STATUTORY INSTRUMENTS

2026 No. 281

FIRE AND RESCUE SERVICES, ENGLAND

PENSIONS, ENGLAND

The Firefighters' Pension Scheme (England) (Amendment) Order 2026

Made - - - -	*at 11.05 a.m. on 11th March 2026*
Laid before Parliament	*at 4.45 p.m. on 11th March 2026*
Coming into force - -	*1st April 2026*

The Secretary of State makes this Order in exercise of the powers conferred by sections 34(1), (2), and (4), and 60(2) of the Fire and Rescue Services Act 2004(**a**).

In accordance with section 34(5) of that Act, the Secretary of State has consulted those persons the Secretary of State considers appropriate.

Citation, commencement and extent and application

1.—(1) This Order may be cited as the Firefighters' Pension Scheme (England) (Amendment) Order 2026.

(2) This Order comes into force on XXX.

(3) This Order extends to England and Wales.

(4) This Order applies in relation to England only.

Amendment of the Firefighters' Pension Scheme (England) Order 2006

2. Schedule 1 to the Firefighters' Pension Scheme (England) Order 2006 (the New Firefighters' Pension Scheme (England))(**b**) is amended in accordance with the Schedule to this Order.

(**a**) 2004 c. 21. There are amending instruments but none is relevant.
(**b**) S.I. 2006/3432, amended by S.I. 2008/213, 2010/234, 2012/954, 2012/2988, 2013/704, 2013/1393, 2014/445, 2014/560, 2015/589, 2015/590, 2017/892, 2018/269, 2018/997, 2020/354, 2023/986, 2023/1267.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Samantha Dixon
Parliamentary Under-Secretary of State
At 11.05 a.m. on 11th March 2026 Ministry of Housing, Communities and Local Government

SCHEDULE

Article 2

Amendments to Schedule 1 to the Firefighters' Pension Scheme (England) Order 2006

1.—(1) Part 1 (citation and interpretation) is amended as follows.

(2) In rule 2 (interpretation)(**a**)—

(a) in the definition of "extended limited period", in paragraph (a), after "joined" insert "(or, in the case of a retained firefighter opt-out member, rejoined)";

(b) in the definition of "mandatory special period", after paragraph (b) insert—

"(c) in relation to service purchased following an application under rule 7 of Part 15 (Retained firefighter opt-out member), that part of a retained firefighter opt-out member's service during the extended limited period in which they had opted-out of membership of this Scheme, or had ceased to pay periodic contributions such that rule 6B(5)(c) of part 11 (election to purchase service during the limited period or the extended limited period)(**b**) applied;";

(3) after the definition of "retained firefighter" insert—

""retained firefighter opt-out member" means a retained firefighter who joined this Scheme on or after 6th April 2006 and either—

(a) became a special member of this Scheme during any part of the extended limited period and elected not to make pension contributions under rule 5(1) of Part 2 (election not to make pension contributions) on or before 31st March 2015; or

(b) elected to purchase service during the limited period but then ceased to pay periodic contributions such that rule 6B(5)(c) of Part 11 (election to purchase service during the limited period or the extended limited period) applied;".

2.—(1) Part 3 (personal awards) is amended as follows.

(2) In rule 1A(8) (special member's ordinary pension)(**c**), after "Part 11" insert "and rules 17 and 18 of Part 12".

3.—(1) Part 5 (awards on death) is amended as follows.

(2) In rule 1B (death grant for extended limited period)(**d**)—

(a) in paragraphs (2) and (3) for "on or before 31st March 2025" substitute "as soon as reasonably practicable and no later than 1st April 2027";

(b) in paragraphs (6)(b), (8) and (9), for "additional", in each place it occurs, substitute "extended".

(3) In rule 1C (additional death grant)—

(a) in paragraph (1)(a), for "1st July 2000" substitute "5th April 2006";

(**a**) Substituted by S.I. 2014/445 and S.I. 2023/986.
(**b**) Substituted by S.I. 2014/445.
(**c**) S.I. 2014/445.
(**d**) S.I. 2014/445 and S.I. 2023/986.

(b) in paragraph (1)(b), after "elected" insert ", was eligible to have elected, or would have been eligible but for their death to have elected,";

(c) in paragraph (1)(c), for "31st March 2025" substitute "1st April 2026";

(d) in paragraph (2) and (3), for "on or before 31st March 2025" substitute "as soon as reasonably practicable and no later than 1st April 2027";

(e) in paragraph (6) for the definition of "B" substitute—

"B is the number of number of completed years (which has the meaning in rule 6(2) of Part 12), as determined by the authority, during which the deceased was employed as a retained firefighter in the period before—

(a) in the case of a retained firefighter who would have been eligible, but for their death, to make an election under rule 6A of Part 11 (election to purchase service during the limited period or the extended limited period) in respect of their service during the limited period following an application under rule 5A of Part 11, 31st March 2015;

(b) in any other case, 1st July 2000.".

(4) After rule 2 (post-retirement death grant: pension credit members) insert—

"Missed pension lump sum grant

3.—(1) This rule applies where a person—

(a) would have been a special member if, within the period required by rule 6B(1) or (12) of Part 11 (election to purchase service during the limited period or the extended limited period), they had elected to pay the mandatory special period pension contribution and become a special member, or but for their death they could have made such an election and become a special member,

(b) would have been eligible to receive payments in respect of special pensionable service,

(c) died between 7th April 2000 and 1st April 2027 inclusive, and

(d) in the case of a person who died between 7th April 2000 and 5th April 2006 inclusive, was not employed as a retained firefighter at the time of their death.

(2) An application for a missed pension lump sum grant may be made by—

(a) the spouse or civil partner of the deceased, or

(b) if the deceased was not married or in a civil partnership at the time of their death, or if their spouse or civil partner has died since the deceased's death—

(i) a child of the deceased, or

(ii) if the deceased did not have children at the time of their death, or where their children have died since the deceased's death, the persons who are beneficially entitled to the personal estate of the deceased.

(3) Subject to paragraph (6), the missed pension lump sum grant is a lump sum equal to the value, together with interest, of the pension payments ("the past pension payments") the deceased would have received up to the date of their death if, at the date of their death, they had been a member of this Scheme who had made contributions equivalent to their contributions under rules 6A and 6B of Part 11.

(4) When calculating the amount of the missed pension lump sum grant under paragraph (3), it is to be assumed that the deceased would have elected to commute one quarter of the pension calculated in accordance with that paragraph.

(5) The interest payable in accordance with paragraph (3) must be calculated in accordance with rule 1A(9) of Part 3 (special member's ordinary pension).

(6) The amount of the missed pension lump sum grant must be reduced by the amount of the deceased's contributions under rules 6A and 6B of Part 11.

(7) Any application for a grant under this rule must—

(a) be made in writing to the authority who most recently employed the deceased as a retained firefighter;

(b) be made by the spouse, civil partner, child or personal representative of the deceased, as applicable;

(c) confirm the date on which the deceased took up employment as a retained firefighter;

(d) where the deceased left that employment, confirm the date on which they left;

(e) where the deceased took up employment as a regular firefighter, confirm the date on which they took up that employment;

(f) where the deceased joined this Scheme as a standard member or joined the 1992 Scheme, confirm the date on which they joined this Scheme and, if it was the case, the date on which they made an election not to pay pension contributions under rule 5 of Part 2 of this Scheme or under G3 of the 1992 Scheme (as applicable);

(g) provide a copy of the deceased's death certificate.

(8) Where an authority are not able to determine the period of the deceased's service and the authority does not hold records of the deceased's pay for that period, and the person making the application cannot provide the authority with the necessary documents, the authority may—

(a) determine the deceased's pensionable pay for that period from the records which they hold and their local experience, or

(b) apply the default assumption if a determination under sub-paragraph (a)—

(i) is not possible, or

(ii) is a determination that the deceased's retained pensionable pay for the period was less than 25% of the pensionable pay of a whole-time regular firefighter employed in a similar role with equivalent qualifying service.

(9) In paragraph (8), the default assumption is that the deceased's retained pensionable pay for the period was equal to 25% of the pensionable pay of a whole-time regular firefighter employed in a similar role with equivalent qualifying service.

(10) The authority must use reasonable endeavours to notify all persons who may be entitled to a missed pension lump sum grant that they may be so entitled by no later than 1st June 2026.

(11) Where it is not practicable to comply with the requirement under paragraph (10) within the period specified, the authority shall comply with that requirement as soon as reasonably practicable after the end of that period and no later than 1st April 2027.

(12) Subject to paragraph (13), an application under paragraph (7) must be made to the authority as soon as reasonably practicable and no later than 1st April 2027.

(13) Where a person did not receive a notification from the authority under paragraph (10) or (11), despite the authority using reasonable endeavours to notify eligible persons as required by that paragraph, an application under paragraph (7) may be made after 1st April 2027.

(14) Where the authority determine that a missed pension lump sum grant is payable, the authority must pay the missed pension lump sum grant during the period of three months beginning with the date on which the application for the payment was received.

Survivor's missed pension lump sum grant

4.—(1) This rule applies where a person—

(a) is eligible to apply for a missed pension lump sum grant under rule 3 and an application has been made under rule 3(7), and

(b) is not eligible to apply for an additional death grant under rule 1C.

(2) A survivor's missed pension lump sum grant is payable to the person identified in paragraph (1).

(3) Any application for a grant under this rule must—

(a) be made in writing to the authority who most recently employed the deceased as a retained firefighter;

(b) be made—

(i) where the deceased was married or a member of a civil partnership at the time of their death, by the spouse of civil partner, or

(ii) subject to paragraph (4), where the deceased was not married or a member of a civil partnership at the time of their death, or where the spouse or civil partner has died since the deceased's death, by a child of the deceased, and

(c) confirm that the applicant is not eligible to apply for an additional death grant under rule 1C.

(4) A person is not eligible for a child's missed pension lump sum grant under this rule if the person would not have been eligible for a child's pension by virtue of anything in rule 7 of Part 4 (child's pension: limitations and duration) at the time of the death of the deceased.

(5) The amount of the payment under this rule must be calculated in accordance with the formula—

$$0.1 \times A \times B$$

where—

A is the amount of pensionable pay the authority determine that the deceased received in their last year of service, and

B is the number of completed years (which has the meaning in rule 6(2) of Part 10) during which the deceased was employed as a retained firefighter in the period before the end date of the deceased's extended limited period (the "relevant period"), as determined by the authority.

(6) An authority must determine the period of the deceased's service during the relevant period from their records.

(7) Where an authority are not able to determine the period of the deceased's service during the relevant period from their records, the applicant may provide the authority with documents to assist them to determine the deceased's period of service during the relevant period and the authority must determine the period of the deceased's service from those documents.

(8) Where an authority are not able to determine the period of the deceased's service during the relevant period and the authority do not hold records of the deceased's pay for

that period, and the applicant cannot provide the authority with the necessary documents, the authority may estimate the deceased's pensionable pay for that period from the records which they hold and may, in particular, estimate this on the basis of the average of recent pay data for retained firefighters at the same station or stations as those at which the deceased was based for the relevant period.

(9) Where the authority have estimated the pay of the deceased in accordance with paragraph (8), the authority must determine their period of pensionable service during the relevant period.

(10) Where the deceased's service was as a retained firefighter, the authority must determine the deceased's retained pensionable service during the relevant period by calculating the same proportion of whole-time service as that which their actual pensionable pay or, as the case may be, their pensionable pay as estimated by the authority under paragraph (8), bears to their reference pay for each year of service during that period.

(11) If no information is provided under paragraph (7) and no records are available, the authority must determine the amount of the deceased's pensionable pay based on the assumption that the person's retained pensionable pay for the period was equal to 25% of the pensionable pay of a whole-time regular firefighter employed in a similar role with equivalent qualifying service.

(12) The authority must use reasonable endeavours to notify all persons who may be entitled to a survivor's missed pension lump sum payment that they may be so entitled by no later than 1st June 2026.

(13) Where it is not practicable to comply with the requirement under paragraph (12) within the period specified, the authority shall comply with that requirement as soon as reasonably practicable after the end of that period and no later than 1st April 2027.

(14) Subject to paragraph (13), an application under paragraph (3) must be made to the relevant authority no later than 1st April 2027.

(15) Where a person did not receive a notification from the authority under paragraph (12), despite the authority using reasonable endeavours to notify eligible persons as required by that paragraph, an application under paragraph (3) may be made after 1st April 2027.

(16) Where the authority decide that a survivor's missed pension lump sum payment is payable, the authority must pay the survivor's missed pension lump sum grant during the period of three months beginning with the date on which the application for the payment was received.

Missed pension lump sum grant and survivor's missed pension lump sum grant: restrictions

5.—(1) Subject to paragraph (3), a missed pension lump sum grant or a survivor's missed pension lump sum grant is not payable to a person who is convicted of the murder of the deceased.

(2) Subject to paragraph (4), where a person is convicted of the manslaughter of the deceased, the authority may, as they think fit, withhold the missed pension lump sum grant or the survivor's missed pension lump sum grant—

(a) in whole or in part, and

(b) permanently or temporarily.

(3) Where a conviction of the description mentioned in paragraph (1) is quashed on appeal, the missed pension lump sum grant or the survivor's missed pension lump sum grant is payable.

(4) Where a conviction of the description mentioned in paragraph (2) is quashed on appeal, the missed pension lump sum grant or the survivor's missed pension lump sum grant is payable in full, less any partial payment that has already been made.

(5) Nothing in paragraphs (3) or (4) affects the application of paragraphs (1) or (2) if the person whose conviction is quashed is subsequently convicted of the murder or manslaughter of the deceased.".

4.—(1) Part 11 (pensionable pay, pension contributions and purchase of additional service) is amended as follows.

(2) In rule 6B (election to purchase service during the limited period or the extended limited period: supplemental provision)(**a**), in paragraphs (13) and (14), for "after 31st March 2025" substitute "any later than 1st April 2027.".

5.—(1) Part 12 (transfers into and out of the scheme) is amended as follows.

(2) In rule 17(1) (converting membership from standard membership to special membership), for sub-paragraph (a) substitute—

"(a) to a person who is a standard member of this Scheme and who is

(i) a special firefighter member,

(ii) is entitled to join this Scheme as a special firefighter member or a connected special member,

(iii) subject to rules 18A and 18B, a special pensioner member who was previously a special deferred member, or

(iv) subject to rule 18B, a special deferred member.".

(3) In rule 18(1)(a)(converting membership from standard membership to special membership - special pensioner members), for sub-paragraph (a) substitute—

"(a) to a person who is—

(i) a special pensioner member,

(ii) is entitled to be a special pensioner member and who is in receipt of an ordinary pension, a higher tier ill-health pension, or a lower tier ill-health pension, or

(iii) subject to rule 18B, is entitled to a deferred pension under rule 3 of Part 5 (deferred pension) or rule 5 of Part 3 (pension on member-initiated early retirement);".

(4) After rule 18 insert—

"Converting membership from standard membership to special membership - special pensioner members who were previously special deferred members

18A.—(1) This rule applies to a person to whom rule 17 applies and who is a special pensioner member who was previously a special deferred member.

(2) Where the member makes an election under rule 17(5), the amount payable under that rule must be—

(a) calculated in accordance with guidance provided by the Scheme Actuary, and

(b) paid by lump sum payment.

(3) When the payment required by rule 17(5) has been paid, then subject to rule 17(7)—

(**a**) S.I. 2014/445, amended by S.I. 2023/986; there are other amending instruments but none is relevant.

(a) the member's pensionable service as a standard member must be treated as special pensionable service,

(b) the member must continue to receive their ordinary or ill-health pension in respect of their pensionable service as a standard member, and

(c) the member must, in addition, receive their special member's ordinary pension or ill-health pension in respect of their special pensionable service as a special member.

(4) The special member's ordinary pension or ill-health pension in respect of their special pensionable service payable under this rule must be reduced in accordance with tables produced by the Scheme Actuary, so that the total amount of pension that the member receives in accordance with sub-paragraphs 18A(3)(b) and (c) does not exceed the amount they would have received as a special member if—

(a) they had not been an ordinary member of the Scheme, and

(b) all of their service from the start of the mandatory special period to the date that the member's special member's ordinary pension or ill-health pension, as the case may be, becomes payable and which is eligible to be treated as special pensionable service, was treated as special pensionable service.

Converting membership from standard membership to special membership - additional provisions

18B.—(1) This rule applies to a person to whom rule 17 or 18 applies and who is—

(a) a special deferred member;

(b) a special pensioner member who was previously a special deferred member, or

(c) in receipt of a deferred pension under rule 5 of Part 3 (pension on member-initiated early retirement).

(2) The relevant authority must use reasonable endeavours to notify the person of their eligibility to apply to convert their membership in accordance with rule 17 or 18, as applicable by no later than 1st June 2026.

(3) Where it is not reasonably practicable to comply with the requirement under paragraph (10) within the period specified, the authority shall comply with that requirement as soon as reasonably practicable after the end of that period and no later than 1st April 2027.

(4) A person to whom this rule applies—

(a) does not need to make an application under rule 17(2) or 18(2) at the same time as they make an application under rule 5A(5) or 5B(9) of Part 11 (purchase of service during the limited period or the extended limited period)(**a**);

(b) does not need to make an election under rule 17(5) or 18(5) at the same time as they make their election under rule 6A of Part 11 (election to purchase service during the limited period or the extended limited period);

(c) must make an election under rule 17(5) or 18(5) within three months after receiving the statements referred to in rule 17(4) or 18(5), and

(d) must, in any event, make an election before 1st April 2027.

(5) The authority must provide the statements referred to in rule 17(4) or 18(4) within three months of receiving an application under rule 17(2) or 18(2), as applicable.

(**a**) S.I. 2014/445 and S.I. 2023/986.

(6) Where a person did not receive a notification from the authority under paragraph (2), despite the authority using reasonable endeavours to notify them as required by that paragraph, an election under rule 17(5) or 18(5), as applicable, may be made after 1st April 2027.".

6.—(1) Part 15 (miscellaneous provisions) is amended as follows.

(2) After rule 6 (death on or before 31st March 2007 of retained or volunteer firefighter employed before 6th April 2006) insert—

"Retained firefighter opt-out member

7.—(1) This rule applies to a person ("P") who—

(a) is a retained firefighter opt-out member, or

(b) the spouse, civil partner or child of a retained firefighter opt-out member who is deceased.

(2) Subject to paragraph (5), P may elect to pay pension contributions in respect of the retained firefighter opt-out member's service during the part of the extended limited period during which the retained firefighter opt-out member or deceased firefighter opt-out member elected not to make pension contributions under rule 5(1) of Part 2 of this Scheme (election not to make pension contributions) or ceased to make periodic contributions such that rule 6B(5)(c) of Part 11 (election to purchase service during the limited period or the extended limited period) applied (the "opt-out period").

(3) P may elect to purchase pensionable service in respect of the opt-out period, provided that—

(a) the election is made as soon as reasonably practicable and in any event not later than the date falling 12 months after the notification under paragraph (4), and

(b) P pays the mandatory special period pension contributions that the retained firefighter opt-out member would have been required to pay in respect of the opt-out period, had he not elected not to make pension contributions under rule 5(1) of Part of this Scheme (election not to make pension contributions) or ceased to make periodic contributions such that rule 6B(5)(c) of Part 11 (election to purchase service during the limited period or the extended limited period) applied.

(4) The relevant authority must use reasonable endeavours to notify P of their eligibility to purchase service during the opt-out period by 1st June 2026.

(5) P may apply to the authority by which the retained firefighter opt-out member was employed during the op-out period for a statement of—

(a) the service in respect of which they may become entitled to pay contributions under this rule, and

(b) the mandatory special period pension contributions and any additional contributions required under paragraph (3)(b), which the person would be required to pay in respect of that service.

(6) An application under paragraph (5) must be made in writing and must state—

(a) the date on which the retained firefighter opt-out member took up employment as a retained firefighter;

(b) if the retained firefighter opt-out member has left employment, the date on which they left;

(c) the date on which the retained firefighter opt-out member joined this Scheme, and if they already joined this Scheme as a special member, the period of service

the retained firefighter opt-out member has already elected to purchase under rule 6A of Part 11; and

(d) the date on which the retained firefighter opt-out member opted-out of this Scheme.

(7) An application under paragraph (5) must be made within six months of the receipt of the notification under paragraph (4).

(8) Where P did not receive a notification from the authority under paragraph (4), despite the authority using reasonable endeavours to notify them as required by that paragraph, an application under paragraph (5) may be made after the date in paragraph (7).

(9) An authority must determine the retained firefighter opt-out member's service and pensionable pay during the opt-out period in accordance with rule 5C of Part 11 (purchase of service during the extended limited period – supplemental provision)(**a**).

(10) If an application is made under paragraph (5), mandatory special period pension contributions must be paid in respect of the retained firefighter opt-out member's service during the mandatory special period.

(11) Within three months of receiving an application under paragraph (5), the authority must give the applicant a notice setting out—

(a) the period of service during the opt-out period which the person may purchase;

(b) the amount of pension contributions payable in respect of the opt-out period under paragraph (3);

(c) the pensionable pay and in appropriate cases the final pensionable pay which the authority have determined was paid during the period to which the entitlement relates.

(12) The period of service referred to in paragraph (2) does not include any period of service in respect of which the person paid

(a) pension contributions under this Scheme as a standard member, or

(b) special pension contributions under this Scheme as a special member in relation to service during the limited period which the person elected to purchase following an application under rule 5A or 6A of Part 11.".

(**a**) S.I. 2023/986.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Firefighters' Pension Scheme (England) Order 2006 (S.I. 2006/3432) ("the Scheme"). This Scheme provides those persons employed in England as retained firefighters during the period from 1st July 2000 to 5th April 2006 with access to a pension scheme for that period. The Schedule to this Order makes various amendments to the Scheme relating to retained firefighters. These include amendments to introduce new awards which are payable following the death of a retained firefighter, to extend the deadline for their purchase of service during the extended limited period and to amend the eligibility criteria for some awards and conversions.

Paragraph 1 introduces the term "retained firefighter opt-out member" and amends the definition of the "extended limited period" and "mandatory special period" for these members.

Paragraph 2 amends rule 1A(8) of Part 3 to expand the categories of member to whom a lump sum is payable under that rule.

Paragraph 3 introduces the missed pension lump sum grant and the survivor's missed pension lump sum grant. It includes details of restrictions to be applied in respect of both grants. It also changes the eligibility criteria in rule 1C so that those eligible to join the Scheme under rule 6A of Part 11, in addition to those who elected to join it, will be eligible for the additional death grant. Finally, it extends the deadline for applications for the death grant for the extended limited period and the additional death grant by 12 months.

Paragraph 4 amends rule 6B of Part 11 to extend the deadline for making an election to purchase service.

Paragraph 5 amends rules 17 and 18 of Part 12 to extend the categories of members eligible to convert their standard membership to special membership.

Paragraph 6 amends Part 15 to allow a retained firefighter opt-out member, or the spouse, civil partner of child of a retained firefighter opt-out member, to purchase periods of opted-out service as special service.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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