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Circular: 2025HOC0023MR

Date: 21 January 2025

To: All Members

Retained Duty System Pensions Update

Dear Brother/ Sister

This Circular (i) provides information for surviving family members of deceased RDS firefighters; and (ii) updates members on a new Home Office consultation in England relating mainly to the deceased former RDS firefighter and the extension of the deadline for closure of the 'Second Options exercise' to 31 March 2026, and on the latest in the ongoing Employment Tribunal claims.

Further details of the background to the claims, and the settlement reached with the Home Office and Fire Service employers, is contained in **Circular 2022HOCO144MR**.

1. Surviving family members of deceased RDS firefighters: deadline to apply for Death Grant and Additional Death Grant

A **Death Grant** is currently available where a deceased firefighter:

- (a) was in employment as an RDS firefighter on or after 7 April 2000; and
- (b) continued in that employment until they died before 6 April 2006
(ie date of death between 7 April 2000 and 5 April 2006).

An **Additional Death Grant** is currently available where a deceased firefighter:

- (a) first took up employment as an RDS firefighter before 1 July 2000;
- (b) elected to join the modified section of the NFPS in the first Options Exercise; and
- (c) died before 31 March 2025, and without making an election to buy backdated special membership of the NFPS in the Second Options Exercise.
(ie date of death between 1 April 2014 and 30 March 2025).

A **Death Grant** or an **Additional Death Grant** may be claimed by either of the following:

- (a) their spouse or civil partner at their date of death; or
- (b) where the deceased was neither married, nor a member of a civil partnership, at their date of death (or where their spouse or civil partner has since died), a child of the deceased.

There are two components of the **Death Grant**:

- (i) the 'basic' Death Grant: 2.5 x deceased member's pensionable pay in their last year of service; plus
- (ii) the 'additional' Death Grant (where applicable): 0.1 x deceased member's pensionable pay in their last year of service x number of completed years during which the deceased was employed as an RDS firefighter before 6 April 2000.

The **Additional Death Grant** is 0.1 x deceased member's pensionable pay in their last year of service x number of completed years during which the deceased was employed as an RDS firefighter before 1 July 2000.

Applications for a Death Grant or an Additional Death Grant should be made in writing to the fire authority. It is advisable to send copy documents evidencing entitlement (eg marriage certificate, if applicable) and the deceased RDS firefighter's employee number (if available).

The deadlines by which applications for a Death Grant or an Additional Death Grant must be made are currently:

England: 31 March 2025

Wales: 31 July 2025

Scotland: 31 March 2025

Northern Ireland: 30 April 2025

Note that at the time of this circular, the Home Office consultation includes a proposal for the deadline for applications in England to be extended to 31 March 2026. That proposal for an extension cannot, however, be relied on at this stage.

2. Home Office consultation in England: deceased former RDS firefighters, extension of the deadline for closure of the 'Second Options exercise' to 31 March 2026, and other issues

On 23 December 2024, Home Office published a consultation in England seeking to address the issue of RDS firefighters who had retired but then died before they were able to take part in the Second Options exercise. The FBU alone has been pursuing this issue. Other issues are also addressed.

The list of issues addressed in the consultation are:

- payment of a lump sum/survivor's missed pension payment in respect of a deceased RDS firefighter who would have been entitled to extra pension under the First or Second Options Exercises;
- extension of eligibility for Additional Death Grant;
- allowing special deferred members to convert standard service in the 2006 scheme to special service in the modified scheme;
- re-labelling the 'additional' component of the Death Grant;
- allowing 'opted out' service in the standard 2006 scheme to count towards special service;
- flexibility to apply new provisions beyond 31 March 2026; and
- extending the closure deadline for the Second Options Exercise to 31 March 2026.

The FBU will be replying to the consultation, which is open until 17 February 2025.

3. Employment Tribunal claims

The FBU continues to pursue issues relating to 'aggregation', pre-6 April 2000 transfers to wholetime, consequential loss and deceased Claimants in the Employment Tribunals. The claims in England were stayed until 14 January 2025. The Home Office has requested that the stay be continued. The FBU has declined to agree to a further stay, and has asked the Tribunal to proceed with the claims.

Yours in unity,

A handwritten signature in black ink, appearing to read 'Mark Rowe', with a large, stylized 'M' and 'R'.

Mark Rowe
National Officer

MR/am