

Minutes

Local Pension Board

Date: 2 August 2024

Time: 12 noon

Venue: FSHQ

Present:

Cllr F Shaheen (in the chair), Cllr M Pollard, John Roberts (Scheme Manager Representatives), Jim Davies (Scheme Member Representative)

In Attendance:

James Clarkson (Technical Advisor)

Apologies:

Ryan Binks (Scheme Member Representative)

1. Appointment of Chair and Vice Chair 2024/25

Resolved

That Cllr Fozia Shaheen, Scheme Manager representative, be appointed Chair of the Local Pension Board for the 2024 – 25 year; and

That Jim Davies, Scheme Member Representative, be appointed Vice chair of the Local Pension Board for the 2024 – 25 year.

2. Membership of the Local Pension Board 2024/25

Scheme Member Representatives

Ryan Binks

James Davies (FBU)

Vacancy

Scheme Manager Representatives

Councillor Mike Pollard

Councillor Fozia Shaheen

John Roberts

Resolved

That the report be noted.

3. Urgent items

There were no urgent items

4. Admission of the public

There were no items requiring the exclusion of the public and press.

5. Declarations of interest

There were no declarations of disclosable pecuniary interest in relation to any item of business on the agenda.

6. Minutes of the previous meeting held on 19 January 2024

Resolved

That the Minutes of the meeting held on 20 January 2023 be signed by the Chair as a correct record.

7. Terms of Reference – Annual Review

Consideration was given to a report of the Monitoring Officer to review the Terms of Reference for the Local Pension Board which has been adopted by the West Yorkshire Fire and Rescue Authority.

Resolved

That the report be noted.

8. Local Pension Board Annual Report 2023 – 24

Members considered a report of the Monitoring Officer which gave details of the activity of the previous year.

Resolved

That the report be noted and submitted to the next meeting of the Fire Authority's People and Culture Committee on 4 October 2024 for ratification.

9. Local Pension Board Activity report

Members considered a report submitted by the Director of People and Culture concerning performance in key areas for the period 1 January 2024 to 30 June 2024. Members sought information regarding the turn around time for estimates from West Yorkshire Pension Fund (WYPF) and noted the current delays were unacceptable.

Members discussed the number of opt outs and noted that WYFRS is unable to give financial advice but that WYPF have a dedicated website that all applicants are directed to.

Resolved

That the report be noted.

10. Scrutiny and Review

The Director of People and Culture submitted information on the following areas for scrutiny and review:

Discretions – For the period from 1 January 2024 to 30 June 2024 21 discretions have been exercised, details attached at appendix A to the report.

Pensions Breaches register – For the period from 1 January 2024 to 30 June 2024 zero breaches have been identified.

Pensions Risk register – attached at appendix B to the report.

Compliance deadlines – the deadlines were set out for year end as follows:

Annual Benefit Statement (ABS) – 31 August 2024

Pension Saving Statement (PSS) – 6 October 2024

TPR Scheme Return – 25 January 2024.

TPR Survey – To be confirmed

Year End Deadline – 31 May 2024.

Members were advised the GAD data is available now and ready to be submitted but that WYPF have asked that it is not sent until they have the necessary software to action it which is expected to be 31 December 2024.

Resolved

That the report be noted.

11. Pension Ombudsman – update

Members received a report of the Director of People and Culture which confirmed that in the period 1 January 2024 to 30 June 2024 updates have been provided on 1 Pensions Ombudsman decision (full details at appendix B to the report).

Resolved

That the report be noted.

12. Legislative update

Members received a report of the Director of People and Culture which provided an update regarding the following legislation;

- Abolition of the Lifetime Allowance
- Pension Dashboards
- The Pensions Regulator's (TPR) General Code of Practice
- The Firefighters Pension Scheme (England) (Amendment) Regulations 2024

- The Pensions Increase (Review) (No 2) Order 2024
- The Public Service Pensions Revaluation Order 2024
- The Police and Firefighters' Pensions (Remediable Service) (Amendment) Regulations 2024
- The Pensions Act 2004 (Codes of Practice) (Revocation) Order 2024.

Resolved

That the report be noted.

13. Age Discrimination Remedy

Members received a report of the Director of People and Culture which gave an update on the implementation of the age discrimination remedy.

Members challenged the report author on the interest charges, which will be presented in the annual benefit statement and can be reclaimed or added to the pension received.

Resolved

That the report be noted.

14. Matthews Remedy

Members received a report of the Director of People and Culture which gave an update on the implementation of the Matthews remedy.

Resolved

That the report be noted.

15. West Yorkshire Pension Fund – key performance indicators

Consideration was given to a report of the Director of People and Culture which advised of West Yorkshire Pension Fund (WYPF) performance in key areas for the year to date.

Resolved

That the report be noted.

16. Firefighter Pension Scheme bulletins 77 – 82

Consideration was given to the content of bulletins 77 - 82

[FPS Bulletin 77 - January 2024](#) contained the following actions:

- **The Police and Firefighters' Pensions (Remediable Service) (Amendment) regulations 2024:** Readers should note the amendment regulations and ensure that any special members who have service within the remedy period are assessed for ill health under both the legacy and reformed schemes accordingly.

Complete

- **Request for data:** FRAs are asked to provide Matthew's project implementation data and opt out data to bluelightpensions@local.gov.uk by 21 February 2024, using the separate data request spreadsheets.

Complete

- **Matthews – GAD Calculator – Second version and query log:** FRAs should.
 - Read the updated user guide and query log.
 - Download the new version of the calculator from the beginning of February
 - Ensure that they have the most up to date version of the calculator when they update the spreadsheet at the beginning of the month to allow for the latest interest rates.
 - Should share this information with anyone who is carrying out the Matthews second options exercise.

Complete

- **Firefighters' Pension Added Pension Compensation:** Scheme managers and administrators are recommended to read the guidance, follow the process, and use the template supporting documents to assist the process. This process should be completed by 31 March 2024.

N/A – no cases

- **Age Discrimination remedy – Data Sharing Agreement and guidance:**
 - FRAs should use the Data Sharing Agreement for cases where a firefighter was employed by a previous FRA in the remedy period.

Complete

- FRAs are also advised to follow the guidance document when obtaining the data to ensure that the data is with administrators by 31 March 2024.

Extended due to delays in software & RSS template

- **Age Discrimination remedy – Remediable Service Statement (RSS) factsheet:** We would recommend that scheme managers liaise with their pensions administrator to establish what plans are in place for producing an RSS for eligible individuals.

Complete

- **SAB Levy 2023-24 – Request for purchase order numbers:** FRAs to provide a valid purchase order number, stating the number of employees eligible to join one of the Firefighters' Pension Schemes as of 1 April 2023, using the form provided with the SAB 2023-34 levy letter.

Complete

- **HMRC Newsletter – January 2024:** HMRC have contacted all FRAs with information bespoke to them, relating to the Matthews first exercise and national insurance refunds, and have asked that you reply accordingly. Please provide complete information to HMRC by 5th April 2024, any information supplied after this date will not be progressed or chased.

Complete

- **Local Pension Board (LPB) Training Sessions:** Readers are asked to make their LPB members aware of the training sessions and encourage them to book onto a session

Complete

[FPS Bulletin 78 – February 2024](#) contained the following actions which are all complete:

- **The Firefighters' Pension Scheme (England) (Amendment) Regulations 2024:**
 - Readers should make themselves aware of the amendments.
 - FRAs should ensure that pension contributions are deducted from carer's leave and is included in pensionable pay when carer's leave comes into force.
 - Administrators should ensure that if they haven't already, that they have applied the necessary administration changes needed to correct the error that occurred in the 2021 and 2022 revaluation orders for affected members' benefits.
- **Age Discrimination Remedy – Informal guidance note for accounting and finance:** FRAs should note the informal guidance and ensure that they are:
 - paying any corrections to pension benefits (including the applicable interest) through the pension account,
 - paying any compensation amounts through the operating account, and
 - keeping robust records of the recommended data separately
- **Age Discrimination Remedy – Ill Health reassessments:** FRAs are encouraged to signpost members who are hesitant in agreeing to the re-assessment process to the factsheet.
- **Age Discrimination Remedy – Remediable Service Statement member video:** Readers are encouraged to direct members to the website and video, should members have any queries relating to the RSS.
- **Matthews GAD Calculator cost sharing:** FRAs to complete the purchase order form and return to bluelightpensions@local.gov.uk by 21 March 2024.
- **Matthews GAD calculator version 2 corrections:** FRAs should:
 - Note the issues raised with Version 2 of the GAD calculator, and if they have the relevant calculation types which are affected, should stockpile those cases that haven't yet been processed and reprocess those that have been when the updated calculator is published.
 - Ensure that they have registered access to the calculator interest update files and the associated update email notification distribution list by contacting firematthewscalculator@gad.gov.uk
- **Matthews – Supporting documents:** FRAs are recommended to use the updated version of the Individual Statement of Details documents.
- **HMRC Newsletter 156 – February 2024:** Readers are encouraged to:
 - read Newsletter 156 – February 2024, paying particular attention to the section on Public Service Pensions remedy – tax treatment of interest.
 - review the slides from the joint police and fire coffee afternoon/pensions chat on Thursday 29 February 2024.

[FPS Bulletin 79 – March 2024](#) contained the following actions which are all complete:

- **Age Discrimination Remedy – GAD tax and contributions calculator:** FRAs should ensure that they are using the most up to date version of the calculator and guidance.

- **Age Discrimination Remedy – Immediate Choice Remediable Service Statement (IC-RSS) roll out update to timetable and member communications:** FRAs to appropriately contact the priority cohorts and inform them on the status of their RSS.
- **Age Discrimination Remedy – data sharing:** FRAs and administrators to familiarise themselves with the revisions made to the document.
- **Matthews – GAD calculator:** FRAs should ensure that they are using the most recent version of the calculator and are recommended not to make local copies of the calculator.
- **Matthews - Project Implementation data request:** FRAs to complete the Project Implementation data request and return to bluelightpensions@local.gov.uk by 21 April 2024
- **The Carer’s Leave Regulations 2024:** FRAs are to ensure that from 6 April 2024 they are deducting pension contributions from carer’s leave and should include this in pensionable pay
- **Matthews – Supporting documents:** FRAs are recommended to use the updated version of the Individual Statement of Details documents.
- **Written Ministerial Statement (WMS) – Pension Dashboard connection guidance:** Scheme managers should ensure that they familiarise themselves with the connection guidance and are ready to connect by the deadline of 31 October 2025.

[FPS Bulletin 80 – April 2024](#) contained the following actions which are both complete:

- **Age Discrimination Remedy – Immediate Choice Remediable Service Statements (IC-RSS) Rollout:**
 - FRAs should inform their administrators as to the choice they have made with regards to possible ways forward.
 - Administrators should use the new IC-RSS templates with the additional wording where the FRA has chosen to give the member a choice with regards to the payment of interest.
- **Age Discrimination Remedy – Member FAQs:** Readers should signpost members to the FAQs where relevant.

[FPS Bulletin 81 – May 2024](#) contained the following actions which are all complete:

- **Age Discrimination Remedy – Compensation guidance:** - Scheme managers should familiarise themselves with the compensation scheme manager guidance and the Home Office compensation funding guidance. Scheme managers are strongly encouraged that they follow the guidance when making a:
 - decision
 - payments.
 - AME funding claim, and
 - Reporting to the local pension boards
- **Age Discrimination Remedy – Statutory deadlines:** - Scheme managers should familiarise themselves with the statutory deadlines, to ensure that where possible they are adhered to. This may require discussions with your administrator to agree deadlines if this has not already taken place.

If a statutory deadline cannot be met, it is important that this is reported accordingly as per the guidance within the factsheet.

- **Age Discrimination Remedy – Contingent Decisions:** - Scheme managers, should familiarise themselves with the updated guidance, to ensure that they are aware of the updated position. They are also encouraged to report any contingent decision claims and their outcome to their local pension board.
- **Update on Tax Treatment of Matthews cases:** Scheme managers should ensure that they have familiarised themselves with the email and the recommendations and update their administrators of their relevant decision for processing these cases.

[FPS Bulletin 82 – June 2024](#) contained the following actions which are all complete with the exception of Age Discrimination Remedy – Compensation which is in progress:

- **Age Discrimination Remedy – NS&I rate update:** - Scheme managers should:
 - ensure that those individuals who are working on the age discrimination remedy GAD calculations are using the updated version of the tax and contributions calculator and supporting documents.
 - provide an updated output for any cases with a calculation date on or after 23 May 2024, which has already been provided using the earlier version of the calculator.
- **Age Discrimination Remedy – Data Sharing:** Scheme managers should ensure that:
 - those individuals who are working on the age discrimination remedy GAD calculations are acknowledging receipt of data requests and are responding in a timely manner in line with the guidance.
 - the contact for their FRA is kept up to date.
- **Age Discrimination Remedy - Immediate Choice Remediable Service Statements roll out:** - Scheme managers:
 - Should consider the cases set out in the ‘traffic light’ categories and decide whether they agree and instruct their administrator accordingly.
 - Are encouraged to send out the member communication to those members in the red category and should consider whether they also wish to contact those in the amber and green categories.
- **Age Discrimination Remedy – Remediable Service Statements:** Scheme managers should liaise with their administrators to agree a timeframe for the CD RSS to be provided once they have informed them of a positive CD claim.
- **Age Discrimination Remedy – Annual Benefit Statement Remediable Service Statements testing:** scheme managers are encouraged to support their administrators to be involved in the testing of the ABS RSS.
- **Age Discrimination Remedy – Compensation:** Scheme managers should consider how the LGA could support a peer working group for compensation claims
- **Matthews – Managing expectations: Scheme managers should request that those involved in the Matthews exercise to:**

- share appropriate anonymised cases with the LGA to facilitate further development of the guide.
- escalate any cases that they are struggling with the LGA for further support/guidance.
- **Firefighters' Pension AGM 18 and 19 September 2024:** scheme managers are encouraged to book onto the AGM.

Resolved

That the content of bulletins 77 - 82 be noted.

17.Minutes of the Scheme Advisory Board meetings held on 14 September 2023, 14 December 2023 and 21 March 2024

Resolved

That the Minutes of the Scheme Advisory Board at meetings held on 14 September 2023, 14 December 2023 and 21 March 2024 be noted.

Chair