



**DEVON &
SOMERSET**
FIRE & RESCUE SERVICE

LOCAL PENSION BOARD

Notes:

1. Papers will usually be issued a week before the meeting. It is the responsibility of the report author to ensure sufficient time is allowed for drafting, discussion and to meet the deadline for issue.
2. Reports should be submitted using the appropriate template which can be supplied by Executive Support upon request.

Date of Meeting: Wednesday 29 May 2019, at 2:00pm in Conference Room A,
Service Headquarters

A G E N D A

ITEM NO.	ITEM TITLE	LEAD OFFICER
1.	Apologies	
2.	Conflict of Interest Declaration	
3.	Notes (Pages 1 - 6) Notes of the meeting held on 15 February 2019 attached	
4.	Review of Actions (Pages 7 - 8) Action log attached	
5.	Training Log Update (Pages 9 - 10) Training log attached	
6.	Correspondence Update (Pages 11 - 12) List of correspondence received since the last meeting attached	
7.	Scheme Manager Update Paper to follow	SP

Board Membership

Scheme Manager Representatives:

Mike Pearson
Amy Webb
Cllr George Wheeler

Scheme Member Representatives:

Bob Walker
Andy Hallam
Peter Redbourn

Other Attendees:

Steve Pope
Hannah Singleton
Steve Yates

Additional Invited Attendees

Vicky Wallens-Hancock
Kathryn Billing



Local Pension Board

**Notes of the meeting held on 15 February 2019
Conference Room A, Service Headquarters. Meeting commenced at 1400 hours**

Present:	
<u>Scheme Manager Reps</u>	<u>Scheme Member Reps</u>
Councillor George Wheeler (GW)	Andy Hallam (AH)
Mike Pearson (MP) Chair	Peter Redbourn (PR)
Amy Webb (AW)	Bob Walker (BW)

In Attendance: Steve Pope (SP) and Hannah Singleton (HS)

ITEM NO.	Subject
PB/2019/1	<p><u>Apologies</u> No apologies to note.</p> <p>Vicky Wallens-Hancock and Michael Prior would attend another meeting. MP confirmed that both would be attending for information and expertise sharing. Michael Prior was formerly a lawyer with a number of years' experience in the Pension Sector.</p> <p>A suggestion was made that the Board invite Malcolm Eastwood to a future meeting.</p>
PB/2019/2	<p><u>Conflicts of Interest Declarations</u> No conflicts of interest declared.</p> <p>This was GWs first meeting and he would send his signed Interests Form to HS for publish on the website.</p> <p>It was highlighted that the duties of AWs post had the potential to cause conflicts of interest. AW had, however, acknowledged this on her Declaration Form and it was not considered that the issue would present any insurmountable obstruction to her service on the Board.</p>
PB/2019/3	<p><u>Joint Boards and Independent Chair - Michael Prior (Chair Scheme Advisory Board for Wales)</u> Michael Priors attendance at the meeting had been postponed to an alternative date (see also Note PB/2019/1 above).</p>
PB/2019/4	<p><u>Notes</u> The Notes of the last meeting held on 09 May 2018 were AGREED.</p>
PB/2019/5	<p><u>Review of actions from the previous meeting</u> The latest iteration of the Action log circulated to Board members for review, with the following issues considered.</p>

	<p><i>All members and officers involved with the administration of Pensions to have undertaken all seven modules on the Pension Regulator Toolkit by the 18 April 2018 (Note PB/18/4/g)</i></p> <p>Ongoing - BW was reminded to complete the training (see also Note PB/2019/6 below).</p>	BW
	<p><i>MP would review the documentation relating to roles and responsibilities and where this information had been published (PB/18/15) MP would update the Board at the next meeting, revise Terms of Reference.</i></p> <p>Ongoing - HS had provided researched documents to MP. BW would contact Clair Alcock for further information.</p>	MP & BW
	<p><i>To develop a risk register</i></p> <p>Ongoing – see Note PB/2019/9 below.</p>	
	<p><i>MP to work alongside HS to create a skeleton programme of work. This will determine the dates for the next meetings.</i></p> <p>Ongoing – this would be completed and circulated prior to the next meeting on 25 April</p>	
	<p><i>MP to contact members of the board about quorum - in the event of non-consensus MP will be take a paper to the Authority on the 14th December.</i></p> <p>Ongoing - see Note PB/2019/9 below.</p>	
PB/2019/6	<p><u>Training Log Update</u></p> <p>Discussed under Action Log – see Note PB/2019/5 above.</p>	
PB/2019/7	<p><u>Correspondence Update</u></p> <p>A paper was provided to allow Board members to review the recent correspondence.</p> <p><u>ACTION:</u> A Scheme Member Representative to be invited to the Monthly Pension meetings held with AW, SP and MP but that the meetings should still proceed in the event that a Scheme Member Representative was unavailable. HS to arrange.</p>	HS
PB/2019/8	<p><u>Annual Benefits Statement Breach</u></p> <p>The Board CONSIDERED the breach by West Yorkshire Pension Fund (WYPF) arising from its failure to supply all members of the Pension Scheme with an Annual benefits statement (ABS).</p> <p>The delay in providing the ABS had been as a result of the data held by WYPF. There was a legal requirement for each Scheme Member to receive a statement by 31 August each financial year. The Board felt the number of individuals affected (71 members – representing 100% - for one particular scheme) was significant. In response to the breach, WYPF would be taking remedial action to mitigate a recurrence. WYPF had identified the cause and had made appropriate steps in reaction to the breach.</p> <p>The Board recognised that the failure to send statements to all Scheme Members by the designated dealing was a technical breach of the regulatory requirements. It was also recognised, however, that no individual had suffered a financial or materialistic detriment as a result of the breach and that there was a high likelihood that any Scheme Member been considering retirement the Service would not have relied on</p>	

	<p>the statement but would instead have sought accurate figures on a pension projection.</p> <p>In light of the above, SP recommended to the Board that the breach should be logged on the Board's breach register but not reported to The Pensions Regulator (TPR). The Board did not accept this recommendation, considering that raising awareness of the issue at a national level would be beneficial.</p> <p>Consequently, the Board AGREED to recommend SP to report the breach to The Pension Regulator (TPR).</p>	
<p>PB/2019/9</p>	<p><u>Scheme Manager Update</u></p> <p>The Scheme Manager report was presented by SP and the following points were NOTED;</p> <ul style="list-style-type: none"> • Pension Surveys and Annual returns; <ul style="list-style-type: none"> ○ The Service had sent an email to all active members of the Scheme providing details of the FPS Administration benchmarking survey. A suggestion was made to share this through the National Association of Retired Firefighters (NARF) to approach retired members of the scheme. ○ The Annual TPR Survey had been returned by the Service • Annual Benefits <ul style="list-style-type: none"> ○ 71 Scheme Members had not received their ABS (see Note PB/2019/8 above) ○ 399 requests had been made for pension estimates, WYPF had met their target on 69.17% of the requests. ○ Notification of an annual allowance breach had been recorded <p>Evidence of individual issues were highlighted by members of the Board specifically in relation to split pensions following the transition from Peninsula Pensions to West Yorkshire Pension Fund (WYPF) It was noted a closure meeting would be necessary between Peninsula Pensions Payroll and the Service.</p> <p><u>ACTION:</u> SP to identify any individuals who received a split Pension and may have been paid an incorrect sum by WYPF. Clarity would be sought from WYPF to ensure they held enough data to rectify any errors encountered by the individuals.</p> <ul style="list-style-type: none"> • WYPF had contacted individuals affected by the Pension changes concerning surviving partner's pensions. • Taxation of the ill health part of an injury pension had been clarified • Transition protection judgement was likely to be received within 12 months, the decision had been made by the Government to apply to the Supreme Court. A communication had been shared with the Service by AW on Christmas Eve. • Abatement would not cease when an employee, whilst employed, reached a specific age • The reporting of breaches of the law statement within the Pensions Act 2004 (the Act) was clarified to the Board. • The Service was monitoring the performance and quality of service received from WYPF. <p>The Board was happy with the content contained with the Scheme Manager update.</p>	
<p>PB/2019/10</p>	<p><u>Addressing the Management of Risk</u></p> <p>The risk register was provided to the Board by supplementary agenda. SP provided additional papers at the meeting from The Pension Regulator (TPR) website, these detailed examples of risk register and internal control checklists.</p>	

	<p>To maintain continuity it was agreed the risk matrix used by the Pension Board would be reflective of the existing Service risk matrix.</p> <p>To ensure Board members had sufficient knowledge, MP proposed a workshop for Board members to work through the risk register alongside SP to ensure they had a full understanding.</p> <p>Action: HS to arrange a workshop for SP to discuss the Risk Register with Board Members</p>	HS
PB/2019/11	<p><u>Local Pension Board Audit Draft Report</u></p> <p>The report was commissioned by the Board in 2018. The Board welcomed the report and felt it added value to the action and improvement plans.</p> <p>The notable summary points of the report were as follows;</p> <ul style="list-style-type: none"> • The report had been produced to a good standard • Governance documents were in place with publication of these on the website • Notes of Board meetings were to be published on the website with effect from April 2019. • Consideration was required on the need for a deputy Scheme Manager. <p>Action: HS to add actions from report and add to the action log – find email with Amy’s comments</p>	HS
PB/2019/12	<p><u>Self-Assessment Update (following comparison against TPR and LGA surveys)</u></p> <p>The Self-assessment update had been provided to the Board for information.</p> <p>The Board would seek to refresh the self-assessment update by the meeting in July.</p>	
PB/2019/13	<p><u>Appointment of Board Members</u></p> <p>As per the Terms of Reference for the Board, it was necessary to give consideration to the reappointment to the Board of one Scheme Manager and one Scheme Member representative, the initial four year term of office nearing the point of expiry.</p> <p>The Chair’s position as Scheme Manager representative would be eligible for reappointment. This would be submitted to the Authority meeting in June for consideration.</p> <p>The Scheme Member representative position for reappointment was that of either BW or PR. BW advised that he would not continue on the Board past June 2020 but that he was prepared to remain on the Board up until this point. PR indicated that he was prepared to stand for reappointment. SP would arrange for the advertisement and appointment process to be undertaken.</p> <p>Action: SP to undertake an advertisement and recruitment process for the position of a Scheme Member Representative on the Board (PR position)</p>	SP
PB/2019/14	<p><u>Terms of Reference</u></p> <p>The Boards’ terms of reference were reviewed by the Chair. It was the opinion of the Chair that the existing terms of reference were not suited to the Board’s needs.</p>	

	<p>In relation to meeting frequency the Board all agreed on the importance of the meetings and the need to ensure these were not cancelled. The previous two meetings had been cancelled due to the inability to secure a quorum. As a result the Chair recommended that the quorum of the Board reduced to 3 without the increasing of membership.</p> <p>BW suggested increasing overall membership of the Board by two (one Scheme Member Representative and one Scheme Manager Representative). BW had ascertained that other Boards had uniformed employees, who were members of the scheme, as Scheme Manager Representatives. SP confirmed that it would be suitable to have a uniformed officer on the Board and indicated that he considered the quorum should comprise the same number of representatives e.g. a quorum of 4 (2 from each side)</p> <p>AH did not feel as though the existing number of Board members was sufficient.</p> <p>AW felt that the overall total size of the Board was currently sufficient due and proportionate to its functions. It was also acknowledged that historically there had been a lack of volunteers to join the Board. Consequently, AW did not consider that the overall size of the Board should be increased and that the proposed reduction in the quorum (to 3) should be agreed.</p> <p>GW indicated that he agreed in principle with the proposed reduction in quorum but that as this was his first meeting, he felt the ultimate decision should rest with the more experienced members of the Board agree.</p> <p>A proposal was made to increase the Board Membership to 8 with a quorum of 50% and there was discussion about whether this should include two or one representatives from each side. MP advised that whilst the Board could determine the quorum, the Authority would need to approve any proposal to increase the size of the Board.</p> <p>AGREED that:</p> <ul style="list-style-type: none"> a) the Authority be asked to consider at its next meeting a recommendation to increase the Board membership to eight; b) subject to (a) above, the Authority be asked to appoint a Scheme Manager representative in addition to the appointment/ re-appointment at PB/2019/13 above; and c) subject to (a) above, the Human Resources Manager to appoint an additional Scheme Member representative from applicants to the process undertaken for the appointment at PB/2019/13 above; and d) subject to (a) above, the quorum for the Board to be 50% of the membership, to include at least one representative from each side. 	
<p>PB/2019/15</p>	<p><u>Any other Business</u></p> <p>PR had been contacted by an individual raising concerns on an alleged issue on disparity with the Chief Fire Officers Pension. No further details had been provided, however, and consequently the matter could not be investigated further.</p>	
<p>PB/2019/16</p>	<p><u>Next Meeting</u></p> <p>The next meeting would take place on 25 April 2019 at 15:00 in Conference Room A at Service Headquarters</p>	
<p>Meeting finalised at 1615</p>		

This page is intentionally left blank

Local Pension Board Action Log

Date Action Raised	Action Assigned To	Status	Pension Work Activity	Action	Comments
24/01/2018	All LPB	In progress	Training	All members and officers involved with the administration of Pensions to have undertaken all seven modules on the Pension Regulator Toolkit by the 18 April 2018 (PB/18/4/g)	15 February 2019: BW confirmed his training was still to be completed. 08/04/2019: Board requested that he complete the e-learning modules as soon as possible.
09/05/2018	Mike Pearson	In progress	Terms of Reference	MP would review the documentation relating to roles and responsibilities and where this information had been published (PB/18/15).	08/04/19: Not progressed beyond the initial desk top review. If not completed for LPB meeting on 25 April, target would be to complete for meeting on 25 July 2019.
09/05/2018	Steve Pope	In progress	Risk Management	To develop a risk register	SP had reviewed risk registers from Staffordshire and Cheshire FRS - this had also been discussed at the WYPF quarterly meeting. Update: 09/11; SP had developed a risk register and would be revising following AW's comments. 08/04/19: LPB workshop to to review/further develop the risk register. Revised risk register to be on agenda for LPB meeting on 25 April.
09/11/2018	Mike Pearson	In progress	Work Programme	MP to work alongside HS to create a skeleton programme of work. This will determine the dates for the next meetings.	08/04/19: Not progressed beyond the initial desk top review. If not completed for LPB meeting on 25 April, target would be to complete for meeting on 25 July 2019.
14/02/2019	Steve Pope	In progress	Performance Measures	Performance measures as identified in the contract to be considered in terms of data collection and reporting. SP to work with Procurement and an update to be provided at the April 25 meeting	08/04/19: KPIs in contract documentation had been circulated. SP to report progress in Scheme Manager's update to LPB on 25 April.
18/02/2019 - From Devon Audit Partnership report	Steve Pope	In progress	LPB Governance and Effectiveness	Whilst there is reference on the Pensions Board webpage to contact details for the Pensions Advisory Service and the Pensions Ombudsman, there does not appear to be clear reference made to the local process to be followed relating to pensions disputes.	08/04/19 - This was not referenced on the WYPF website.
18/02/2019 - From Devon Audit Partnership report	Mike Pearson	In progress	Training	An annual training plan to be considered but must be proportionate to the role of Pension Board members	
18/02/2019 - From Devon Audit Partnership report	Mike Pearson	In progress	LPB Governance and Effectiveness	Future iterations of the Pension Board annual report could include detail on the number of retirements, new starters, membership numbers and 'opt out' numbers, as well as reference to statutory breaches (even if nil) and areas of identified good practice, as referred to within the Board terms of reference.	
18/02/2019	Steve Pope	In progress	WYPF	SP would identify any individuals who received a split Pension and may have been paid an incorrect sum by WYPF. Clarity would be sought from WYPF to ensure they held enough data to rectify any errors encountered by the individuals.	08/04 - One individual had been identified to date with the payment since being corrected. A conversation had been held with WYPF. SP would consider whether this was a reportable breach.
18/02/2019	Steve Pope	In progress	Board Membership	SP to undertake an advertisement and recruitment process for the position of a Scheme Member Representative on the Board (PR's position)	08/04 - This would be advertised on the Service website, Facebook page and other notable Facebook Groups. This would be concluded by the next FRA meeting on the 07 June, training would then be attended by the individuals on the 18 June.

Local Pension Board Action Log

Date Action Raised	Action Assigned To	Status	Pension Work Activity	Action	Comments
18/02/2019	Mike Pearson	In progress	LPB Governance and Effectiveness	FRA to be approached by the Board with a proposal to increase the Board membership to 8 and an alteration to the quorum to 50% (minimum one from each side)	



Local Pension Board

Training Log









	Conflicts of interest	Managing risk and internal controls	Maintaining accurate member data	Maintaining member contributions	Providing information to members and others	Resolving internal disputes	Reporting breaches of the law
Board Members							
Chair Mike Pearson	November 2017	May 2018	May 2018	November 2017	November 2017	May 2018	November 2017
Councillor George Wheeler	October 2018	October 2018	October 2018	October 2018	October 2018	October 2018	October 2018
Andy Hallam	May 2018	May 2018	May 2018	May 2018	May 2018	May 2018	May 2018
Peter Redbourn	February 2018	February 2018	February 2018	February 2018	February 2018	February 2018	February 2018
Bob Walker							
Amy Webb	November 2017	November 2017	November 2017	November 2017	November 2017	November 2017	November 2017
Other colleagues involved with the LPB							
Steve Pope	January 2018	January 2018	January 2018	January 2018	January 2018	January 2018	January 2018
Dan Heard	January 2018	January 2018	January 2018	January 2018	January 2018	January 2018	January 2018
Hannah Singleton	February 2018	February 2018	June 2018	June 2018	June 2018	February 2018	January 2018

Page 9

This page is intentionally left blank

DEVON & SOMERSET FIRE & RESCUE AUTHORITY LOCAL PENSIONS BOARD

Pension Correspondence since 15 February 2019

Date	Description	Purpose	Source	Document
25 February	FPS administration benchmarking - member survey	Information Only	Local Government Association	 FW FPS administration benc
28 February	FPS Bulletin 17 - February	Information Only	Local Government Association	 FPS Bulletin 17 - February 2019.msg
05 March	Fire England scheme valuation 2016 - final reports	Information Only	Local Government Association	 Fire England scheme valuation 2C
08 March	Revised Fire England Factors: Pension Debit Adjustment and Pension Credit	Information Only	Local Government Association	 Revised Fire England Factors Pei
28 March	FPS Bulletin 18 -March	Information Only	Local Government Association	 FPS Bulletin 18 - March 2019.msg
01 April	Updated Club Memorandum	Information Only	Local Government Association	 Updated Club Memorandum.msg
02 April	High Court pensionable pay judgment	Information Only	Local Government Association	 High Court pensionable pay juc
04 April	Invitation to the Firefighters and Police Local Pension Boards governance conference	Information Only	Local Government Association	 Firefighters and Police Local Pension

Page 1 of 6

This page is intentionally left blank