



**DEVON &
SOMERSET**
FIRE & RESCUE SERVICE

LOCAL PENSION BOARD

Date of Meeting: Tuesday 22 March 2022, at 3.00 pm via Microsoft Teams

A G E N D A

ITEM NO.	ITEM TITLE
1.	<u>Apologies</u>
2.	<u>Conflict of Interest Declaration</u>
3.	<u>Notes</u> (Pages 1 - 8) Notes of the meeting held on 8 December 2021 attached.
4.	<u>Review of Actions</u> (Pages 9 - 10) Review of Actions of previous meeting attached.
5.	<u>Training Log Update</u> (Pages 11 - 12) Attached.
6.	<u>Correspondence Update</u> (Pages 13 - 14) Document attached.
7.	<u>Website</u> To confirm that the website is up-to-date.
8.	<u>Risk Register</u> (Pages 15 - 18) To review the register (attached).
9.	<u>Key Performance Indicators</u> (Pages 19 - 22) Paper attached.
10.	<u>Scheme Manager Update</u> (Pages 23 - 26) Paper attached.

ITEM NO.	ITEM TITLE
11.	<p><u>Topics of Interest</u></p> <p>The following topics of interest had previously been identified:</p> <ul style="list-style-type: none"> • Record keeping (initially for discussion at the September 2021 meeting); and • Resolving disputes (initially for discussion at the December 2021 meeting). <p>Unfortunately, unavailability of LGA resources meant that it was not possible to deal with these topics of interest at those meetings. This remains the case at present.</p> <p>These topics of interest will be carried forward for discussion at a future meeting (pending availability of LGA resources) and a proposed refresh of the Board training needs analysis will be used to inform further topics of interest for discussion at meetings.</p>
12.	<p><u>LPB Work Programme</u> (Pages 27 - 28)</p> <p>Attached. To review programme and items for the next Board meeting on 22 June 2022.</p>
13.	<p><u>Date of Next Meeting</u></p> <p>15.00hours, Wednesday 22 June 2022 via Microsoft Teams.</p>

Board Membership

*Scheme Manager
Representatives:*

*Scheme Member
Representatives:*

Other Attendees:

Mike Pearson

Phil Gillbard

Zoe Smyth (Rewards & Benefits Manager)

Shayne Scott

James Leslie

Steve Yates

Satnam Singh Rai

Ben Redwood

Helen Scargill, Matt Mott and Sukhjot Kaur
(West Yorkshire Pension Fund)

Cllr. David Thomas

(Vacancy)

Agenda Item 3

LOCAL PENSION BOARD 8 December 2021

Present:

*Scheme Manager
Representatives:*

*Scheme Member
Representatives:*

Other Attendees:

Mike Pearson (MP) (Ch)
Satnam Singh Rai
(SSR)

Philip Gilbard (PG)
James Leslie (JL)

Zoe Smyth (ZS) (Rewards & Benefits Manager)
Steve Yates (SY) (Note-taker)

Shayne Scott (SS)
Cllr David Thomas (DT)

Ben Redwood (BR)

Helen Scargill (HS) (WYPF)
Matthew Mott (MM) (WYPF)

Apologies:

*Scheme Manager
Representatives:*

*Scheme Member
Representatives:*

Other Attendees:

Andy Hallam (AH)

MIN NO.	ITEM TITLE
LPB/21/41	<u>Conflict of Interest Declaration</u> No new interests were declared.
LPB/21/42	<u>Notes</u> The Notes of the meeting held on 15 September 2021 were AGREED .
LPB/21/43	<u>Review of Actions</u> CONSIDERED updated Action Log (at 9 June 2021) listing Open Actions. Progress against actions was indicated in the comments column. It was noted that: <ul style="list-style-type: none">• KPIs. This action would be closed as it was now subsumed into a subsequent, later action;• WYPF business continuity plan. MP was still to review information provided by WYPF;• Administration, Governance & Management Strategy. The final template had been issued and work was in hand to produce a version for this Board. Once complete, this would be circulated to Board members for comment prior to subsequent adoption;• Injury pensions/incorrect deductions of retirement allowance. The decision had been taken to refund any deductions made. Action to be closed;

MIN NO.	ITEM TITLE
	<ul style="list-style-type: none"> • LPB new member induction – action closed as taken place. A new Board member (Scheme Member) would be joining in 2022 and would require induction. Sessions would be made available to all existing Board members by way of a refresh opportunity; • Recruitment for new Board member (Scheme Member). This would commence early in January 2022 with view to replacement being in place for the March 2022 Board meeting; • Additional KPIs still requiring development. This was ongoing. The Governance Strategy, once adopted, may identify further KPIs for development; • Risk register review was still to be undertaken – probably early in 2022; • The Pension Regulator (tPR) administration survey was anticipated in January 2022. Timing-permitting, a draft response would be circulated to the Board for comment before return to tPR; • Once the new Board member was in place, the Training Needs Analysis would be undertaken again to identify developmental/training opportunities moving forwards; • the action to determine whether the injury pensions/incorrect deductions of retirement allowance issue was a breach of law, and if so whether this was reportable, should be reinstated to the Action Log; • a response to the consultation on amendments to firefighters pension regulations was being progressed by ZS. <p>MP had circulated the Pension Regulator’s self-assessment toolkit outcome to all Members. While this was showing green for all issues, the next stage would be to check how well this was still working.</p> <p><i>(See also Notes LPB/21/48 and LPB/21/49 below).</i></p>
LPB/21/44	<p><u>Training Log Update</u></p> <p>NOTED latest version of the Board Training Log (updated November 2021). It was noted that DT had completed 5 of the seven essential modules. PG advised that he had undertaken all of the modules.</p> <p>DT advised that the Pensions Scams e-learning module was indicated as “currently unavailable due to essential maintenance”. This was not, however, one of the essential modules.</p> <p>Board members were asked to confirm their completion of the modules and to forward the completion certificates for publication on the pensions page of the Service website.</p>
LPB/21/45	<p><u>Correspondence Update</u></p> <p>NOTED latest version of log listing all correspondence received and circulated to Board Members since the last meeting.</p>

MIN NO.	ITEM TITLE
LPB/21/46	<p data-bbox="339 219 464 255"><u>Website</u></p> <p data-bbox="339 282 1018 318">NOTED that the website required amendments:</p> <ul data-bbox="395 338 1442 611" style="list-style-type: none"> <li data-bbox="395 338 1442 409">• addition of new Members and completion of training records for Board Members; <li data-bbox="395 432 1334 468">• addition of Ben Redwood as Scheme Manager representative; <li data-bbox="395 490 1315 526">• removal of Andy Hallam as Scheme Manager representative; <li data-bbox="395 548 1350 611">• change title of Human Resources Management & Development Committee to People Committee. <p data-bbox="339 629 1469 701">Board Members were encouraged to keep the page under review and advise of further amendments required.</p>
LPB/21/47	<p data-bbox="339 734 547 770"><u>Risk Register</u></p> <p data-bbox="339 779 1485 887">CONSIDERED latest version (v1.09) of the Board Risk Register which had been updated to reflect changes in lead officers. The risk around age discrimination/immediate detriment remedy may need to be revisited.</p>
LPB/21/48	<p data-bbox="339 920 767 956"><u>Key Performance Indicators</u></p> <p data-bbox="339 983 1469 1090">CONSIDERED paper providing an update on development of Key Performance Indicators (KPIs) for both the Service and the Board. This detailed progress against the two established KPIs:</p> <ol data-bbox="395 1111 1490 1637" style="list-style-type: none"> <li data-bbox="395 1111 1490 1328">1. submission of monthly pension reporting to WYPF by the last day of the month – secured for each month up to and including November 2021, with the exception of March 2021. The reasons for the delay in submission were understood (year end and month end) and measures being considered (i.e. a separate KPI for year end/month end) to resolve reporting issues in future years; and <li data-bbox="395 1346 1490 1637">2. notifications of normal retirement and timeframes for submission – the Pay and Conditions Team had continued to submit notifications of normal retirements to WYPF within the SLA of five days of receipt. 24 (75%) of the 32 retirements during the period 1 December 2020 to 30 November 2021 had been submitted to WYPF outside of the six-week SLA. This was due to insufficient notification (i.e. less than six weeks prior to the proposed retirement date) and provision of information to the Pay & Conditions team. <p data-bbox="339 1655 1481 1872">DT questioned the reason for the failure to provide six weeks notice. ZS advised that there were a number of reasons (e.g. failure to advise line manager; difference between contractual notice period [four weeks] and time required to process retirement calculations). In the case of the latter, DT commented that this was, potentially, in insoluble conundrum and on this basis questioned the benefit of the particular KPI in this form if it was – in part, at least – bound to fail.</p>

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	<p>MP accepted that if a KPI could not be used to drive improvement, it was of little benefit. Consideration would, as such, be given to modifying this KPI into a form that would be helpful e.g. when the Service does receive sufficient notification, how often did the Service meet the target for submission to WYPF?; then, a separate KPI (to drive communications) on timely submission of paperwork to the Service. Action: ZS to consider.</p> <p><i>(See also Note LPB/21/43 above).</i></p>
<p>LPB/21/49</p>	<p><u>Scheme Manager Update</u></p> <p>CONSIDERED paper summarising current pension matters both locally and nationally which required input from the Service. In particular, the paper addressed:</p> <p><i>Governance & Strategy</i></p> <p>The final template Strategy had been issued by the LGA. Work was in hand to produce a version, based on the Strategy, for this Board. It was intended that this be adopted prior to the March 2022 Board meeting.</p> <p><i>Pension Communications</i></p> <p>HM Treasury had published its response to the Cost Control Mechanism consultation on 4 October 2021.</p> <p>The Pension Ombudsman had launched a new page – “How to avoid the Ombudsman” – on its website containing top tips, links to case studies, key determinations and frequently asked questions.</p> <p>Internal communications, via “Shout Out, had been issued in early November on publication of the Immediate Detriment Framework, advising in particular of the four-month timeframe to process retirements under the Framework and that pensionable service under the 1992 scheme up to and including 31 March 2022 would remain protected for all active FPS members still in service.</p> <p>A new section had been added to the FPS member website on the 2015 Remedy, setting out background to the McCloud/Sargeant age discrimination ruling and a series of frequently asked questions. A link to this would be included in the pensions section of the intranet.</p> <p>WYPF was now advising members contacting them directly that two estimates per scheme member on a rolling twelve month period could now be processed, with each estimate based on a leaving date within twelve months of the date of request. The pensions section of the intranet would be amended to reflect this change.</p>

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	<p><i>Pension Projects (2015 Remedy [Sargeant])</i></p> <p>The Immediate Detriment Framework and associated guidance had been issued by the LGA on 8 October 2021, with fire and rescue authorities encouraged to sign up to it. Subsequently, an additional joint FBU/LGA statement and revised guidance had been issued following publication of an HMRC policy document and the Finance (No. 2) Bill which both indicated a move towards authorising payments of lump sums paid more than twelve months after retirement. Since the last Board meeting, six requests for immediate detriment quotations for retirement before 1 April 2022 had been received.</p> <p><i>Reporting Breaches of Law</i></p> <p>There had been no breaches to report since last meeting</p> <p><i>Internal Dispute Resolution Procedure (IDRP)</i></p> <p>There had been no new complaints under the Procedure since the last Board meeting.</p> <p><i>Board Membership</i></p> <p>It was noted that this would be AHs final Board meeting. The Board asked to have placed on record their thanks and appreciation for the support provided during AHs time in office.</p> <p><i>(See also Notes LPB/21/43 above and LPB/21/50 below).</i></p>
LPB/21/50	<p><u>Age Discrimination Remedy</u></p> <p>MP advised that, since the last Board meeting, there had been significant developments. MP outlined the background to and implications of this issue (the McCloud/Sargeant age discrimination ruling). Ultimately, the remedy would require legislation which was currently in draft form with a view to implementation on 1 April 2022.</p> <p>Previously, both the LGA and Home Office had issued guidance on progressing immediate detriment cases prior to the legislative remedy being in place. Subsequently, the LGA and FBU had negotiated an Immediate Detriment Framework (IDF) for adoption by fire and rescue authorities and designed to mitigate the risks of further employment tribunals.</p> <p>In February of this year, the Authority had determined to halt any further transfers from the 92 Scheme and to begin to process “pipeline” cases (i.e. firefighters coming up to retirement) on the basis of firefighters taking all payments from the legacy scheme (should they so wish), subject to agreeing that the associated calculations were provisional and could be subject to change once the final remedy legislation was in place. These calculations would need to be undertaken manually as the software did not yet exist for this.</p>

MIN NO.	ITEM TITLE
	<p>The IDF also put in place proposals not just for “pipeline” cases (referred to Category 1) but also for Category 2 cases (i.e. those firefighters who had already retired). HMRC had clarified, though, that any adjustments to lump sum payments made more than twelve months ago would be classified as unauthorised payments.</p> <p>Subsequently, the Home Office had advised that, following further work with Treasury colleagues, the technical matters associated with remedy were more complicated than initially thought. Consequently, the Home Office had withdrawn its initial guidance and advised fire and rescue authorities to cease processing any immediate detriment claims until the remedy position was clear. The Home Office had further commented that, given this stance, the government would not cover any costs associated with any payments outside of the pension accounting provisions prior to the remedy position being enacted.</p> <p>The Home Office had also advised that, on basis of a recently-issued HMRC policy statement, any adjustments to lump sum payments more than twelve months old would not be treated as unauthorised payments but only with effect from 6 April 2022. Until this date, the costs of unauthorised payments would fall to the Authority.</p> <p>The Authority had not, to date, signed up to the IDF and, while the Home Office guidance had been withdrawn, the legal position had not changed. The legal advice obtained by the Authority was clear in terms of action that might be taken to process pipeline cases. Consequently, the Authority was proposing to continue processing “pipeline” cases on the basis already agreed (which was based on the legal advice obtained) and within existing, Scheme rules (e.g. overpayment of contribution refunds) but, in light of the Home Office statement, not to address any cases of firefighters who had previously retired (i.e the IDF Category 2 cases).</p> <p>Communications on this position would be issued in due course, albeit there had been no formal consultation with representative bodies at this stage. The Service was doing all it could to process those cases it could address in a proportionate and timely manner, within the existing legal framework.</p> <p>The LGA had commissioned further legal advice which was expected imminently. Once available, this would be reviewed to see whether it impacted on the Authority’s current commission. Additionally, WYPF had been approached with a view to potentially commissioning further legal advice to assist its clients (i.e. fire and rescue authorities).</p> <p>Concerns had also been raised as to the timeframes proposed by the IDF for addressing immediate detriment cases i.e. having sufficient resourcing available to do this (both internally within the Service and with WYPF).</p>
LPB/21/51	<p><u>Topic of Interest</u></p> <p>It was noted that the topic of interest scheduled for discussion at this meeting (resolving disputes) and the previous meeting had been deferred due to shortage of LGA resources.</p> <p>It was anticipated that the LGA would be at full strength again in January 2022.</p>

MIN NO.	ITEM TITLE
	The Training Needs Analysis, once refreshed, would inform future topics of interest.
LPB/21/52	<p data-bbox="336 322 683 358"><u>LPB Work Programme</u></p> <p data-bbox="336 371 1437 481">NOTED latest version of the Board work programme to December 2022. This would, though, be a rolling work programme, with indicative items subject to change. Other items could be incorporated as required.</p>
LPB/21/53	<p data-bbox="336 512 660 548"><u>Date of Next Meeting</u></p> <p data-bbox="336 573 1430 683">To be confirmed. Initial time/date of 15.00hours, Wednesday 16 March 2022 would need to be amended (potentially to week beginning Monday 21 March 2022) to avoid a clash with LGA Annual Fire Conference.</p>

The Meeting started at 3.00 pm and finished at 4.12 pm

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LPB Action Log 2022-03-07 - Open Actions

Date Raised	Source	Action Lead	Status	Pension Work Activity	Action	Comments	RAG
18-Mar-20	Board	Mike Pearson	In progress	Risk Management	WYFP Cyber Security WYFP business continuity plan to be reviewed by MP/SP/CG, specifically with regard to cyber attack. Feedback given, WYFP asked to consider and respond. MP to review risk register to asses impact of gaps in WYFP BCP Aon free cyber questionnaire - consider benefit of using it (see email from Satnam 14/07/20).	28/04/20: Action pending because of Covid-19 arrangements. 05/06/20: Action remains pending because of Covid-19 arrangements. 17/08/20: Action remains pending because of Covid-19 arrangements. 15/10/20: MP to ask PP and SB to comment on WYFP BCP (done 16 Oct) 25/11/20: MP to write to WYFP with feedback on its BCP 09/12/20: WYFP asked to respond to issues raised 07/01/21: MP to review risk scores and consider using Aon questionnaire 07/03/22: No further progress	G
09-Sep-20	Board	Zoe Smyth	Pending	Administration and Compliance	Administration, Management and Governance Strategy Board agreed to adopt the template strategy developed by the LGA/SAB and that Board documentation and toolkits should be adapted accordingly subject to outcome of the LGA/SAB consultation.	15/10/20: Awaiting outcome of LGA/SAB consultation. 06/09/21: No update in August bulletin. ZS to chase Claire Hey for update. 12/10/21: Draft strategy produced, circulated for comments. 24/11/21: "Devonised" version of Strategy in production. Intention is to submit to Board early in 2022 for adoption and subsequent publication on the Pensions page of the Service website. 07/03/22: No progress, age discrimination remedy caseload	A
12-Oct-21	Board	Zoe Smyth	In progress	LPB Governance and Effectiveness	Recruitment of Replacement Scheme Member Representative Andy Hallam stepping down from the Board after the Dec meeting. Recruitment process for replacement to be conducted.	12/10/21: Recruitment process will be conducted in anticipation of the March 2022 meeting. 24/11/21: Will be reviewed after Christmas 07/03/22: No progress, age discrimination remedy caseload - ZS to programme in ASAP	A
15-Sep-21	Board	Zoe Smyth	In progress	LPB Governance and Effectiveness	Development of KPIs Three KPI's together with any additional potential KPI's from Governance Strategy to be considered and reviewed	24/11/21: Will be scheduled when possible, age discrimination remedy work taking priority. 07/03/22: No progress, age discrimination remedy caseload	G
15-Sep-21	Board	Mike Pearson & Zoe Smyth	In progress	Administration and Compliance	Risk Register MP and ZS to review and update the Risk Register to reflect changes in risk owners and to review impact scores of those risks where risk controls were either in development or completed.	12/10/21: Meeting between MP, SS and ZS to be scheduled 24/11/21: Meeting to be rescheduled 04/01/22: RR reviewed and updated ACTION CLOSED	A
15-Sep-21	Board	Zoe Smyth	In progress	LPB Governance and Effectiveness	Public Service Governance and Administration Survey 2020-21 Current self-assessment to be reviewed against survey findings	12/10/21: Will be scheduled when possible, age discrimination remedy work taking priority. 24/11/21: Self-assessment scheduled for January 07/03/22: Postponed because of age discrimination remedy caseload	A
15-Sep-21	Board	Mike Pearson	In progress	LPB Governance and Effectiveness	Revision of the training needs analysis MP and ZS to facilitate a revised training needs analysis to include new Board members and refresh submissions from existing members.	24/11/21: Will be scheduled when possible, age discrimination remedy work taking priority. Pending appointment of new member early 2022. 07/03/22: Pending appointment of new scheme member rep	A
24-Nov-21		Zoe Smyth	New Action	Administration and Compliance	Amendments to the firefighters' pension regulations consultation Response to be submitted to consultation on the amendments to the firefighters regulation, due by 02 January 2022	07/03/22: No response submitted ACTION CLOSED	A

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Agenda Item 4

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Local Pension Board – Training Log

Updated March 2022

	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
<u>Scheme Manager Reps</u>							
Mike Pearson	June 2020	June 2020	June 2020	June 2020	June 2020	June 2020	June 2020
Satnam Singh Rai	June 2020	June 2020	June 2020	June 2020	June 2020	June 2020	June 2020
Cllr David Thomas	December 2021	December 2021	December 2021	December 2021	December 2021	December 2021	December 2021
Shayne Scott	October 2021	October 2021	October 2021	October 2021	October 2021	October 2021	October 2021
<u>Scheme Member Reps</u>							
(Vacancy)							
Phillip Gilbard	December 2021	December 2021	December 2021	December 2021	December 2021	December 2021	December 2021
James Leslie	March 2020	March 2020	March 2020	March 2020	March 2020	March 2020	March 2020
Ben Redwood	October 2020	October 2020	October 2020	October 2020	October 2020	October 2020	October 2020
<u>Support Officers</u>							
Zoe Smyth	September 2021	September 2021	September 2021	September 2021	September 2021	September 2021	September 2021

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY LOCAL PENSIONS BOARD

Updated Pension Correspondence Log – Correspondence received and circulated since last LPB meeting

(NOTE: a copy of the correspondence listed in this log has already been sent to all Board Members. If you are missing any of the correspondence, please contact Democratic Services specifying the missing correspondence. This will then be sent to you)

Date	Description	Purpose	Source
14 December 2021	West Yorkshire Pension Fund Monthly Update December 2021	Information Only	WYPF
22 December 2021	FPS Bulletin 52 – December 2021	Information Only	LGA
31 December 2021	FRA Remedy Self-assessment survey – copy of DSFRA response	Information Only	LGA
3 January 2022	West Yorkshire Pension Fund Monthly Update January 2022	Information Only	WYPF
31 January 2022	FPS Bulletin 53 – January 2022	Information Only	LGA
9 February 2022	Production of LGA FPS 2015 Remedy “Fact Checker” to assist FPS Members	Information Only	LGA
11 February 2022	West Yorkshire Pension Fund Monthly Update February 2022	Information Only	WYPF
28 February 2022	FPS Bulletin 54 – February 2022	Information Only	LGA
4 March 2022	West Yorkshire Pension Fund Monthly Update March 2022	Information Only	WYPF
9 March 2022	Publication of Home Office response to consultation on proposed Firefighters Pension Scheme remedy.	Information Only	LGA
15 March 2022	FPS 2006 Special Members – Second Options Exercise	Information Only	LGA
15 March 2022	FPS 2006 Special Members – Second Options Exercise – Signed Memorandum of Understanding and Summary Factsheet	Information Only	LGA

DEVON & SOMERSET FIRE & RESCUE AUTHORITY LOCAL PENSIONS BOARD

Updated Pension Correspondence Log – Correspondence received and circulated since last LPB meeting

(NOTE: a copy of the correspondence listed in this log has already been sent to all Board Members. If you are missing any of the correspondence, please contact Democratic Services specifying the missing correspondence. This will then be sent to you)

Date	Description	Purpose	Source
15 March 2022	Correction re: dates for in-scope on-call firefighters to Second Options Exercise Summary Factset	Information Only	LGA

Local Pensions Board - Risk Register v1.11 - Reviewed 7 March 2022 - Tidying formatting and hazard description

Ref	Context / Causal trigger	Hazard (anything that may cause harm)	Impact (who/what may be harmed and how)	Gross Impact	Gross Likelihood	Gross Risk Score	Controls in place	Net Impact	Net Likelihood	Net Risk Score	Further controls required	Target Impact	Target Likelihood	Target Risk Score	Control Owner	Risk Owner
LPB001	Cyber attack	Complete loss of systems	Catastrophic loss of capability	5	4	20	<ol style="list-style-type: none"> 1. Technological security tested in recent Pen Test 2. Cyber attack plan 3. BC plans (incl ICT) 4. Staff awareness 5. Additional comms to staff 6. Prog of BC exercises 7. Protective Monitoring System 	3	3	9	<ol style="list-style-type: none"> 8. Evidence of BC plan for WYPF 	3	3	9	<ol style="list-style-type: none"> 1 & 2 Head of ICT 3. HR R&B Mngr & HoICT 4 & 5 HR R&B Mngr 6. HR R&B Mngr & HoICT 7. Head of ICT 8. HR R&B Mngr 	Mike Pearson
LPB002	System failure	Temporary loss of systems	Systems unavailable until recovered and potential loss of data	4	3	12	<ol style="list-style-type: none"> 1. BC Plan (incl ICT) 2. Departmental BC plans reviewed 3. Additional comms to staff 4. BC exercise 2 Dec 2019 	3	3	9	<ol style="list-style-type: none"> 5. Evidence of BC plan for WYPF 	3	3	9	<ol style="list-style-type: none"> 1. HR R&B Mngr & Ho ICT 2. HR R&B Mngr 3. HR Reward & Benefits Manager 4. HR R&B Mngr & HoICT 5. HR Reward & Benefits Manager 	Mike Pearson
LPB003	Power supply failure	Temporary loss of systems	Systems unavailable until recovered	3	3	9	<ol style="list-style-type: none"> 1. BC Plan (incl ICT, HR & Finance) 2. Departmental BC plans reviewed 3. Access to alternative locations 4. Back-up generator available 	2	3	6	None at this time	2	3	6	<ol style="list-style-type: none"> 1. Heads of ICT, Finance & HR R&B Mngr 2. Heads of ICT, Finance, Estates & HR R&B Mngr 3. Head of Estates 4. Head of Estates 	Shayne Scott
LPB004	Industrial Action	Loss of utilities or access to premises	Inability for staff to undertake work	3	3	9	<ol style="list-style-type: none"> 1. BC Plan (incl ICT) 2. Departmental BC plans reviewed 3. Access to alternative locations and working from home 	2	3	6	None at this time	3	2	6	<ol style="list-style-type: none"> 1. Head of ICT & HR R&B Mngr 2. Heads of ICT; Finance; Estates & HR R&B Mngr 3. Ho ICT/Estates 	Shayne Scott
LPB005	Member data incomplete or inaccurate	Incorrect pension calculations and Annual Benefit Statements and incorrect reporting to Home Office and The Pension Regulator	Pensioners may receive incorrect pensions Breaches of pension regulations	3	4	12	<ol style="list-style-type: none"> 1. Payroll data for active members is provided by Pay & Conditions on a monthly basis to WYPF 2. Active members, deferred members and pensioners have an online account and can check their information 3. A data reconciliation exercise has been undertaken with GAD. 4. Address data cleanse completed annually and any address found to be incorrect or not known are investigated using a tracing agency. 	2	2	4	None at this time	2	2	4	<ol style="list-style-type: none"> 1 to 4 HR Reward & Benefits Manager 	Zoe Smyth
LPB006	Administration process failure/maladministration	Pension administration not undertaken to the required standard	Pensioners may receive incorrect pensions Breaches of pension regulations Fraud by admin staff Fraudulent payments Failure of bank account to make payment Incorrect taxation of benefits	3	4	12	<ol style="list-style-type: none"> 1. Pension SLA in place with KPIs 2. Scheme of delegation in place 3. Regular communication with administrator 4. WYPF have significant experience of administering a number of Fire Authorities. 5. Within P&C, we have a settled team who are competent in role. 6. Trend lines within WYPF monthly reports for key measures 7. WYPF to report on the agreed KPIs 	2	2	4	<ol style="list-style-type: none"> 8. Review Pension Administrator's audit reports 	2	2	4	<ol style="list-style-type: none"> 1 to 7 HR Reward & Benefits Manager 8. Head of Finance 	Shayne Scott
LPB007	Annual Benefit Statement (ABS) not produced in time	Breach of statutory duty	ABS not received by member and likely to be a reportable breach	3	4	12	<ol style="list-style-type: none"> 1. Pension data from P&C now available on a monthly basis including yearend data 2. WYPF developing an automated system for ABS statements for the Modified Pension Scheme 	2	2	4	None at this time	2	2	4	<ol style="list-style-type: none"> 1 & 2 HR Reward & Benefits Manager 	Zoe Smyth
LPB008	Excessive charges by Pension Administrator	Unplanned increases in charges	Additional pressure on the budgetary efficiency of the Service	3	4	12	<ol style="list-style-type: none"> 1. Contracts are controlled by OJEU rules and the contract is subject to renewal on a 5 year basis with the option for an extension for 1-2 years. 2. Contract prices and any adhoc scenarios where additional charges may be incurred are included in the contract terms. 	2	2	4	None at this time	2	2	4	<ol style="list-style-type: none"> 1 & 2 Head of Finance 	Shayne Scott

Local Pensions Board - Risk Register v1.11 - Reviewed 7 March 2022 - Tidying formatting and hazard description

Ref	Context / Causal trigger	Hazard (anything that may cause harm)	Impact (who/what may be harmed and how)	Gross Impact	Gross Likelihood	Gross Risk Score	Controls in place	Net Impact	Net Likelihood	Net Risk Score	Further controls required	Target Impact	Target Likelihood	Target Risk Score	Control Owner	Risk Owner
LPB009	Officers or Members acting outside of delegated responsibility	Officers or Members either deliberately or unknowingly acting outside of their delegated responsibility	Additional financial implications for the pension schemes or breach of the pension regulations	3	4	12	1. Authority Members have agreed an approved Scheme of Delegation and financial limits for decisions associated with the pensions. 2. A Pensions Discretions Policy is in place. 3. Officers are competent in pension matters and receive CPD training 4. Support and advice is available through the WYPF Client Manager and the LGA Pension Advisors	2	2	4	None at this time	2	2	4	1. Dem Services Manager 2 to 4 HR Reward & Benefits Manager	Mike Pearson
LPB010	Employer fails to deduct correct pension contributions from members	Incorrect pension contribution being recorded and collected	Active pensioners and DSFRS have to backdate pension contribution arrears	3	4	12	1. Pension deductions and rules are set within the payroll system based on earnings 2. New joiners are entered into the applicable pension scheme 3. Staff who have opted-out are auto-enrolled into the applicable pension scheme unless they opt-out again 4. Reconciliation of deduction carried out by Finance on a monthly basis 5. Internal audit review deductions as part of audit scope	2	2	4	None at this time	2	2	4	1. Head of Finance 2 & 3 HR Reward & Benefits Manager 4 & 5 Head of Finance	Shayne Scott
LPB011	Failure by the Pension Administrator to interpret rules or legislation correctly	Incorrect pension calculations and estimates	Incorrect pensions received and either backdated employer and employee contributions required or overpayments collected.	3	4	12	1. Regular attendance at pension training and update events by WYPF. 2. Regular monitoring of key sources of information e.g. LGA Bulletins, Scheme Advisory Board. 3. DSFRS have regular client meetings with WYPF and scrutinise pension changes	2	2	4	None at this time	2	2	4	1 to 3 HR Reward & Benefits Manager	Zoe Smyth
LPB012	Annual Statutory Accounts criticised by external auditors / The Pension Regulator	Major issues exist with the Management and Administration, and/or accounting for the Firefighter Pension Schemes	Reputational damage to the Service. Dissatisfaction from staff in the service they receive.	3	4	12	1. Trained, experienced officers produce the accounts to a detailed timescale. 2. Pension data for the accounts is provided by the Governments Actuary Departments (GAD). 3. Advice available from the Fire Finance network, LGA and Pension Administrator	2	2	4	None at this time	2	2	4	1 to 3 Head of Finance	Shayne Scott
LPB013	Failure to communicate with staff concerning significant changes to pension arrangements	Pension members not receiving correct information	Members could make key pension decisions with inadequate information available to them	3	4	12	1. Regular attendance at LGA pension training events. 2. Regular monitoring of key sources of information e.g. LGA Bulletins, Scheme Advisory Board. 3. Client meetings with WYPF and scrutiny of pension changes 4. Ensure information on the impact of promotions to the Annual Allowance is made clear to staff.	1	2	2	None at this time	1	2	2	1 to 4 HR Reward & Benefits Manager	Zoe Smyth
LPB014	Court of Appeal decision on unlawful discrimination from Transitional arrangements for transfer from the 1992 to 2015 (McCloud/Sargent case)	2015 scheme members will need to be transferred back to their preferred pension scheme	Significant pension administration in making back-dated adjustments to pensions. Implementation of the remedy may be problematic due to data gaps following transfer of payroll and pensions providers	4	5	20	1. Employers will be represented at the ET. 2. Ensuring that historic data that might be required is retained to help manage any potential remedy 3. Pension reserve in place to support administration costs 4. Accessing information from LGA to ensure we are fully informed 5. Receiving updates from Fire Finance Network and national reps 6. Legal advice 7. LGA 'coffee mornings' 8. Pensions Officer appointed	2	5	10	9. Consideration of data retention pending remedy 10. Ability to take on additional staff to support administration (pending reserve) 11. PSTax Advice to be obtained	2	5	10	1 & 2 HR Reward & Benefits Manager 3. Head of Finance 4. HR Reward & Benefits Manager 5. Head of Finance 6 to 10 HR Reward & Benefits Manager 11. Head of Finance	Shayne Scott
LPB015	Court of Appeal decision on unlawful discrimination for Part-time workers prior to 2000 (O'Brien/Matthews case)	Pension entitlement prior to 2000 will need to be calculated and a repayment scheme made available (similar to 2006 modified exercise)	Significant pension administration in making back-dated adjustments to pensions. Implementation of the remedy may be problematic due to data gaps following transfer of payroll and pensions providers (and potential to go back to 1976 service)	3	5	15	1. Employers represented at the ET. 2. Ensuring that historic data that might be required is retained to help manage any potential remedy 3. Pension reserve in place to support administration costs 4. Accessing information from LGA to ensure we are fully informed 5. Receiving updates from Fire Finance Network and national reps 6. Pensions Officer appointed	2	5	10	7. Consideration of data retention pending remedy 8. Ability to take on additional staff to support administration (pending reserve)	2	5	10	1 & 2 HR Reward & Benefits Manager 3. Head of Finance 4. HR Reward & Benefits Manager 5. Head of Finance 6 to 8 HR Reward & Benefits Manager	Shayne Scott

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Ref	Context / Causational trigger	Hazard (anything that may cause harm)	Impact (who/what may be harmed and how)	Gross Impact	Gross Likelihood	Gross Risk Score	Controls in place	Net Impact	Net Likelihood	Net Risk Score	Further controls required	Target Impact	Target Likelihood	Target Risk Score	Control Owner	Risk Owner
LPB016	COVID-19 Pandemic	Pension scheme administration cannot be undertaken	Increase in administration of pensioner records and administrator absence due to illness	3	5	15	1. Working at home arrangements 2. HR Business continuity plans 3. Government guidance on healthy workplaces 4. WYPF business continuity arrangements	2	3	6	None at this time	2	3	6	1 to 4 HR Reward & Benefits Manager	Zoe Smyth
LPB017	Loss of Key Staff	Single points of failure	Pensioners may receive incorrect pensions Breaches of pension regulations	3	4	12	1. Head of HR supported by Rewards and Benefits Manager 2. Pension SLA in place with KPIs 3. Scheme of delegation in place 4. WYPF has an experienced team 5. P&C has an experienced team. 6. WYPF to report on the agreed KPIs 7. Pensions Officer appointed 8. Additional FTC post in P&C 9. Succession planning in place	2	2	4	None at this time	2	2	4	1 to 9 HR Reward & Benefits Manager	Zoe Smyth
LPB018	GDPR Breach	Failure to comply with GDPR	Prosecution, fines, enforcement notices, civil action, reputational damage.	3	4	12	1. GDPR impact assessments conducted by DSFRS as part of GDPR prep 2. GDPR requirements included in pensions administration contract 3. Data sharing agreements in place with WYPF 4. Staff induction and CPD includes GDPR	2	2	4	None at this time	2	2	4	1 to 4 HR Reward & Benefits Manager	Zoe Smyth
LPB019	Failure of LPB members to maintain knowledge and understanding to required level	Failure of LPB to discharge its statutory functions	Breaches of the law. Action by TPR. Reputational damage	3	3	9	1. LPB induction includes: TPR CoP 14; TPR e-learning; and LGA training 2. Attendance at LGA Annual Fire Pensions Conference 3. Regular LPB meetings 4. LPB meetings include a training topic to reinforce learning or generate debate 5. TNA and individual training plans	2	1	2	None at this time	2	1	2	1 to 5 HR Reward & Benefits Manager	Mike Pearson
LPB020	Employer incorrectly enrolls an employee into the Firefighter's Pension scheme	Failure to auto enrol in an appropriate pension scheme resulting a breach of the law from incorrect application of pension rules and incorrect deductions from pay	Fines or other action by the Pension Regulator. Reputational damage. Staff dissatisfaction and complaints take up management time.	3	4	12	1. P&C staff informed that only FF on permanent contracts can be enrolled in the FFPS. 2. P&C staff informed to not include the FFPS in the offer letter for FF on FTCs but to include the LGPS. 3. Auto enrolment for FF on temporary contacts will only be applied under the LGPS.	2	2	4	None at this time	2	2	4	1 to 3 HR Reward & Benefits Manager	Zoe Smyth

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY

LOCAL PENSIONS BOARD

DATE OF MEETING	22 March 2022
SUBJECT OF REPORT	UPDATE ON KEY PERFORMANCE INDICATORS FOR THE SERVICE AND BOARD
REPORT AUTHOR	Human Resources Reward & Benefit Manager
EXECUTIVE SUMMARY	This paper provides an update on the Key Performance Indicators (KPI's) for the Scheme Manager and the Board.

1.1. Below is a progress report on the established KPIs.

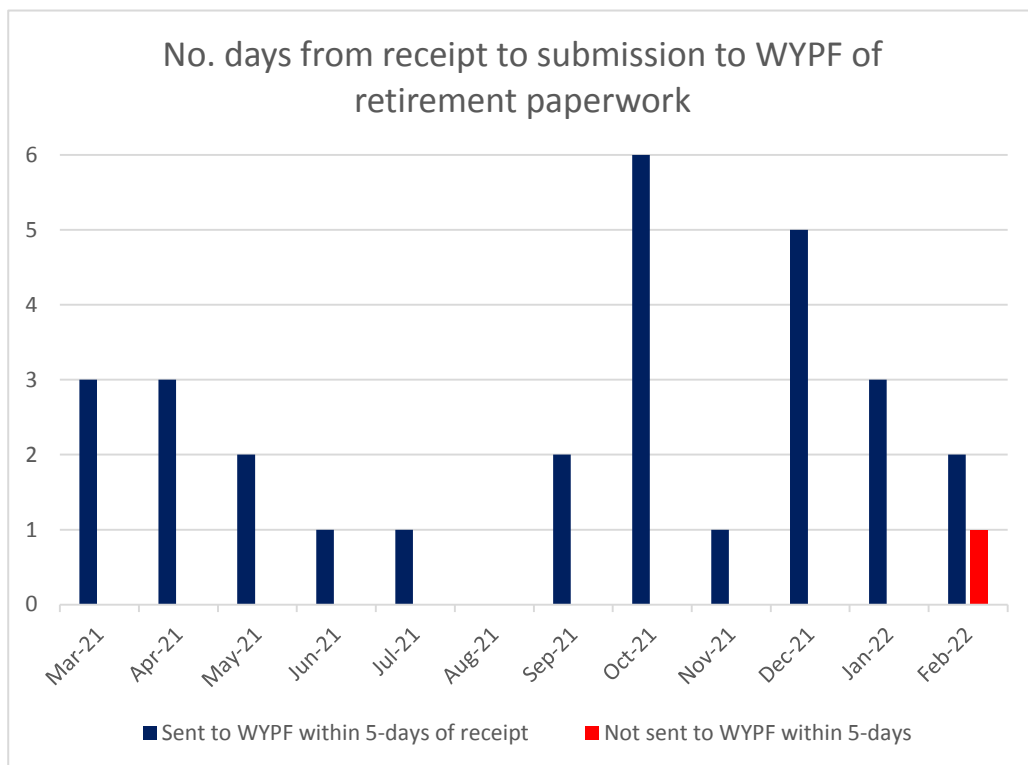
(a) **Submission of monthly pension reporting to WYPF by the last day of the month:**

For 10 out of the last 11 months, we have achieved this KPI, as detailed below.

Apr 2021	May 2021	Jun 2021	Jul 2021	Aug 2021	Sep 2021	Oct 2021	Nov 2021	Dec 2021	Jan 2022	Feb 2022
28-May-21	25-Jun-21	26-Jul-21	26-Aug-21	23-Sep-21	25-Oct-21	26-Nov-21	22-Dec-21	24-Jan-22	01-Mar-22	07-Mar-22

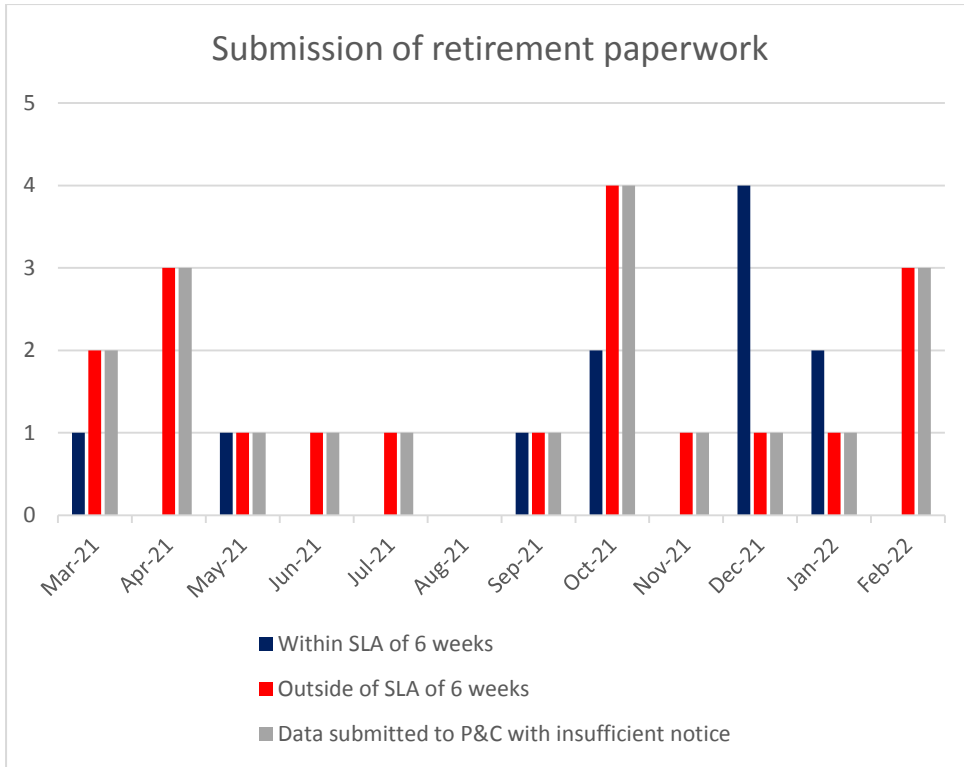
The January 2022 submission ended up being one day late due to a system upgrade unexpectedly causing an error to the report needed to submit the relevant data to WYPF.

(b) **Notifications of normal retirement and timeframes for submission**



During the period since the last report, the Pay & Conditions team have continued to submit notifications of normal retirement to WYPF within the SLA of 5-days of receipt, with the exception of last month, when two leaver notifications had not been marked as 'retirement' in the leaving reason and had therefore initially been processed as standard resignations.

1.2. Since the last report, there have been 11 retirements and the paperwork for 5 (45%) of these have been submitted to WYPF outside of the 6-week SLA. This continues to be because information is submitted to the Pay & Conditions team with insufficient notice, as illustrated overleaf.



ZOE SMYTH
HR Reward and Benefits Manager

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY

LOCAL PENSIONS BOARD

DATE OF MEETING	22 March 2022
SUBJECT OF REPORT	SCHEME MANAGER UPDATE
REPORT AUTHOR	HR Rewards & Benefits Manager
EXECUTIVE SUMMARY	This report provides a summary of current pension matters both nationally and locally which have required input from the Service. This report should also be considered in conjunction with the regular monthly Bulletins which are issued by the Firefighters' Pensions Scheme Advisory Board.

1. INTRODUCTION

- 1.1. This is the update report from the Devon & Somerset Fire & Rescue Authority (the Authority) delegated Scheme Manager for the Authority's Local Pension Board (the Board). The Scheme Manager is defined as being the Fire and Rescue Authority under The Firefighters' Pension Scheme (England) Regulations 2014. However, the Scheme Manager may delegate any functions under these Regulations. The Authority has set out in the Discretions Policy where decisions will need to be taken by the Authority. The day-to-day managing and administering of the pension schemes and any statutory scheme that is connected with them, is delegated to the HR Rewards & Benefits Manager.
- 1.2. The Board provides a number of functions as set out in the Terms of Reference, which include:
- assisting the Scheme Manager to ensure compliance with the relevant regulations and the efficient and effective management of the pension administration;
 - advising on member communications; and
 - monitoring complaints.
- 1.3. This report provides a summary of current pension matters both nationally and locally and further updates will be provided at subsequent Board meetings.

2. GOVERNANCE & STRATEGY

- 2.1. Further to the last Board meeting, this is to report that the agreed governance strategy document is currently being prepared for publication on the Pensions section of the DSFRS website.

3. PENSION COMMUNICATIONS

- 3.1. To note that LGA has published a useful document entitled 'FPS 2015 Remedy Factchecker' – this has been developed by Barnett Waddingham, in collaboration with the SAB the Board secretariat, and the Scheme Management & Administration committee. A link to the factchecker was included in a 'Shout Out' announcement last month and has also been added the pensions section of the intranet.
- 3.2. As per the most recent FPS Bulletin, the Pensions Ombudsman (TPO) is running a series of short webinars at the end of this month and has also posted several new factsheets on its website.

4. PENSION PROJECTS

2015 Remedy (Sargeant)

- 4.1. The total number of confirmed retirements being processed under immediate detriment (before 1 April 2022) now totals 12 FPS members. The number of initial requests totalled 25, but some were not eligible and others decided to postpone their retirement. This was either due to a promotion opportunity or the fact that they only qualified for a restricted lump sum at this point in time due to their age and length of service.
- 4.2. The LGA has recommended that each authority provides protected members with written confirmation that they will be moved into the 2015 scheme from 01 April 2022. Within the Service, there are currently 74 protected members in total who have remained in the 3 final salary schemes. The Pensions Officer will be conducting an email merge and also posting hard copy letters to those in On Call roles before the end of the month.

5. REPORTING BREACHES OF LAW

- 5.1. Within the Board's Reporting Breaches Procedure, Section 70 of the Pensions Act 2004 (the Act) is referenced. This requires that, where a person has reasonable cause to believe that:
 - (a) a duty which is relevant to the administration of the scheme in question, and is imposed by virtue of an enactment or rule of law, has not been or is not being complied with; and
 - (b) the failure to comply is likely to be of material significance to the Regulator in the exercise of any of its functions then they must give a written report on the matter to the Regulator as soon as is reasonably practicable.
- 5.2. There have been no breaches reported since the last Local Pension Board meeting.

6. INTERNAL DISPUTE RESOLUTION

- 6.1. Within the Firefighters' Pension Scheme formal complaints are made via the Internal Disputes Resolution Procedure (IDRP). There have been no new complaints under this procedure since the last Local Pension Board meeting.

7. PENSION ADMINISTRATOR QUALITY OF SERVICE

- 7.1. The Service continues to have an excellent working relationship with WYPF and both sides are continuing to collaborate and periodically review the arrangements that are in place to identify potential improvements that can be made.

8. BOARD MEMBERSHIP

- 8.1. To report that the recruitment process for a new staff representative has been delayed and will commence by the end of the current FY.

ZOE SMYTH
HR Rewards & Benefits Manager

Devon and Somerset Fire and Rescue Authority - Local Pension Board Work Programme 2020 - 2022 v1.02

Theme	Activity	SI	15-Feb-19	29-May-19	08-Aug-19	30-Oct-19	18-Mar-20	24-Jun-20	16-Sep-20	09-Dec-20	17-Mar-21	23-Jun-21	15-Sep-21	08-Dec-21	16-Mar-22	22-Jun-22	14-Sep-22	07-Dec-22
Administration	Confirmation website up to date	Y				X	X	X	X	X	X	X	X	X	X	X	X	X
Administration	Correspondence	Y	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Administration	Scheme Manager's Report	Y	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Risk and Assurance	KPIs	Y	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Risk and Assurance	LPB Action Log	Y	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Risk and Assurance	Risk Register	Y	X			X	X	X	X	X	X	X	X	X	X	X	X	X
Training	Training Log	Y	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Administration	ABS Feedback					X		X				X					X	
Administration	WYPF attendance at LPB meeting					X		X	X		X		X		X		X	
Governance	Annual Report							X				X				X		
Governance	Appointments to the Board		X				X				X				X			
Governance	LPB Work Plan				X			X				X				X		
Governance	Review of Breaches		X															
Governance	Review ToR						X				X				X			
Governance	Roles and Responsibilities				X		X				X				X			
Governance	TPR Annual Survey Results					X						2019	2020					2021
Governance	TPR Annual Survey Return						X				25/02/21				2021			
Risk and Assurance	Annual review of internal controls						X				X				X			
Risk and Assurance	LPB Audit Report		X															
Risk and Assurance	TPR Self Assessment		X		X			12/06/20			29/01/21				X			
Training	Annual Training Needs Analysis					X					05/03/21				X			
Training	Induction for new members					X			X			X				X		

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