
STATUTORY INSTRUMENTS

2024 No. 170

PUBLIC SERVICE PENSIONS, ENGLAND

**The Firefighters’ Pension Scheme
(England) (Amendment) Regulations 2024**

<i>Made</i>	- - - -	<i>19th February 2024</i>
<i>Laid before Parliament</i>		<i>21st February 2024</i>
<i>Coming into force</i>	- -	<i>27th March 2024</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1(1) and (2)(f), 2(1) (together with paragraph 6 of Schedule 2) and 3(1) and (3)(a) of the Public Service Pensions Act 2013(1).

In accordance with section 21(1) of that Act, the Secretary of State has consulted the representatives of such persons as appear to the Secretary of State likely to be affected by these Regulations.

In accordance with section 3(5) of that Act, these Regulations are made with the consent of the Treasury.

Citation and commencement

1. The Regulations may be cited as the Firefighters’ Pension Scheme (England) (Amendment) Regulations 2024 and come into force on 27th March 2024.

Amendment of the Firefighters’ Pension Scheme (England) Regulations 2014

2.—(1) The Firefighters’ Pension Scheme (England) Regulations 2014(2) are amended as follows.

(2) In regulation 3 (interpretation)(3)—

(a) at the appropriate place insert—

““carer’s leave” means leave under section 80J of the Employment Rights Act 1996(4);”;

(b) in the definition of “index adjustment”, in paragraph (a), after “earnings” insert “and the index supplement”;

(1) 2013 c. 25. Section 3 was amended by section 94 of the Public Service Pensions and Judicial Offices Act 2022 (c. 7).

(2) S.I. 2014/2848.

(3) There are amendments to regulation 3 not relevant to this instrument.

(4) 1996 c. 18. Section 80J was inserted by the Carer’s Leave Act 2023 (c. 18), Schedule 1, Part 1.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) at the appropriate place insert—
- ““index supplement” means an amount of earned pension equal to the value of the index adjustment where the change in earnings is increased—
- (a) for 2021, by 0.2% above the amount specified in the Public Service Pensions Revaluation Order 2021⁽⁵⁾;
- (b) for 2022, by 0.4% above the amount specified in the Public Service Pensions Revaluation Order 2022⁽⁶⁾”;
- (d) in the definition of “in-service revaluation index”, at the end insert “and, in this scheme, includes the index supplement”.
- (3) In regulation 18 (meaning of “assumed pensionable pay”)⁽⁷⁾, in paragraph (2)(e) for “or parental bereavement leave” substitute “, parental bereavement leave or carer’s leave”.

We consent to the making of these Regulations

19th February 2024

19th February 2024

Scott Mann
Joy Morrissey
Two of the Lords Commissioners of His
Majesty’s Treasury
Chris Philp
Minister of State
Home Office

⁽⁵⁾ [S.I. 2021/276](#).

⁽⁶⁾ [S.I. 2022/215](#).

⁽⁷⁾ Regulation 18(2) was amended by [S.I. 2014/3255](#) and [2020/354](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Firefighters' Pension Scheme (England) Regulations 2014 (S.I. 2014/2848) ("the 2014 Regulations") to make provision for unpaid carer's leave to be included in calculating pensionable service, and to remedy an error in the Public Service Pensions Revaluation Orders for 2021 and 2022 (S.I. 2021/276 and S.I. 2022/215).

The Carer's Leave Act 2023 (c. 18) provides an entitlement for employees to take unpaid leave to care for a dependant. These Regulations amend the 2014 Regulations to provide for the period of unpaid carer's leave to be treated as a period during which the member received assumed pensionable pay.

Accrued pensions for active members of the firefighters' pension scheme provided for in the 2014 Regulations are revalued annually, in accordance with the rate set out in an annual order made by HM Treasury under section 9(2) of the Public Service Pensions Act 2013 (c. 25).

HM Treasury, in a written statement dated 6th July 2023, announced that the orders for 2021 and 2022 contained errors, in that they had been based on provisional rather than final figures. These Regulations make amendments to the 2014 Regulations so that the correct revaluation figure can be taken into account in calculating accrued pension rights. A corresponding change is also made to the valuation of the accrued pension where a member transfers to certain other public sector pension schemes.

A full impact assessment has not been carried out for this instrument as no, or no significant, impact on the private or voluntary sector or community bodies is foreseen.