

15 October 2021

Pension schemes told to rectify detriment in 90 days

PCS has welcomed an agreement that members of the firefighters' pension scheme, whose pension payments do not comply with the McCloud pension ruling, can expect to have them rectified within 90 days.

The pensions of up to 2 million public service workers are affected by [the McCloud judgement](#), which ruled that the government's 2015 public sector pension scheme reforms unlawfully treated pension scheme members differently based upon their age. But in most cases the rectification will take effect at the point of retirement when an individual chooses between reformed scheme or legacy scheme benefits for **service from 1April, 2015 to 31March, 2022**. The intention is that apart from exercising this choice no action will be required on the part of the affected members.

PCS is concerned that there are members of the civil service scheme already in receipt of pension benefits which must be rectified to comply with the McCloud judgement. We believe it is unreasonable to expect this group, however small in number, to suffer detriment for an indeterminate period and we welcome the news that the Fire Brigades Union has been able to reach an agreement. The immediate detriment issue has been tabled for discussion with the Cabinet Office.

Tens of thousands of civil servants have an interest in the McCloud changes, but this detriment only arises when retirement brings some Alpha pension into payment and most of those affected will have been granted, or will shortly be granted, ill health retirement. This is because other early retirements are more likely to have involved only payments of legacy pension. Members who are in this position may have a legal claim to have their payments rectified and should raise the issue with their local rep in the first instance, [log into PCS Digital to find your rep's details](#).

Reps can find out more about [McCloud on PCS Knowledge](#).