006-special-members/second-options-exercise>

The webpage provides a link for members to access a form to submit to their FRA if they believe they are in scope to take part in the second options exercise. The form is attached for your ease, it should be completed and submitted to your FRA. There is also a link which provides you the relevant FRA email address to send your completed claim form.

Also of use is the Q&A section which gives answers to the three most frequently asked questions asked of the FBU and the LGA:

Q1: I left employment as a retained firefighter between 7 April 2000 and 30 June 2000. I was not given an option to join under the first options exercise – will I be eligible this time?

A: Yes, you meet the condition set out in point one above. The earliest in scope date is 7 April 2000. If your employment in the same role is continuous and started before 7 April 2000, you will be given an opportunity to buy service to your original start date.

Q2: I was eligible for the first options exercise as I had retained service within the period 1 July 2000 and 5 April 2006, however, my retained service started before 1 July 2000 – will I be eligible for the second options exercise?

A: Yes, you meet the condition set out in point two above. The earliest in scope date is 7 April 2000. If your employment in the same role is continuous and started before 7 April 2000, you will be given an opportunity to buy service to your original start date.

Q3: I was eligible for the first options exercise as I had retained service within the period 1 July 2000 and 5 April 2006 only - will I be eligible this time?

A: If your FRA sent you a statement of service in the first options exercise you had an opportunity to join previously. This means that you may not be in scope for the second options exercise.

If your FRA only sent you an initial letter asking you to express your interest and did not provide you with a statement of service, you may be in scope this time.

Yours in Unity,

A handwritten signature in black ink, appearing to read 'Mark Rowe', with a stylized, cursive script.

Mark Rowe
National Officer

MR/jr