

The Chief Executives, Fife Council and Dumfries & Galloway
Council
Clerks to the Joint Boards
Chief Fire Officers

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Our ref: FIR/06/01/01

22 May 2008

Dear Colleague

SCOTTISH FIRE AND RESCUE SERVICE CIRCULAR No 9/2008

FIREFIGHTERS' PENSION SCHEME (FPS)

NEW FIREFIGHTERS' PENSION SCHEME (NFPS)

1. Extension of contract for provision of Boards of Medical Referees and revised schedule of charges.

1. Provision of Boards of Medical Referees

As you will know, BUPA Wellness currently holds the contract with the Department of Communities and Local Government (DCLG) to provide Boards of Medical Referees and this includes Scottish firefighter appeals. The Boards are held to consider appeals made on medical grounds against the decisions of Fire and Rescue Authorities under Rule H2 of the Firefighters' Pension Scheme 1992; Part 8, rule 4 of the New Firefighters' Pension Scheme 2006; and Part 6, rule 2 of the Firefighters' Compensation Scheme 2006.

The existing contract expired on 30th April 2008, and DCLG had therefore been re-tendering the work with a view to having a new 3 year contract in place in due time. However, in spite of some expressions of interest, no bids for the work were received by the closing date. It is considered that this was in part due to the lack of experience of this type of work in the private sector and also uncertainty brought about by the current judicial reviews of some decisions by boards.

DCLG intends to re-tender the work again and, in the interim, has negotiated for BUPA Wellness to continue to carry out the work in the short term. Agreement has been reached, and the contract has been extended until 30th September 2008. As part of this it has been agreed that the standard fee for a Board of Medical Referees hearing will rise from £5300 to £6000 for all cases submitted from 1st March 2008. The penalties for late postponement or withdrawal and those for late reports have risen on a pro rata basis. A Schedule showing the old and new charges is attached at **Annex A**.

Yours sincerely

Dorothy Hamilton
Policy Officer

CASES REFERRED UNDER CONTRACT FROM 1st APRIL 2006 TO 29th FEBRUARY 2008

Standard Fee	£5,300
Additional Board Member	Actual Cost
Medical Tests	Actual Cost
Photocopying/collating	Actual Cost
Cancellations/Postponements	
21 to 11 days prior to the hearing	Actual up to £2250
10 to 4 days prior to the hearing	£3180
3 days prior to the hearing	£4240
2 days prior to the hearing	£4770
1 day prior to the hearing	£5330
Penalty for failing to meet hearing target	£250
Penalty for late reports	

Received – working days from hearing	Reduction in fee	Fee payable on standard case
1-15	No reduction	£5300
16	£250	£5050
17-22	£500	£4800
23-28	£750	£4550
29-34	£1000	£4300
And so on for each 5 working days	+ £250	To nil

Cases referred to Lawyers prior to the issue of the report

Costs up to £350 will be absorbed by BUPA.

CASES REFERRED UNDER CONTRACT FROM 1st MARCH 2008 TO 30th SEPTEMBER 2008

Standard Fee	£6,000
Additional Board Member	Actual Cost
Medical Tests	Actual Cost
Photocopying/collating	Actual Cost
Cancellations/Postponements	
21 to 11 days prior to the hearing	Actual up to £2550
10 to 4 days prior to the hearing	£3600
3 days prior to the hearing	£4800
2 days prior to the hearing	£5400
1 day prior to the hearing	£6000
Penalty for failing to meet hearing target	£300



Penalty for late reports

Received – working days from hearing	Reduction in fee	Fee payable on standard case
1-15	No reduction	£6000
16	£300	£5700
17-22	£600	£5400
23-28	£900	£5100
29-34	£1200	£4800
And so on for each 5 working days	+ £300	To nil

Cases referred to Lawyers prior to the issue of the report

Costs up to £350 will be absorbed by BUPA.