



**DEVON &
SOMERSET**
FIRE & RESCUE SERVICE

LOCAL PENSION BOARD

Date of Meeting: Wednesday 22 June 2022, at 1.30 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 - 6) Notes of the meeting held on 22 March 2022 attached.
4.	<u>Review of Actions</u> (Pages 7 - 8) Latest Action Log attached.
5.	<u>Training Update</u> (Pages 9 - 10) Latest Training Log attached.
6.	<u>Correspondence Update</u> (Pages 11 - 12) Latest Correspondence Log attached.
7.	<u>Website</u> To confirm that the website is up-to-date.
8.	<u>Risk Register</u> (Pages 13 - 16) Latest version (v1.12) attached for review.
9.	<u>Scheme Manager Update</u> (Pages 17 - 22) Paper attached.
10.	<u>Topics of Interest</u>
	(a) <u>Record Keeping</u> Claire Hey (Local Government Association) to attend for this item.

ITEM NO.	ITEM TITLE
	(b) <u>Dispute Resolution</u> Claire Hey (Local Government Association) to attend for this item.
11.	<u>LPB Work Programme</u> (Pages 23 - 24) Attached. To review programme and items for LPB meeting in September 2022.
12.	<u>Date of Next Meeting</u> To confirm.

Board Membership

*Scheme Manager
Representatives:*

*Scheme Member
Representatives:*

Other Attendees:

Mike Pearson

Phil Gillbard

Zoe Smyth (Rewards & Benefits Manager)

Shayne Scott

James Leslie

Mareena Anderson-Thorne (HR Officer –
Pensions)

Satnam Singh Rai

Ben Redwood

Steve Yates

Cllr. David Thomas

Greg Webb

Agenda Item 3

LOCAL PENSION BOARD 22 March 2022

Present:

*Scheme Manager
Representatives:*

*Scheme Member
Representatives:*

Other Attendees:

Mike Pearson (MP) (Ch)

Philip Gillbard (PG)

Zoe Smyth (ZS) (Rewards and Benefits
Manager/Delegated Scheme Manager)

Satnam Singh Rai (SSR)

James Leslie (JL)

Mareena Anderson-Thorne (MAT) (HR Officer,
Pensions)

Shayne Scott (SS)

Ben Redwood (BR)

Matthew Mott (MM) (West Yorkshire Pension Fund)

Cllr David Thomas (DT)

Sukhjot Kaur (SK) (West Yorkshire Pension Fund)

Steve Yates (SY) (Note-taker)

MIN NO.	ITEM TITLE
LPB/22/1	<u>Conflict of Interest Declaration</u> No new interests were declared.
LPB/22/2	<u>Notes</u> The Notes of the meeting held on 8 December 2021 were AGREED .
LPB/22/3	<u>Review of Actions</u> CONSIDERED updated Action Log (at 7 March 2022) listing Open Actions. Progress against actions was indicated in the comments column. It was noted that: <ul style="list-style-type: none">• several actions had been closed at the last meeting and had been removed;• cyber security remained open – MP to follow up on feedback from WYPF on their business continuity plan. This was not seen as a high-risk but was probably more relevant now as a result of increased cyber-risk related to the Ukraine Crisis. WYPF was looking at this and would advise of any change in stance. Action: MP to contact WYPF to ask to be informed of outcome of any reviews;• Administration & Governance Strategy. The LGA template had been finalised and the Board had previously confirmed it would adapt and adopt the Template. The Service was processing this and it was intended to finalise the adapted template for discussion by the next meeting as necessary;• Recruitment of replacement Scheme Member representative. It was intended this should be completed by the next Board meeting;

MIN NO.	ITEM TITLE
	<ul style="list-style-type: none"> • Development of KPIs. This, again, was not seen as high-risk but would be progressed as soon as possible; • The Risk Register had been reviewed in January 2022. The updated register featured as part of the agenda for this meeting; • Public Service Governance and Administration Survey. It was intended to complete the self-assessment based on publication of the 2021 survey results. Action: ZS to ascertain whether the 2021 survey results had been published. The Pension Regulators self-assessment toolkit would be recirculated to Board Members and a desktop exercise undertaken to update it; • Training Needs Analysis – to be reviewed and refreshed once the new Scheme Member representative had been appointed. The refreshed TNA would be used to inform future training opportunities and Topics of Interest. <p><i>(See also Notes LPB/22/4, LPB/22/7, LPB/22/8 and LPB/22/10 below)</i></p>
LPB/22/4	<p><u>Training Log Update</u></p> <p>NOTED latest version of the Board Training Log (updated November 2021). This indicated that all Board Members were in-date for completion of the Pension Regulator (tPR) e-learning modules.</p> <p>MP commented that a two-yearly review period was in operation. JL should undertake a refresh in or shortly after March 2022, with MP and SR to undertake a refresh in or shortly after June 2022 . Once the refresh was undertaken, updated certificates would be published on the website.</p> <p>MM commented that the Code of Practice was to be reviewed by tPR. This might impact on the e-learning modules and it could be worth pausing the refresh period until this was clarified. Action: MAT to establish when the revised Code of Practice would be published and advise as to whether this would impact on the refresh period for the e-learning modules.</p> <p><i>(See also Note LPB/22/3 above)</i></p>
LPB/22/5	<p><u>Correspondence Update</u></p> <p>NOTED latest version of log listing correspondence received and circulated to Board Members since the last meeting.</p>
LPB/22/6	<p><u>Website</u></p> <p>The website was considered up-to-date at present. Board Members were encouraged to keep the page under review and advise of further amendments required as necessary.</p>
LPB/22/7	<p><u>Risk Register</u></p> <p>CONSIDERED latest version (v1.11) of the Board Risk Register. The Register was a “live” document and could be updated at any stage. Mitigating actions had been listed against each risk, together with an indication as to whether further control actions were required. These, in turn, impacted on the net risk score.</p>

MIN NO.	ITEM TITLE
	<p>High risks relating to cyber-attack and pensions remedy had been reduced to amber net risk scores by mitigating actions. It was likely that COVID-19 would be removed by the next refresh of the Risk Register.</p> <p>In response to a question from JL, ZS responded that the LGA did not have any further updates to the position on the framework for the immediate detriment remedy. MP added that the Authority had not fully adopted the Memorandum of Understanding for Category 2 cases (former employees who had already retired) in light of strong advice from central government. The Authority was, though, still progressing Category 1 cases (firefighters wishing to require).</p> <p>Additionally, from 1 April 2022, any adjustments to a lump sum that had been in payment for more than twelve months would no longer be deemed an unauthorised payment but, for Category 2 cases, there were still issues on which further guidance was awaited.</p> <p>The priority so far had been to address Category 1 cases of firefighters wishing to retire now and who could take benefits under the 1992 Scheme. Once the position for Category 2 cases was clarified, the Board and representative bodies would be notified. The indicative timeline for resolving outstanding issues was October 2023.</p> <p>(See also Note LPB/22/9 below)</p>
LPB/22/8	<p><u>Key Performance Indicators</u></p> <p>CONSIDERED paper providing an update on Key Performance Indicators (KPIs) for both the Service and the Board. This detailed progress against the two established KPIs:</p> <ol style="list-style-type: none"> 1. submission of monthly pension reporting to WYPF by the last day of the month – secured for each month up to and including February 2022, with the exception of January 2022. The January 2022 submission was one day late due to a system upgrade causing an error to the report, requiring it to be resubmitted; and 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, with the exception of February 2022 when two leaver notifications had not been marked as “retirement” in the leaving reason and consequently had been processed as standard resignations. MAT would be reviewing the leaver process, to include how this was communicated to staff. <p>Since the last report there had been 11 retirements, the paperwork for five of which (45%) had been submitted to WYPF outside the six-week SLA requirement. This was due to information being submitted to the Pay and Conditions Team with insufficient notice. There was incongruence between the notice period staff had to give and the six-week timeframe.</p> <p>MP commented that, pending other workloads, it should be possible to include additional metrics (e.g. overall number of scheme members, as per the WYPF report; other metrics as may be indicated by the Code of Practice and the Governance & Administration Strategy) to the report. Action: ZS to consider for the next Board meeting.</p>

MIN NO.	ITEM TITLE
	<i>(See also Note LPB/22/3 above)</i>
LPB/22/9	<p data-bbox="339 286 724 320"><u>Scheme Manager Update</u></p> <p data-bbox="339 349 1417 454">CONSIDERED paper summarising current pension matters both locally and nationally which required input from the Service. In particular, the paper addressed:</p> <p data-bbox="435 477 794 510"><i>Governance & Strategy</i></p> <p data-bbox="435 533 1378 600">This document was currently being prepared for publication on the Pensions webpage.</p> <p data-bbox="435 622 831 656"><i>Pension Communications</i></p> <p data-bbox="435 678 1461 813">The LGA had published an FPS 2015 Remedy Factchecker on its website. The Pensions Ombudsman was running a series of short webinars at the end of March and had published several new factsheets on its website.</p> <p data-bbox="435 835 1469 1238">The MoU and the second options exercise relating to the Matthews and O'Brien cases had been published and was currently being assessed by the Service. There would be a degree of overlap, timing-wise, with the McCloud/Sargeant issues. The next steps would be for the Service and WYPF to provide aggregation numbers to the LGA by 31 May 2022. MP commented that it would be useful for the representative bodies to keep the Service informed as to any communications being issued by representative bodies directly to members to facilitate co-ordinated working as far as possible. Any deadlines directly impacting on members would need to be communicated to members at the earliest opportunity, by signposting, FAQs etc.</p> <p data-bbox="435 1261 1102 1294"><i>Pension Projects (2015 Remedy [Sargeant])</i></p> <p data-bbox="435 1317 1477 1597">The total number of confirmed retirements being processed under the Immediate Detriment totalled 12 FPS Members against an initial 25 requests. The LGA had recommended all authorities to provide protected members with written confirmation that they would be moved into the 2015 Scheme from 1 April 2022. Within the Service there were currently 74 protected members in total who had remained in the three final salary schemes. The Pensions Officer would be contacting each of these together with those in on-call roles before the end of March 2022.</p> <p data-bbox="435 1619 855 1653"><i>Reporting Breaches of Law</i></p> <p data-bbox="435 1675 1477 1854">There had been no breaches to report since last meeting. MP questioned whether the incorrect deductions of state benefits from the injury pensions was a reportable breach. Action: ZS to complete the assessment as to whether this was a breach and if so whether it would be reportable.</p> <p data-bbox="435 1877 1134 1910"><i>Internal Dispute Resolution Procedure (IDRP)</i></p> <p data-bbox="435 1933 1437 2000">There had been no new complaints under the Procedure since the last Board meeting.</p>

MIN NO.	ITEM TITLE
	<p style="text-align: center;"><i>Board Membership</i></p> <p>The recruitment process for a new Scheme Member representative to fill the existing vacancy would commence before the end of March 2022.</p> <p><i>(See also Notes LPB/22/3 and LPB/22/7 above)</i></p>
LPB/22/10	<p><u>Topics of Interest</u></p> <p>It was noted that the topics of interest initially scheduled for the September 2021 meeting (Record Keeping) and the December 2021 meeting (Resolving disputes) had been further deferred pending availability of LGA resources. Additionally, a proposed refresh of the Board training needs analysis would be used to inform further topics of interest for discussion at future meetings.</p> <p>Action: ZS to contact LGA to assess availability of resources to address Topics of Interest on Record Keeping and Resolving Disputes at the next Board meeting.</p> <p><i>(See also Notes LPB/22/3 and LPB/22/4 above)</i></p>
LPB/22/11	<p><u>LPB Work Programme</u></p> <p>NOTED latest version of the Board work programme to December 2022.</p> <p>MP commented that there were no appointments requiring review (the next being in June 2023 – a Scheme Manager appointee for the Authority to determine). The annual review of the Board Terms of Reference and Roles and Responsibilities would be considered alongside adoption of the Governance & Administration Strategy. The Board would be provided with copies of the forthcoming Pension Regulator annual return once issued, together with the subsequent Service return.</p> <p>The annual review of Board’s internal controls (as per tPR Code of Practice) would be undertaken and circulated to Board Members in advance of the next meeting.</p> <p>The Work Programme would be rolled forward to cover 2023 and 2024. Board Members were invited to notify MP of any additional items they would wish added.</p>
LPB/22/12	<p><u>Date of Next Meeting</u></p> <p>15.00hours, Wednesday 22 June 2022 via Microsoft Teams</p>

The Meeting started at 3.00 pm and finished at 3.59 pm

This page is intentionally left blank

LPB Action Log 2022-06-09 - Open Actions

Action Ref	Date Raised	Source	Action Lead	Status	Pension Work Activity	Action	Comments	RAG
LPB044	18-Mar-20	Board	Mike Pearson	In progress	Risk Management	WYPF Cyber Security WYPF business continuity plan to be reviewed by MP/SP/CG, specifically with regard to cyber attack. Feedback given, WYPF asked to consider and respond. MP to review risk register to assess impact of gaps in WYPF BCP Aon free cyber questionnaire - consider benefit of using it (see email from Satnam 14/07/20).	15/10/20: MP to ask PP and SB to comment on WYPF BCP (done 16 Oct) 25/11/20: MP to write to WYFP with feedback on its BCP 09/12/20: WYPF 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 08/04/22: MP to review BCP 12/05/2022 - MP to Review 09/06/2022 - MP handed to MAT to work on with Sarah Bailey. MP to forward on relevant information.	G
LPB055	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 08/04/22: ZS to revisit terms of reference and roles and responsibilities to ensure they align 12/05/2022 ZS to ensure that role and responsibilities align with strategy. 09/06/2022 - To be presented to LPB on 22/06/2022. ACTION CLOSED	G
LPB069	15-Sep-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 08/04/22 MAT to get recruitment message and role description sent out via the comms team to recruit one new member 12/05/2022 MAT sent recruitment message out via the comms team, no applications were made, new comms message to be sent out next week. 09/06/2022 - Appointment made to start on next LPB (22/06/22). ACTION CLOSED	G
LPB070	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 08/04/22 MAT to work with the well-being team to collaborate and create a clear procedure 22/05/2022 MAT to look at developing an LPB Dshboard 09/06/2022 - MAT spoken to Claire Johnson to draw on her West Yorkshire experience and SW and Wales group on how they manage there KPI's. Trying to obtain more information before development.	G
LPB071	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 08/04/22 MAT Self-assessment to be rescheduled and refreshed 12/05/2022 MAT self-assessment completed and discussed, will be added to the LPB June 2022 agenda. ACTION CLOSED	G
LPB072	15-Sep-21	Board	Zoe Smyth	Pending	LPB Governance and Effectiveness	Revision of the training needs analysis ZS to facilitate a revised training needs analysis to include new Board members and refresh submissions from existing members.	12/05/2022 ZS to facilitate a revised training needs analysis to include new Board members and refresh submissions from existing members. 09/06/2022 - MAT to pick this up. MP to send over details of previous TNA.	G
LPB075	22-Mar-22	Board	Zoe Smyth	In progress	Administration and Compliance	Injury Pension - Incorrect deduction of Retirement Allowance To determine whether the incorrect deduction of this allowance is a breach of the law and if so whether it is reportable.	08/04/22 - ZS & MAT Investigations around lawfulness, set up meeting to discuss findings and case by case breaches 12/05/2022 MAT to discuss with the LGA whether this is a legal breach, separate meeting set up to discuss this matter. 09/06/2022 - MAT still awaiting for response from LGA.	A
LPB076	22-Mar-22	Board	Zoe Smyth	In progress	LPB Governance and Effectiveness	tPR Training Modules Updated Confirm revised Code of Practice 14 has been issued and whether tPR modules will be updated to inform LPB member refresh schedule	12/05/2022 TPR have said should be published August 2022.	G

Page 7

Agenda Item 4

LPB Action Log 2022-06-09 - Open Actions

Action Ref	Date Raised	Source	Action Lead	Status	Pension Work Activity	Action	Comments	RAG
LPB077	22-Mar-22	Board	Mike Pearson	In progress	Risk Management	LPB016 COVID-19 Pandemic Review risk and update as necessary	08/04/22- MP to review risk and update as necessary before completion 12/05/2022 MP will ensure completed before LPB in June 2022. 09/06/2022 - Risk reworded to Flu Pandemic and scores adjusted. ACTION CLOSED	
LPB078	22-Mar-22	Board	Zoe Smyth	In progress	LPB Governance and Effectiveness	Scheme Managers Report Consider adding further metrics contained in the monthly WYPF report to the LPB KPI report, e.g. scheme membership numbers	08/04/22- ZS to add further metrics contained in the monthly WYPF report to the LPB KPI report. 12/05/2022 ZS to include the KPI's in the scheme manager report to LPB ACTION CLOSED	
LPB079	22-Mar-22	Board	Mike Pearson	In progress	LPB Governance and Effectiveness	LPB Work Programme Roll work programme forward covering 2023 and 2024	08/04/22 - MP updated and will circulate – ACTION CLOSED	
LPB080	22-Mar-22	Board	Mike Pearson	In progress	LPB Governance and Effectiveness	LPB ToR and Roles/Responsibilities Review in conjunction with finalised Admin & Governance Strategy	08/04/22- Added on the back of LGA bulletin overview 12/05/2022 MP will review alongside the Admin & Governance Strategy prior to meeting in June. 09/06/2022 - Per LPB055 to be presented to LPB on 22 June. ACTION CLOSED	
LPB081	08-Apr-22	Chair	Mareena Anderson-Thorne	In progress	LPB Governance and Effectiveness	Abatement Policy, Discretions Policy, Retirement Re-employment Policy Review in light of Pensions Ombudsman determination PO-25374	08/04/22 MAT Looking at Abatement (Retirement/re-employ) policy, along with Discretions for FPS & LGPS. 12/05/2022 MAT Looking at Abatement (Retirement/re-employ) policy, along with Discretions for FPS & LGPS. Still a work in progress. Looking to complete draft policies by the end of May and deliver to People Committee in July. 09/06/2022 - MAT reviewing the services' policies to make sure they are fit for purpose, some policy changes will need to be taken to the FA for approval.	A
LPB082	08-Apr-22	Chair	Mareena Anderson-Thorne	In progress	LPB Governance and Effectiveness	Matthews: FRAs to inform LGA of total numbers of member, split by scheme (FPS 1992, FPS 2006), affected by aggregation.	08/04/22 - MAT/ZS will be looking to start this before the end of April. 12/05/2022 - Deadline has been extended to 30/06/2022, due to additional information the LGA have requested. MAT & ZS to have a meeting with LGA to discuss further. 09/06/2022 - MAT 90% of information complete, no issues expected for hitting deadline.	G
LPB083	08-Apr-22	Chair	Mike Pearson	In progress	LPB Governance and Effectiveness	ID Tax implications ahead of legislation Review whether to continue processing Cat 1 cases in light of HMT response to SAB letter	08/04/22 - Meeting to be held w/c 19/04/22 to discuss whether we should halt processing ID cases. 12/05/2022 Decision made to pause processing on cases, decision made 20/04/2022. ACTION CLOSED	
LPB084	12-May-22	Chair	Mareena Anderson-Thorne	In progress	Administration and Compliance	Publication of Information To ensure LPB minutes are up to date on website.	12/05/2022 MAT to ensure LPB minutes are up to date on website. 09/06/2022 - SY has updated minutes on website. ACTION CLOSED.	
LPB085	12-May-22	Scheme Manager	Mareena Anderson-Thorne	In progress		FRA Pension Contacts: FRAs to provide LGA with information on who should receive generic pension information. To include the Scheme Manager and one other person who has day to day responsibility for Pensions.	09/06/2022 - MAT completed 12/05/2022, all contact information given to LGA from last meeting in May. ACTION CLOSED.	



Local Pension Board – Training Log

Updated June 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>							
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
Gregg Webb							
<u>Support Officers</u>							
<u>Mareena Anderson-Thorne</u>							
Zoe Smyth	September 2021	September 2021	September 2021	September 2021	September 2021	September 2021	September 2021

This page is intentionally left blank

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
31 March 2022	FPS Bulletin 55 – March 2022	Information Only	LGA
1 April 2022	FPS 2015 Remedy – Member Benefit Illustrations	Information Only	LGA
4 April 2022	Joint LGA/FBU letter to HMT and Home Office on immediate detriment framework	Information Only	LGA
8 April 2022	West Yorkshire Pension Fund Monthly Update April 2022	Information Only	WYPF
25 April 2022	FPS Bulletin 56 – April 2022	Information Only	LGA
13 May 2022	West Yorkshire Pension Fund Monthly Update May 2022	Information Only	WYPF
31 May 2022	FPS Bulletin 57 – April 2022	Information Only	LGA
13 June 2022	West Yorkshire Pension Fund Monthly Update June 2022	Information Only	WYPF

This page is intentionally left blank

Local Pensions Board - Risk Register v1.12 - 13 June 2022 - Reviewed risk LPB016

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
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	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	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	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 v1.12 - 13 June 2022 - Reviewed risk LPB016

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
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	<ol style="list-style-type: none"> Authority Members have agreed an approved Scheme of Delegation and financial limits for decisions associated with the pensions. A Pensions Discretions Policy is in place. Officers are competent in pension matters and receive CPD training 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	<ol style="list-style-type: none"> Pension deductions and rules are set within the payroll system based on earnings New joiners are entered into the applicable pension scheme Staff who have opted-out are auto-enrolled into the applicable pension scheme unless they opt-out again Reconciliation of deduction carried out by Finance on a monthly basis 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	<ol style="list-style-type: none"> Regular attendance at pension training and update events by WYPF. Regular monitoring of key sources of information e.g. LGA Bulletins, Scheme Advisory Board. 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	<ol style="list-style-type: none"> Trained, experienced officers produce the accounts to a detailed timescale. Pension data for the accounts is provided by the Governments Actuary Departments (GAD). 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	<ol style="list-style-type: none"> Regular attendance at LGA pension training events. Regular monitoring of key sources of information e.g. LGA Bulletins, Scheme Advisory Board. Client meetings with WYPF and scrutiny of pension changes 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	<ol style="list-style-type: none"> Employers will be represented at the ET. Ensuring that historic data that might be required is retained to help manage any potential remedy Pension reserve in place to support administration costs Accessing information from LGA to ensure we are fully informed Receiving updates from Fire Finance Network and national reps Legal advice LGA 'coffee mornings' Pensions Officer appointed 	2	5	10	<ol style="list-style-type: none"> Consideration of data retention pending remedy Ability to take on additional staff to support administration (pending reserve) 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

Local Pensions Board - Risk Register v1.12 - 13 June 2022 - Reviewed risk LPB016

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
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	<ol style="list-style-type: none"> Employers represented at the ET. Ensuring that historic data that might be required is retained to help manage any potential remedy Pension reserve in place to support administration costs Accessing information from LGA to ensure we are fully informed Receiving updates from Fire Finance Network and national reps Pensions Officer appointed 	2	5	10	<ol style="list-style-type: none"> Consideration of data retention pending remedy Ability to take on additional staff to support administration (pending reserve) 	2	5	10	<ol style="list-style-type: none"> 1 & 2 HR Reward & Benefits Manager Head of Finance HR Reward & Benefits Manager Head of Finance 6 to 8 HR Reward & Benefits Manager 	Shayne Scott
LPB016	Flu Pandemic	Pension scheme administration cannot be undertaken	Increase in administration of pensioner records and administrator absence due to illness	3	4	12	<ol style="list-style-type: none"> Working at home arrangements HR Business continuity plans Government guidance on healthy workplaces WYPF business continuity arrangements 	2	2	4	None at this time	2	2	4	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	<ol style="list-style-type: none"> Head of HR supported by Rewards and Benefits Manager Pension SLA in place with KPIs Scheme of delegation in place WYPF has an experienced team P&C has an experienced team. WYPF to report on the agreed KPIs Pensions Officer appointed Additional FTC post in P&C 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	<ol style="list-style-type: none"> GDPR impact assessments conducted by DSFRS as part of GDPR prep GDPR requirements included in pensions administration contract Data sharing agreements in place with WYPF 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	<ol style="list-style-type: none"> LPB induction includes: TPR CoP 14; TPR e-learning; and LGA training Attendance at LGA Annual Fire Pensions Conference Regular LPB meetings LPB meetings include a training topic to reinforce learning or generate debate 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	<ol style="list-style-type: none"> P&C staff informed that only FF on permanent contracts can be enrolled in the FFPS. P&C staff informed to not include the FFPS in the offer letter for FF on FTCs but to include the LGPS. Auto enrolment for FF on temporary contracts 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

This page is intentionally left blank

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

LOCAL PENSIONS BOARD

DATE OF MEETING	22 June 2022
SUBJECT OF REPORT	SCHEME MANAGER UPDATE
REPORT AUTHOR	HR Rewards & Benefits Manager
EXECUTIVE SUMMARY	<p>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.</p>

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 governance strategy document has taken longer to complete than originally anticipated and finalisation is currently underway prior to publication on the Pensions section of the Service website.

3. PENSION PROJECTS

2015 Remedy (Sargeant)

- 3.1. Following the letter from HMT on 23 March and the subsequent letter from the NFCC (to all Fire Chiefs) on 25 March, a decision was taken and communicated on 9 May to pause processing Immediate Detriment cases. This was primarily due to the level of uncertainty and risk regarding the potential tax implications for scheme contributions. The HMT and HMRC position on this matter will continue to be closely monitored. It is understood that the LGA is currently seeking further legal advice in relation to HMT's response.
- 3.2. Additionally, the FBU has since written to members on 7 June inviting all Immediate Detriment cases (both active and retired) to register with them in order that all claims can be registered through the Courts.

Matthews / O'Brien Judgement

- 3.3. On 9 March 2022, a Memorandum of Understanding was agreed between the government, the Fire Brigades Union, the Fire & Rescue Services Association, and FRA employers. The regulations to implement the second options exercise in England will be drafted by the Home Office and consulted on before they are laid before Parliament. The Home Office has a maximum period of 18 months to draft, consult, and introduce the necessary secondary legislation. The LGA is now actively working with Fire Authorities to identify those who are in scope. FRAs will be expected to start the second options exercise as soon as possible after the legislation comes into force – expected in the latter part of 2023. The LGA has published a Summary Factsheet on this. The deadline for FRAs to submit initial data regarding those 'in scope' has now been extended to 30 June 2022.

4. REPORTING BREACHES OF LAW

- 4.1. 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.
- 4.2. There have been no breaches reported since the last Local Pension Board meeting.

5. INTERNAL DISPUTE RESOLUTION

- 5.1. 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.

6. PENSION ADMINISTRATOR QUALITY OF SERVICE

- 6.1. The Service continues to have a good 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. Data submissions to WYPF are summarised overleaf.

7. KEY PERFORMNCE INDICATORS

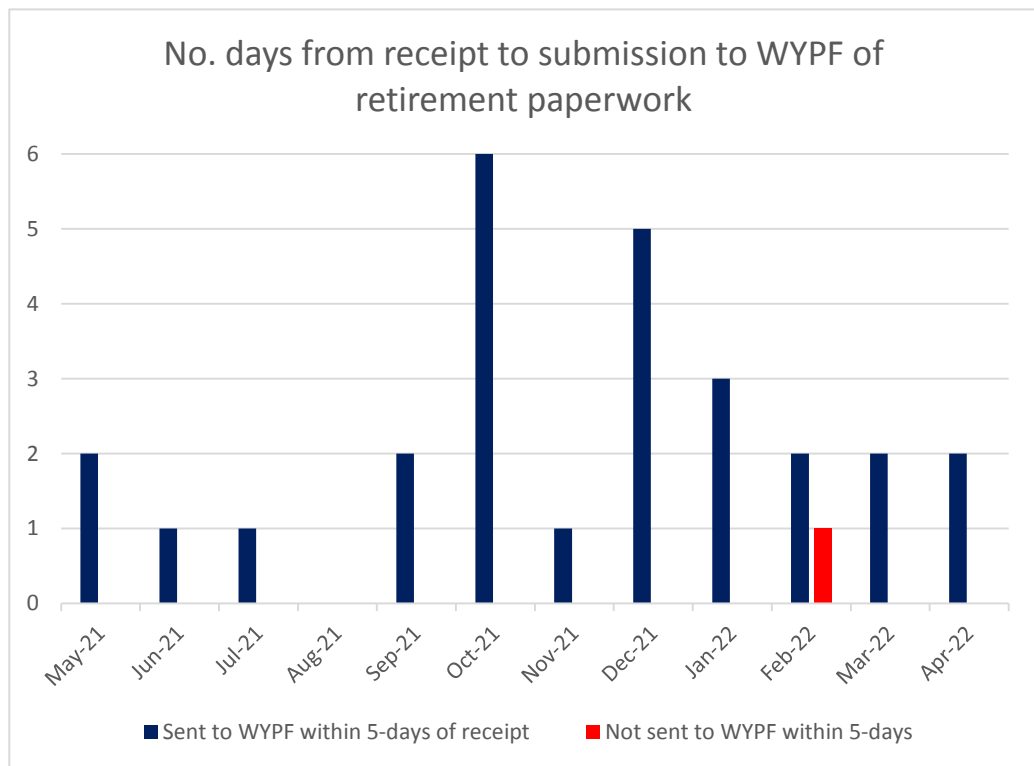
(a) Submission of monthly pension reporting to WYPF by the last day of the month:

7.1. For 11 out of the last 12 months, the Service has achieved this KPI, as detailed below.

Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22
28	25	26	26	23	25	26	22	24	01	07	29
May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	Dec 21	Jan 22	Mar 22	Mar 22	Apr 22

7.2. It became apparent that the monthly data being submitted to WYPF in Q3 and Q4 of FY21-22 was not being processed and new members were not being assigned with a membership record within the agreed timeframe. We have received confirmation that this issue has now being addressed and we will seek further assurance from WYPF that this will not have a knock-on effect with the production of benefit statements for this year.

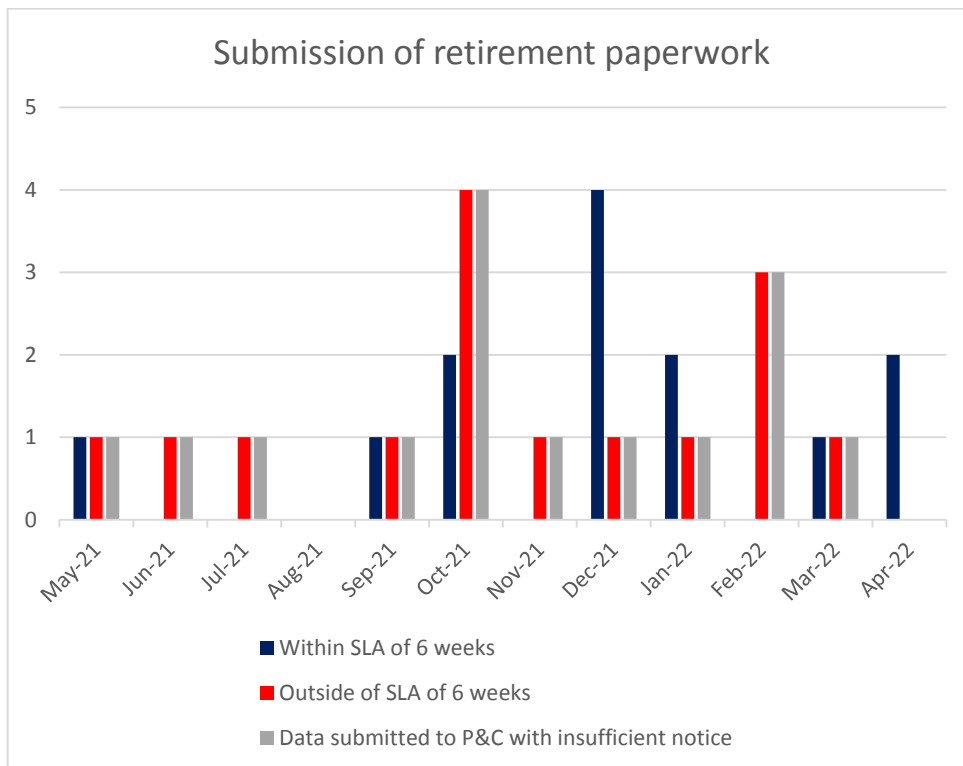
(b) Notifications of normal retirement and timeframes for submission



May is not listed because there were no FPS retirements to record

7.3. 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.

7.4. Since the last report, there have been 2 retirements and in both instances the paperwork was submitted within the 6-week SLA.



May is not listed because there were no FPS retirements to record

(c) Pensions Dashboard

7.5. The Pensions Officer is currently reviewing potential data categories (and relevant sources) that can be captured and fed into a ‘Pensions Dashboard’ – examples of data would include opt-out rates and demographics of membership categories and scheme types (age, gender, etc). It is expected that this will provide a central reference point, not only for the LPB but also inform workforce planning discussions within the Service going forward.

8. BOARD MEMBERSHIP

8.1. The recruitment process for a new staff representative has concluded and the appointment of FF Webb (Middlemoor) will take effect from this month.

ZOE SMYTH
HR Rewards & Benefits Manager

This page is intentionally left blank

Copy of Devon and Somerset Fire and Rescue Authority - Local Pension Board Work Programme 2022 - 2024 v0.02

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	15-Mar-23	21-Jun-23	13-Sep-23	06-Dec-23	13-Mar-24	19-Jun-24	11-Sep-24	04-Dec-24
Administration	Confirmation website up to date	Y				X	X	X	X	X	X	X	X	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	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	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	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	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	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	X	X	X	X	X	X	X	X
Administration	ABS Feedback					X			X			X				X			X					X		
Administration	WYPF attendance at LPB meeting					X		X	X		X		X		X		X		X		X		X		X	
Governance	Annual Report							X				X				X				X				X		
Governance	Appointments to the Board		X				X				X				X				X				X			
Governance	LPB Work Plan				X			X				X				X				X				X		
Governance	Review of Breaches		X																							
Governance	Review ToR						X				X				X				X				X			
Governance	Roles and Responsibilities				X		X				X				X				X				X			
Governance	TPR Annual Survey Results					X						2019	2020/21						X				X			
Governance	TPR Annual Survey Return						X				2020/21 (Feb '21)			No 2021/22 survey			X			X			X			
Governance	LPB Annual Report														X					X				X		
Risk and Assurance	Annual review of internal controls						X				X				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					X				X		
Training	Annual Training Needs Analysis					X					05/03/21				X					X				X		
Training	Induction for new members					X			X			X			X					X				X		

This page is intentionally left blank