

# **Welsh Language Impact Assessment**

## **Amendments to Firefighters' Pension Schemes in Wales**

**September 2017**

## Welsh Language Impact Assessment

<b>Title:</b> Consultation on amendments to Firefighters' Pension Regulations	<b>WLIA Reference No</b> 17/09/04				
<b>Name of person completing form:</b>	<b>Natalie Spiller</b>				
<b>Date:</b>	<b>September 2017</b>				
<b>Policy lead:</b>	Steve Pomeroy				
<b>Contact details:</b>	Steve.pomeroy@gov.wales				
<b>Programme/Project Type</b> <input type="checkbox"/> Policy <span style="margin-left: 200px;"><input type="checkbox"/> Project or programme</span> <input checked="" type="checkbox"/> Legislation <span style="margin-left: 150px;"><input type="checkbox"/> Research, evaluation</span> <input type="checkbox"/> Grant <span style="margin-left: 200px;"><input type="checkbox"/> Services</span> <input type="checkbox"/> Business change <span style="margin-left: 150px;"><input type="checkbox"/> Contracts, tenders</span> <input type="checkbox"/> Infrastructure <input type="checkbox"/> Construction, Capital <input type="checkbox"/> ICT <input type="checkbox"/> Other (Please specify below)					
<b>Costs: How much is the projected whole life cost for the programme/project?</b> If below £25k, then a full WLIA is not always required (see guidance).					
Under £25k	£25k - £49k	£50 - £249K	£250K - £1m	Over £1m	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Of the above, please provide details if there are any identified costs directly associated with the Welsh language?</b>  Although we cannot know for sure, it is likely that the number of members that would be affected by the policy changes, or the potential cost implications are likely to be small. The subordinate legislation will be available in a bi-lingual format; we do not anticipate any costs directly associated with the Welsh language.					
<b>How long is the programme/project expected to run?</b>					
Up to 1 yr	Up to 2yrs	Up to 5yrs	Up to 10yrs	More than 10 yrs	Unknown
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Key milestone dates for the programme/ project:</b>					

Come into Force: April 2018

## **STAGE 1: PLANNING**

**What are the aims and objectives of the policy?**

**What are the desired outcomes/ what constitutes 'success'?**

Orders are required to amend the following subordinate legislation which impact on firefighters in Wales:-

- The Firefighters' Pension Scheme Order 1992 (FPS)
- The Firefighters' Compensation Scheme (Wales) Order 2007
- The Firefighters' Pension Scheme (Wales) Regulations 2015
- The Firefighters' Pension Scheme (Wales) Transitional and Consequential Provisions Regulations 2015

Amendments to current provisions will ensure the effective running of Firefighters' Pension Schemes in Wales.

**What policy options have been considered?**

**and**

**What impacts will there be if the policy is *not* implemented?**

The Welsh Ministers have powers to make and amend firefighters' pension schemes under the Fire and Rescue Services Act 2004 and the Public Service Pensions Act 2013, and to amend the Firefighters' Pension Scheme 1992 under section 26 of the Fire Services Act 1947.

### **Amendments of the Firefighters' Pension Scheme Order 1992 and the Firefighters' Compensation Scheme (Wales) Order 2007 - Survivor Benefits for those firefighters who die as a result of Service**

Spouses or civil partners of firefighters who die in service are eligible to receive certain benefits related to that firefighter's pension. However, the survivor benefit provisions in the Firefighters' Pension Scheme Order 1992 and the Firefighters' Compensation Scheme (Wales) Order 2007 provides that those benefits cease to be payable if the surviving partner remarries or forms a new civil partnership. This is arguably inequitable, particularly for those whose spouse or partner died in the course of his or her duties. The Order would correct that by allowing such survivors to retain their pension benefits if they remarry or form a new civil partnership.

### **Amendments to the Firefighters' Pension Scheme (Wales) Regulations 2015, the Firefighters' Pension Scheme (Wales) Transitional and Consequential Provisions Regulations 2015 and the Firefighters' Pension Scheme Order 1992**

The Firefighters' Pension Scheme (Wales) Regulations 2015 came into force on 1

April 2015. Since then, a number of minor issues have been identified which require amendment. Minor amendments are also required to the Firefighters' Pension Scheme Order 1992 as well as to the Firefighters' Pension Scheme (Wales) Transitional and Consequential Provisions Regulations 2015 which govern the transfer of members from the 1992 Scheme and the 2006 Scheme to the 2015 Scheme.

Amendments as outlined above are necessary to ensure the effective running of the Firefighters' Pension Schemes.

**Does the programme demonstrate a clear link with the Welsh Government's strategy for the Welsh language - Iaith fyw: Iaith byw?**

Other than the translation of the Orders there is no meaningful link to the Welsh Government's strategy for the Welsh language or to language issues more generally.

The proposed amendments to subordinate legislation seek to eradicate potential injustices and rectify errors that are present within the current provisions. Amendments to the current legislation will apply to firefighters and their families equally regardless of language choice.

**What are the impacts/ effects (both positive and/or adverse) on the Welsh language you have identified at the initial planning stage**

i.e. Welsh speakers, Welsh language communities, Welsh medium education, Welsh learners, services available in Welsh?

None

**Who are the stakeholders? Are the needs of Welsh speakers and learners addressed? To what extent are Welsh language interest groups likely to respond positively to the proposals?**

Primarily Firefighters, Fire & Rescue Authorities, trade unions and partners. No interest is anticipated from Welsh Language interest groups.

All published documents will be produced in both Welsh and English.

**Where an assessment was not completed, or no impacts were identified, please provide a full account for record keeping purposes?**

(This could be used in the Welsh Language Tribunal in future)

The proposed amendments to Firefighters' Pension Regulations as outlined above seek to remove any injustices and possible discrimination on the grounds of age, gender, marital status and religion. Revisions to the current legislation will apply to firefighters and their families equally regardless of language choice. They will have no wider social or community impact, including as regards the Welsh language.

<b>What actions/ further work has been identified at the initial planning stage?</b> e.g. data requirements, need for peer review, external engagement with Welsh speaking groups, identify stakeholders or consultation list, need to contact Welsh Language Unit for advice)?	
None.	
<b>STAGE 2: IDENTIFYING AND ASSESSING IMPACTS</b>	
<b>Impact Assessment Summary</b> Summarise the detailed impact assessment carried out together with the scores assigned.	
<b>Positive effects/ impacts:</b>	
N/A	
<b>Adverse effects/ impacts:</b>	
N/A	
<b>Opportunities to promote the Welsh language e.g. status, use of Welsh language services, use of Welsh in everyday life, Welsh at work increased?</b>	
N/A	
<b>Evidence/ data used including demographic profile when considering the effects/ impacts:</b>	
N/A	
<b>What is the overall anticipated likely impact on the Welsh language if this policy is taken forward based on the impact assessment/ risk assessment?</b>	Positive: <input type="checkbox"/> Adverse: <input type="checkbox"/> Neutral: <input checked="" type="checkbox"/> Unknown: <input type="checkbox"/>
<b>Decision following IA</b>	1. No major change <input checked="" type="checkbox"/> 2. Adjust the policy to improve impacts <input type="checkbox"/> 3. Continue the policy with mitigation measures <input type="checkbox"/> 4. Stop and remove the policy <input type="checkbox"/>
<b>If answered 2,3, or 4 above – then answer the following:</b> How will you address these impacts in order to improve the outcomes for the Welsh language? Details of mitigation measures/ action points/ alternative options to reduce adverse impacts and increase positive outcomes:	
NA	

**If engaging or consulting, what are your plans? What questions do you wish to ask stakeholders about the Welsh Language Impact Assessment and Welsh language related issues?**

See consultation documents.

**STAGE 3: POST CONSULTATION AND PREPARING FOR PUBLICATION, MONITORING AND EVALUATION**

**Following consultation, what changes have you made to address any Welsh language issues that were raised?**

N/A

**How will you monitor the ongoing effects during the implementation of the policy?**

N/A

**Please outline how you will continue to capture effects/ impacts in future monitoring and evaluation?**

N/A

**Any other comments – ongoing results of evaluations, emerging impacts**

N/A

**4. Declaration**

**Policy lead:**

***\*Please delete as appropriate:***

**The policy ~~does~~ / does not have an impact upon the Welsh language. Where there were identified adverse impacts or missed opportunities, the appropriate amendments and actions have been put in place.**

**Name:**

Steve Pomeroy

**Department:**

Fire Services Branch, Community Safety Division.
Date (s):
September 2017
Signature:
Planned Review Dates:

<b>SRO ENDORSEMENT and REVIEW</b>	
I am satisfied that the WLIA is an accurate reflection of the programme/project at this stage of development. By signing, I am able to confirm that the Welsh Language Standards have been given the appropriate attention. I will re-assess the programme/project at key stages throughout the life of the programme/ project, including policy reviews.	
Signed Martin Swain (Senior Responsible Owner)	Date September 2017