



**DEVON &  
SOMERSET**  
FIRE & RESCUE SERVICE

## **LOCAL PENSION BOARD**

**Date of Meeting:** Wednesday 7 December 2022, at 1.00 pm via Microsoft Teams

### **A G E N D A**

<b>ITEM NO.</b>	<b>ITEM TITLE</b>
1.	<b><u>Apologies</u></b>
2.	<b><u>Conflict of Interest Declaration</u></b>
3.	<b><u>Notes</u></b> (Pages 1 - 6) Notes of the meeting held on 7 September 2022 attached.
4.	<b><u>Review of Actions</u></b> (Pages 7 - 8) Latest Action Log attached.
5.	<b><u>Training Update</u></b>
	(a) <b><u>Training Log</u></b> (Pages 9 - 10) Latest version attached.
6.	<b><u>Correspondence Update</u></b> (Pages 11 - 12) Latest Correspondence Log attached.
7.	<b><u>Pension Officer's Bulletin Overview</u></b> (Pages 13 - 26) Paper attached.
8.	<b><u>Scheme Manager Update</u></b> (Pages 27 - 34) Paper attached.
9.	<b><u>Local Government Association Annual General Meeting/Pension Conference Update</u></b> (Pages 35 - 36) Documentation (including links to relevant slide-decks) attached.
10.	<b><u>Pensions Dashboards</u></b>

ITEM NO.	ITEM TITLE
11.	<b><u>Risk Register</u></b> (Pages 37 - 40) To review the register (attached).
12.	<b><u>Website</u></b> To confirm that the website is up-to-date.
13.	<b><u>LPB Work Programme</u></b> (Pages 41 - 42) Attached. To review programme and items for LPB meeting in March 2023.
14.	<b><u>Date of Next Meeting</u></b> 13.00hours, 15 March 2023 via Microsoft Teams.

### **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 7 September 2022

### Present:

*Scheme Manager  
Representatives:*

Mike Pearson (MP) (Ch)

Satnam Singh Rai (SSR)

Shayne Scott (SS)

Cllr David Thomas (DT)

*Scheme Member  
Representatives:*

Philip Gillbard (PG)

Ben Redwood (BR)

*Other Attendees:*

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

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

Matthew Mott (MM) (West Yorkshire Pension Fund)

Sukhjot Kaur (SK) (West Yorkshire Pension Fund)

Steve Yates (SY) (Note-taker)

### Apologies:

*Scheme Member  
Representatives:*

James Leslie (JL)

Greg Webb (GW)

MIN NO.	ITEM TITLE
LPB/22/25	<b><u>Conflict of Interest Declaration</u></b> No new interests were declared.
LPB/22/26	<b><u>Notes</u></b> The Notes of the meeting held on 22 June 2022 were <b>AGREED</b> .
LPB/22/27	<b><u>Review of Actions</u></b> <b>CONSIDERED</b> updated Action Log (at 15 August 2022) listing Open Actions. Progress against actions was indicated in the comments column. It was noted that: <ul style="list-style-type: none"><li>All actions remained open;</li><li>LPB044 (WYPF Cyber Security): WYPF had been asked for clarity on its business continuity plans for cyber security. The WYPF Cyber security policy had been received but did not address the business continuity issues. The LGA had issued some recommendations in Bulletins 58 and 60 that may be relevant to this issue;</li><li>LPB055 (Administration, Management &amp; Governance Strategy) featured as an item on the agenda for this meeting;</li></ul>

MIN NO.	ITEM TITLE
	<ul style="list-style-type: none"> <li>• LPB070 (Development of KPIs): this was work ongoing. There were issues around currency of data and whether this was impacting on some of the measures WYPF was reporting on. MM responded that WYPF could only measure what was in the system, which was input from monthly reports. There were in the region of 52 individual areas of data, per individual scheme member, that needed to be input. Compilation involved a level of data cleansing prior to data being uploaded. Errors, once identified, involved liaison with the relevant Service to address. This also impacted on timescales in producing reports). Volumes of work (in particular at month end, which was required for the production of Annual Benefit Statements) had resulted in delays in data for months 1, 2 and 3. WYPF was working to resolve these issues (including recruitment to vacancies). It was anticipated that, for Devon &amp; Somerset, starter information would be up-to-date by end of October/early November. Resolving outstanding issues would depend on the roll-out of Phase 3 for WYPF, which would enable returns largely to be automated. This was currently being tested but the go-live date was yet to be determined;</li> <li>• LPB072 (Revision of Training Needs Analysis): This had been circulated to all Board Members to update. Board Members were encouraged to complete and return the TNA (See also Minute LPB/22/31(b) below);</li> <li>• LPB076 (tPR Training Modules update): It was anticipated these would be updated to align with the revised Code of Practice. This was expected by the end of this year but more details were likely to be forthcoming at the conference in October;</li> <li>• LPB081 (Abatement Policy): The Discretions Policy featured as an item elsewhere on the agenda for this meeting;</li> <li>• LPB086 (LGA Finance Template): This had been completed for the Immediate Detriment cases the Service had processed. This Action could be closed;</li> <li>• LPB087 (Review Risk Register): tPR had issued a factsheet and model risk register. The Board's risk register was being assessed against these but early indications were that significant revisions should not be required. See also Minute LPB/22/36 below).</li> </ul>
LPB/22/28	<p><b><u>Pensions Dashboards</u></b></p> <p><b>CONSIDERED</b> paper advising of the introduction of pensions dashboards under the Pensions Dashboards Programme established by the Money and Pensions Service. The dashboards were intended to place individuals in control of planning for their retirement by bringing together in a readily accessible format all relevant pension information (including State Pension entitlement). The earliest connection was scheduled for August 2023, with the indicative date for public service schemes being 30 September 2024.</p> <p>A consultation on the introduction of pensions dashboards had recently concluded and the LGA had shared its response to this.</p>

MIN NO.	ITEM TITLE
LPB/22/29	<p><b><u>Pensions Discretion Policy</u></b></p> <p><b>CONSIDERED</b> draft revised policy, intended for submission to the full Authority meeting on 26 September 2022, identifying discretions available to fire and rescue authorities (as scheme managers) under current firefighters' pensions schemes, together with the proposed policy to be applied by Authority in relation to each discretion. This approach would ensure greater clarity and consistency in application of discretions.</p> <p>Board members were invited to make any relevant observations on the proposal prior to despatch of the agenda for the Authority meeting (Friday 16 September). Once approved by the Authority, the final Policy would be shared with WYPF and would also assist in defending any potential IDRP appeals.</p>
LPB/22/30	<p><b><u>Local Pensions Board Annual Report 2021-22</u></b></p> <p>The Chair advised that it was intended to produce this report and circulate it via e-mail for comments by the Board prior to its submission to the meeting of the Audit &amp; Governance Committee on 29 November 2022.</p>
LPB/22/31	<p><b><u>Training Update</u></b></p>
	<p><b>LPB/22/31a <u>Training Log</u></b></p> <p><b>NOTED</b> latest version of the Board Training Log (updated June 2022). This indicated that the new Scheme Member representative was yet to undertake any of the modules and that MP, SS, JL and were currently out-of-date (from June 2022). It was suggested that the refresh for these be paused pending clarification from tPR as to any updates linked to the revised Code of Practice. The refresh rate was every two years.</p>
	<p><b>LPB/22/31b <u>Training Needs Analysis</u></b></p> <p>A Training Needs Analysis matrix had been circulated to all Board Members. Once completed by all Board Members, the results would inform future training provision and topics of interest for discussion at future meetings.</p> <p><i>(See also Minute LPB/22/27 above).</i></p>
LPB/22/32	<p><b><u>Correspondence Update</u></b></p> <p><b>NOTED</b> latest version of log listing all correspondence received and circulated to Board Members since the last meeting.</p> <p><i>(See also Minute LPB/22/33 below).</i></p>
LPB/22/33	<p><b><u>Pension Officer's LGA Bulletin Overview</u></b></p> <p><b>NOTED</b> document providing an overview of the contents of LGA Pension Bulletins 54 to 59 inclusive, each of which had previously been circulated to LPB Members.</p> <p><i>(See also Minute LPB/22/32 above).</i></p>

MIN NO.	ITEM TITLE
LPB/22/34	<p data-bbox="336 219 724 255"><b><u>Scheme Manager Update</u></b></p> <p data-bbox="336 271 1417 374"><b>CONSIDERED</b> paper summarising current pension matters both locally and nationally which required input from the Service. In particular, the paper addressed:</p> <p data-bbox="435 396 1318 432"><b><i>FPS Administration, Management &amp; Governance Strategy</i></b></p> <p data-bbox="435 450 1490 593">This document, based on the LGA template and customised as necessary to reflect the position for the Devon &amp; Somerset Fire &amp; Rescue Authority, had been produced and was awaiting sign-off in the Service Policy Management System prior to publication on the website.</p> <p data-bbox="435 611 975 647"><b><i>(See also Minute LPB/22/35 below).</i></b></p> <p data-bbox="435 665 1378 701"><b><i>Pension Communications – Annual Benefit Statements (ABS)</i></b></p> <p data-bbox="435 719 1481 898">West Yorkshire Pension Fund (WYPF) had advised that, while the ABS for all eligible members had been issued by the deadline of 31 August 2022, the Statement did not take into account the 2015 Remedy position but provided detail on the proposed Remedy and indicated when relevant projections would feature on future Statements.</p> <p data-bbox="435 916 1102 952"><b><i>Pension Projects - 2015 Remedy (Sargeant)</i></b></p> <p data-bbox="435 969 1490 1292">The Service was seeking to address uncertainty over the Age Discrimination Remedy by contacting all members affected by Immediate Detriment to outline information and resources currently available pending implementation of the Remedy from October 2023. Additionally, the HMRC and Home Office position on treatment of Immediate Detriment continued to be closely monitored. Scheme Member representatives could also assist in ensuring clear, correct information was disseminated. WYPF was also seeking to produce a composite information source to assist individual firefighters.</p> <p data-bbox="435 1310 1490 1606">The Service had paused processing Immediate Detriment cases following receipt, in March 2022, of a letter from HMRC highlighting significant legal and financial issues for fire and rescue authorities processing such cases prior to implementation of the Remedy. The Service was, though, awaiting issue of a revised LGA/FBU Framework on processing Immediate Detriment cases, based on legal advice obtained both by the FBU and LGA. Once received, the Service would review its position on the processing of Immediate Detriment cases.</p> <p data-bbox="435 1624 857 1659"><b><i>Reporting Breaches of Law</i></b></p> <p data-bbox="435 1677 1251 1713">There had been no breaches to report since last meeting.</p> <p data-bbox="435 1731 1134 1767"><b><i>Internal Dispute Resolution Procedure (IDRP)</i></b></p> <p data-bbox="435 1785 1434 1852">Two complaints under the Procedure had been received since the last Board meeting.</p>

MIN NO.	ITEM TITLE
	<p><b><i>Pension Administrator Quality of Service</i></b></p> <p>The Service continued to collaborate with WYPF and to review, periodically, the arrangements in place to identify potential improvements. It had been noted that there was no clear alignment between the KPIs listed in the Service contract and the monthly reports issued by WYPF. Issues had also been identified in recent months on the time taken by WYPF both to update member records following submission from the Service and for some other administrative processes, such as setting up deferred benefits and merging pension accounts. These issues would be addressed at the contract review meeting scheduled for early October 2022. See also Minute LPB/22/27 above.</p> <p>WYPF advised of a high-level review it was conducting on KPIs, to seek to ensure greater consistency and accuracy.</p> <p><b><i>Key Performance Indicators</i></b></p> <p>For 10 out of the last 12 months, the Service had achieved the KPI for submission of monthly pension reporting to WYPF by the last day of the month.</p> <p>During the period since the last report, the Pay &amp; Conditions team had submitted one notifications of normal retirement to WYPF outside the SLA of 5-days of receipt. Since the last report, there had been 6 retirements, two of which had not been submitted within the six-week SLA. This was being investigated to identify the cause of the delay.</p> <p>The Pensions Officer was currently seeking to develop a “Pensions Dashboard” and was liaising with WYPF to review additional data reports readily available.</p>
LPB/22/35	<p><b><u>Governance &amp; Administration Strategy</u></b></p> <p><b>CONSIDERED</b> draft Strategy, based on the LGA template and customised to reflect Devon &amp; Somerset Fire &amp; Rescue Authority arrangements. Once approved and signed off through the Service Policy Management System, the Strategy would be published on the website.</p> <p>The Board indicated consensus to adoption of the Strategy, accepting that there was flexibility to further adapt/modify the document further as required.</p> <p><b><i>(See also Minutes LPB/22/27 and LPB/22/34 above).</i></b></p>
LPB/22/36	<p><b><u>Risk Register</u></b></p> <p><b>CONSIDERED</b> latest version (v1.12) 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> <p>The risk relating to the COVID pandemic (risk 16) had been updated to reflect a risk relating to a flu pandemic.</p>

MIN NO.	ITEM TITLE
	<p>MM flagged the issues of relating to membership data (LPB005), administration processes (LPB006) and ABS production (LPB007), each of which featured on the risk register.</p> <p>Clarification was required on whether deferred members should also receive an ABS. The LGA was of the view that deferred members should receive an ABS and that, if this was not being provided, this could be a reportable breach. Given this, it was felt that the relevant risk on the risk register should be escalated and considered further at the next meeting.</p> <p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>• In relation to risk LPB007 (production of Annual Benefit Statements), risk to be reviewed assess whether ABS was required for all Scheme Members. If so and this was not being complied with, consider whether this represented a reportable, material breach (MAT); and</li> <li>• To review risks LPB005 (membership data) and LPB006 (administration processes) (MAT).</li> </ul> <p><i>(See also Minutes LPB/22/27 and LPB/22/34 above).</i></p>
LPB/22/37	<p><b><u>Website</u></b></p> <p>The website was up-to-date albeit it was recognised that training records were still required for the new Scheme Member representative.</p> <p><i>(See also Minute LPB/22/31(a) above).</i></p>
LPB/22/38	<p><b><u>LPB Work Programme</u></b></p> <p><b>NOTED</b> latest version of the Board work programme to December 2024. The work programme could be varied as required. It was noted that tPR would not be undertaking an annual governance and administration survey for 2022, so reporting on this item could be removed from the December meeting on the work programme.</p>
LPB/22/39	<p><b><u>Date of Next Meeting</u></b></p> <p>13.00hours, Wednesday 7 December 2022 via Microsoft Teams.</p>

The Meeting started at 1.00 pm and finished at 2.53 pm



## LPB Action Log - 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	<b>WYYP Cyber Security</b> WYYP business continuity plan to be reviewed by MP/SP/CG, specifically with regard to cyber attack. Feedback given, WYYP asked to consider and respond. MP to review risk register to asses impact of gaps in WYYP 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 WYYP BCP (done 16 Oct) 25/11/20: MP to write to WYYP with feedback on its BCP 09/12/20: WYYP 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. 11/07/2022: MAT sent further information to IG Team and awaiting reply. 15/08/2022: Business Continuity risk highlighted within WYYP, the Service were not satisfied the risks were being reasonably managed. RAG rating changed to 'amber'. 05/09/2022: LGA Bulletin 59 provided guidance for administrators which included cyber security. No further information received. 11/10/2022: Contract meeting with WYYP had taken place. Issues and concerns had been flagged. WYYP did not have sufficient BC plans in place in the eventuality of a cyber attack. Update expected January 2023. 09/11/2022: MP to draft an email for MAT to send to user group.	A
LPB055	09-Sep-20	Board	Zoe Smyth	Pending	Administration and Compliance	<b>Administration, Management and Governance Strategy</b> 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. 22/06/2022 - ZS states there a still a few things to finalise, before presenting at the next LPB in September. 11/07/2022 - ZS and MAT will be finalising a draft strategy document this week and will circulate to MP, SS and SY. 15/08/2022: ZS would aim to present this at September LPB meeting (7th) 05/09/2022: Information moved into a policy template. Policy is pending approval from the Information Governance team. Content UpToDate and compiled. 11/10/2022: MP would discuss with Sarah Bailey 09/11/2022: Governance and Administration strategy had been approved, awaiting final publication. Remaining policies remained in the publication process. MP would follow up	G
LPB070	15-Sep-21	Board	Zoe Smyth	In progress	LPB Governance and Effectiveness	<b>Development of KPIs</b> 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 Dashboard 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 moe information before development. 11/07/2022 - MAT continuing to look at what effective dashboards may look like. 15/08/2022: WYYP undertaking a KPI review, MAT would provide input into this and provide brief when available and work concluded. 05/09/2022: Ongoing 11/10/2022: Review of contract meeting had taken place with WYYP. Work ongoing 09/11/2022: Ongoing - work in progress	G

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Agenda Item 4

## LPB Action Log - Open Actions

Action Ref	Date Raised	Source	Action Lead	Status	Pension Work Activity	Action	Comments	RAG
LPB072	15-Sep-21	Board	Zoe Smyth	Pending	LPB Governance and Effectiveness	<b>Revision of the training needs analysis</b> 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. 11/07/2022 - MAT still working on this, aiming to bring something to the LPB on 7th of September. 15/08/2022: MAT would send the TNA to SY to circulate to the Board ahead of the LPB meeting 05/09/2022: Two returns received by MAT. Awaiting remaining returns 11/10/2022: A reminder had been given at the LPB meeting, no further returns received. ME to chase 09/11/2022: No further TNA's received. HS to chase.	G
LPB076	22-Mar-22	Board	Zoe Smyth	In progress	LPB Governance and Effectiveness	<b>tPR Training Modules Updated</b> Confirm revised Code of Practice 14 has been issued and whether tPR modules will be updated to inform LPB member refresh schedule	11/07/2022: New code still awaited. 15/08/2022: New code not expected until end of 2022 05/09/2022: Ongoing. 11/10/2022: Ongoing, update expected at the Fire Pension Conference in October 09/11/2022: Email to be sent to all LPB members informing them that the TPR would update the eLearning modules until next year, those due to refresh would need to redo existing modules.	G
LPB081	08-Apr-22	Chair	Mareena Anderson-Thorne	In progress	LPB Governance and Effectiveness	<b>Abatement Policy, Discretions Policy, Retirement Re-employment Policy</b> 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. 11/07/2022 - MAT and ZS reviewing policy changes this week with a view to having a meeting with SS, MP and DR to discuss what we are going to do with these policy positions. We are aiming to take this to the authority LPB 26th September. 15/08/2022: MAT expected to take the requisite policies to the FRA in September. Draft discretion policy to be shared at the LPB meeting. RAG rating updated to 'green' 05/09/2022: Discretions Policy on the FRA agenda for discussion. 11/10/2022: Discretions policy had been approved. The abatement and retirement re-employment policy were in progress. MAT to refer to pay policy statement when finalising draft. Draft to be shared with SS and MP 09/11/2022: ICT issue resulting in policies not showing as live on SharePoint despite being approved. MP would raise with Sarah Bailey.	G
LPB088	31-Oct-22	Chair	Mareena Anderson-Thorne	Pending		<b>Pension Dashboards Preparations</b> LPB to seek confirmation from WYPF on what they are doing in preparation for the Pension Dashboards.	09/11/2022: Action updated. MAT to email WYPF seeking confirmation.	



## 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
<b><u>Scheme Manager Reps</u></b>							
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
<b><u>Scheme Member Reps</u></b>							
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							
<b><u>Support Officers</u></b>							
<u>Mareena Anderson-Thorne</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)**

<b>Date</b>	<b>Description</b>	<b>Purpose</b>	<b>Source</b>
12 September 2022	West Yorkshire Pension Fund Monthly Update September 2022	Information Only	WYPF
30 September 2022	FPS Bulletin 61 – September 2022	Information Only	LGA
7 October 2022	West Yorkshire Pension Fund Monthly Update October 2022	Information Only	WYPF
31 October 2022	FPS Bulletin 62 – October 2022	Information Only	LGA

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# Pension Officer's Bulletin Overview (Sept – Nov 2022)



## Actions arising from bulletin to include DSFRS status update

LGA Bulletin No.	Action	Due date	DSFRS Status Update		
			September	October	November
No 54	Abatement Policy review considering Pensions Ombudsman determination PO-25374	ASAP	No further forward on this. Have submitted the formal IG request via SharePoint, awaiting approval.	Had a meeting with IG. Said would approve the request. Still not approved. IG believe it's an ICT issue.	Request has still not been approved electronically, so unable to merge formatting. IG aware and have notified ICT of technical issue. This is also holding up the publication of the FPS Discretions policy.
No 57	<a href="#">TPR 6 key processes factsheet</a> Recommends that each FRA should ensure the assess which processes we they have in place and take action to improve	ASAP	MAT will do a comparison of DSFRS RR and the template and bring to next monthly pension meeting.	No progress made this month	MAT has reviewed the factsheet. Other than risk categories being added, our RR is compliant. *closed*
No 59	Special members - Corrective action: FRAs to revisit all special members leavers and opt outs to ensure that correct options have been given at deferment	ASAP	MAT confirmed with P&C that the service has always offered repayment options. No further action is needed. *closed*	N/a	N/a
No 60	Age discrimination eligibility – Factsheet: FRAs to review the eligibility factsheet and ensure that appropriate action is taken where necessary.	Ongoing	MAT/ZS need to ensure that all individuals who have either concurrent or consecutive service within an FRS have been identified. In addition, we must consider what steps need to be taken to identify members who	Work will be undertaken to identify any members who were originally out of scope and will now be 'in scope'. This will involve writing out to all members for them to confirm any public sector employment	Following updated communication from LGA, in/out of scope letters should be sent early 2023, informing colleagues to contact us if they feel they are in scope as

# Pension Officer's Bulletin Overview (Sept – Nov 2022)



			joined on or after 1 April 2012, but who have previous public service which may mean that the individual is eligible for retrospective remedy. This would also include members whose secondary employment is in the FPS.	in 2012 that would make them eligible.	had qualifying service in another PS pension scheme.
No 61	Member communications following Age discrimination factsheet	ASAP	N/a	Once the previous action complete - Further communication templates have been issued by the LGA when we can establish who is/isn't in scope.	Letters will be sent early 2023
No 62	IQMP – Central list FRAs to inform the LGA of the IQMPs they use and to provide contact details	ASAP	N/a	N/a	Updated IQMP details (Health Partners) will be shared with the LGA.

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## Key Information

### [FPS Bulletin 60](#)

#### **Age discrimination eligibility – Factsheet**

As a reminder, to be eligible for remedy, a member must have 'remediable service'. The Public Service Pensions and Judicial Offices Act 2022 sets out four conditions in Section 1 which must all be met for service to be considered 'remediable'.





# Pension Officer's Bulletin Overview (Sept – Nov 2022)

To help FRAs and administrators determine which individuals are in scope for remedy we have put together a [guide to eligibility factsheet](#) which sets out the conditions in more detail. Additionally, the factsheet encourages scheme managers to review the cohort of membership which they have deemed to be in scope. If, after considering the content of the fact sheet, more individuals are deemed in scope, then action will be needed to address this.

Full details of what action is needed has been set out in the factsheet. Sample member communications will be provided later.

## **Abatement guidance updated**

Readers may recall that informal abatement guidance was published in FPS Bulletin 57 – May 2022. Since publication, the LGA has been approached by several FRAs asking whether we would be able to share a draft policy.

We are pleased to confirm that Cumbria FRS has given permission for their [retirement, re-engagement and abatement policy](#) to be shared with the sector as an example of best practice – thank you Cumbria FRS!

The informal abatement guidance has been updated to include a link to Cumbria's policy at paragraph 51.

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## **Electric vehicles salary sacrifice**

It is up to each individual FRA to determine whether EVs meet the requirements of salary sacrifice as what can or cannot be included in a salary sacrifice scheme falls outside of the pension schemes' remit. Detailed guidance can be found at: <https://www.gov.uk/guidance/salary-sacrifice-and-the-effects-on-pay>

If an FRA does deem that EVs meet the requirements of salary sacrifice, then there is a question as to what impact this would have on any pension contributions due.

We can confirm that the FPS 2015 regulations provide for salary sacrifice (Regulation 17(1)(c)). They confirm that the member should continue to pay contributions on the amount before the deduction and receive the full value of their pensionable pay.

## **Technical Query Log**

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website.

No new queries have been added this month.

## **FPS England SAB updates**

### **SAB remedy engagement sessions**



# Pension Officer's Bulletin Overview (Sept – Nov 2022)

The Scheme Advisory Board (SAB) has been invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the Public Service Pensions and Judicial Offices Act (PSPJOA) 2022 for each area of the 2015 Remedy.

One session is taking place per month between June and December 2022, with two topics discussed at each meeting.

These discussions will help to inform the drafting of secondary legislation, ahead of formal consultation early in 2023. To date, sessions have taken place on interest and eligibility, remediable service statements (RSS) and immediate/ deferred choice, and added pension and transfers in.

Any actions arising from the feedback from the Fire and Police SABs will be taken forward and responded to by the Home Office.

## Other news and updates

### **The Pensions Ombudsman (TPO) publishes corporate plan**

[The Pension Ombudsman's \(TPO\) corporate plan for 2022 to 2025](#) has been published. The corporate plan outlines TPO's key performance indicators, strategic goals and priorities for the period, along with the actions required to deliver those priorities

### **The Pension Regulator (TPR) publishes scam prevention strategy**

The Pensions Regulator (TPR) has published a new strategy to combat pension scams. The strategy sets out TPR's plan to combat pension scams.

You can read more about the launch of the strategy in the [TPR press release](#).

### **LGA response to further consultation on pensions dashboards**

On 19 July 2022, the Pensions Dashboards Programme (PDP) launched a [consultation on dashboard standards and guidance](#) , and a call for input on the [design standards](#).

Both the consultation and the call for input closed on 30 August 2022.

We are pleased to share our [draft response to the standards consultation](#) and call for input. The draft is still be approved internally before it is submitted, but we do not expect any significant changes to be made.

## Events

### **FPS coffee mornings**

The next session is due to take place on 6 September 2022 at 15:00.



# Pension Officer's Bulletin Overview (Sept – Nov 2022)

We are pleased to include the presentations from recent sessions below:

24 August 22 - [Pension Dashboards Programme: Update and Standards](#)

## **AGM 25 and 26 October**

We are pleased to announce that booking for the ever-popular Fire Pensions Annual Conference is now live.

[Day 1 – Tuesday 25 October 2022 4:30pm - 6:30pm followed by drinks reception](#)

[Day 2 - Wednesday 26 October 2022 09:30am - 3:30pm](#)

## **FPS Bulletin 61**

### **Information shared**

#### **ID Framework Guidance updated**

The LGA are working with the FBU to explore ways what, if any, amendments could be agreed to the IDF to minimise the risk to the FRA and scheme members. This includes seeking specialist legal advice.

When the amendments to the Framework are agreed, the guidance will be updated to reflect those changes and can be found [here](#).

#### **Industrial Action**

The FBU is currently putting in place preparations for a ballot of their members for strike action. We therefore thought it would be useful to clearly set out the effect of taking strike action will have on an individual's pension rights.

If strike absence takes the form of complete days, then each complete day of absence will be excluded from the total pensionable service. If strike absence takes the form of lesser periods, for example one-hour strikes, the LGA's informal view, is that, even though contributions have been paid for part of them, the days will not count at all because they are not fully completed days and an absence should therefore be recorded for the full day.

Members can opt to 'buy back' strike days.

All members are building up service in the FPS 2015 from 1 April 2022. An active scheme member may elect to pay contributions at their normal contribution rate, ascertained in accordance with regulation 110 (2) (member contributions), multiplied by the assumed pensionable pay that the member is treated as receiving for the period of industrial action.



# Pension Officer's Bulletin Overview (Sept – Nov 2022)

Any contributions must be paid before the end of a six-month period starting with the date on which the member is treated as receiving assumed pensionable pay. Only where contributions have been paid, will earned pension of 1/59.7th of the member's assumed pensionable pay during the absence due to industrial action be added to the active member's pension account.

## **Member communications following ID factsheet**

FPS Bulletin 60 – August 2022 set out the eligibility criteria for individuals who are eligible for age discrimination remedy and should therefore be deemed in scope. An [eligibility factsheet](#) was produced.

The bulletin confirmed that sample member communications were being worked on and that they would be made available later. We are pleased to confirm that the Fire Communications Working Group (FCWG) has now met and agreed the content of the letters.

Individuals who are now considered to be in scope, after reviewing the remedy eligibility factsheet, should be sent the follow up communication titled 'Originally out of scope - now in scope' and individuals who remain out of scope should be sent the follow up communication titled 'Originally out of scope - still out of scope'.

The template letters are available on the [prospective remedy page](#) of the FPS Regulations and Guidance website.

## **Technical Query Log**

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website.

No new queries have been added this month.

## **FPS England SAB updates**

### **SAB levy 2022-23**

Under arrangements for the Firefighters' Pension Scheme 2014 regulations 4H(1), the Scheme Advisory Board (SAB) is required to set an annual budget for approval by the Secretary of State.

The 2022-23 budget will be submitted to the minister next week and we expect that the collection process will start in November/ December 2022. A letter will be sent to Chief Fire Officers to request a purchase order number. Included in the final levy is the employers' voluntary subscription that FRAs entered into a shared agreement in 2014 in order to fund support with FRAs understanding and management of the FPS



# Pension Officer's Bulletin Overview (Sept – Nov 2022)

## **SAB meeting 8 September 2022**

The last SAB was held on 8 September 2022. Topics discussed were temporary in the context of the scheme, pensionable pay correction, the 2015 Remedy, and Pensions Dashboards.

The Board agreed the [minutes](#) of the meeting held on 23 June 2022.

## **SAB collaboration sessions on the Matthews remedy**

To support scheme managers in the delivery of Matthews, the SAB, the LGA, and the Home Office are working together in the form of collaboration sessions on Matthews.

The aim is to discuss Matthews legislation and policy, the interaction between Matthews and McCloud and the proposed timeline for implementation. The first session took place during September 2022. Additionally, a Matthews Technical Working Group has been set up to assist with the technical aspects of the project.

DSFRS are represented at this group by Helena Burchall.

The LGA has published a [Matthews Project Implementation Document \(PID\)](#) which sets out the scope, deliverables, and high-level timeline for the project. The PID also includes a communications plan and draft terms of reference for the SAB working group.

## **Other news and updates**

### **TPR scheme return**

The Pensions Regulator (TPR) is sending out scheme return notices to managers of public service pension schemes in October. Before submitting the scheme return, TPR is urging scheme managers to double check that their details in Exchange are correct.

Completing the scheme return is a legal requirement and if scheme managers fail to complete and submit it by the deadline, they could be fined.

### **Public sector exit payments**

On 8 August 2022, HM Treasury (HMT) issued a consultation on proposals to limit exit payments. The Government is proposing to introduce:

- An expanded approval process for employee exits and special severance payments
- Additional reporting requirements



# Pension Officer's Bulletin Overview (Sept – Nov 2022)

If implemented, the proposals would apply to all bodies that are classified as 'Central Government'. This **does not include** local authorities or bodies under devolved administration. Following discussion with the Home Office, we can confirm that the definition of 'local authorities' expands to cover the following:

- Fire and Rescue Authorities
- Fire and Rescue Services
- London Fire and Emergency Planning Authority
- Police and Crime Commissioners

## HMRC

### HMRC publishes Pension Schemes Newsletter 142

On 31 August 2022, HMRC published pension schemes [newsletter 142](#). The newsletter includes the following articles:

- Normal minimum pension age – updates to the Pensions Tax Manual
- Migrating your pension schemes – take action now
- Accounting for Tax (AFT) returns – can no longer be completed for any quarter from 1 April 2020 using the Pension Schemes Online service
- New scams strategy from The Pensions Regulator – see Bulletin 60 for more information

## Events

### FPS coffee mornings

The next session is due to take place on 11 Oct 2022 at 10:00.

We are pleased to include the presentations from recent sessions below:

06 September 2022 - [Immediate and deferred choice](#)

27 September 2022 - [Matthews communications](#)

### AGM 25 and 26 October

We are pleased to announce that booking for the ever-popular Fire Pensions Annual Conference is now live.



# Pension Officer's Bulletin Overview (Sept – Nov 2022)

[Day 1 – Tuesday 25 October 2022 4:30pm - 6:30pm followed by drinks reception](#)

[Day 2 - Wednesday 26 October 2022 09:30am - 3:30pm](#)

## FPS Bulletin 62

### **Information shared**

#### **Matthews – FPS member website update**

The LGA have produced a proforma for ex-colleagues to complete and return to their former FRA to provide up to date contact details, ready for being contacted after 01 Oct 23.

Forms do not need to be completed in order to be considered for the second options exercise, currently employee, where the FRA hold up to date contact details do not need to complete a form.

Forms need to be returned to the FRA and not the administrators. Unfortunately the FBU have sent a circular to all members, advising them to complete the form in order to be considered – this is incorrect.

#### **Matthews – Member warm up communications**

Generic warm-up letters have been produced by the LGA, they include a template letter for those in scope, and those out of scope. The LGA are encouraging FRS's to send the letters once they are confident they've identified everyone. The LGA feel letters should be sent early 2023, to allow time for members to register an IDRPs should that be required.

#### **IQMP – Central list**

Following difficulties within the sector of identifying IQMP for ill health referrals and reassessments, the LGA is proposing to cold a central list of IQMPs that FRAs could approach.

FRAs have been asked to share who their IQMP is for IHR with the LGA.

#### **Fire and Rescue workforce and pension statistics published**



# Pension Officer's Bulletin Overview (Sept – Nov 2022)

On 20 October 2022, the Home Office published [workforce and pensions statistics for Fire and Rescue Services \(England\)](#). The pension scheme statistics, covering April 2021 to March 2022, reflect data returns on income, expenditure and membership submitted by all 44 FRAs in England.

The main point of relevance was the FPS deficit grew by 9% to c£556 million. This could have an impact of employer contributions once the actuary report has been concluded.

## Technical Query Log

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website.

Queries regarding the compensation scheme, page 45 and retirement, page 108 have been added.

## FPS England SAB updates

### SAB letter to scheme managers on pension dashboards

The staging deadline for all public service schemes will be 30 September 2024 and that the requirement to provide value data will be 1 April 2025. As a result of these new legislative requirements, the Chair of the SAB has issued a [letter to scheme managers and Local Pension Boards](#) reminding them of their duties in respect of the new Pensions Dashboards, as scheme managers are ultimately responsible under the regulations for ensuring that dashboard duties are met.

**The pension data required for the dashboards will be taken from the Annual Benefit Statements that WYPF produce annually.**

These duties include:

- Working towards the staging date. The Pensions Regulator (TPR) is keen that schemes start planning now to be able to match dashboard requests to scheme records and return the required information to the dashboard. Scheme managers will need to understand how their provider will be able to pick out those requests which correspond to their members and ensure that they are providing information to the right individuals.
- Ensuring the infrastructure is in place to hold and share data with the dashboard: Administrator should be able to tell scheme managers how they are planning to connect whether through the existing software providers or through some other route.
- Reviewing scheme data: The SAB understands that the data which is used for the dashboard is likely to be based on information currently being provided as part of Annual Benefit Statements (ABSs). The SAB is keen to encourage the parties to agree consistent information for those documents, particularly given the challenges arising from the Sargeant remedy and second special members options exercise (Matthews).
- Co-operating with the Money and Pensions Service (MaPS). More information on this can be found from [Pensions dashboards: initial guidance](#).





# Pension Officer's Bulletin Overview (Sept – Nov 2022)

There were several communications on the Bulletin regarding Dashboards, however nothing that DSFRS needed to consider at this stage. Several webinars are available, however as our data will come from WYPF into the dashboards they are more relevant for administrators than FRAs.

## Other news and updates

### Public sector unions granted judicial review over McCloud cost remedy

In FPS bulletin 59 – July 2022 we confirmed that public sector unions had been granted a judicial review in relation to the McCloud/ Sargeant remedy costs in the cost control mechanism.

We can now confirm that a date has been agreed for the hearing, it will commence on **23 January 2023** and has been allocated five days.

### The Pensions Ombudsman (TPO)

Dominic Harris will replace Anthony Arter as Pensions Ombudsman next January.

### The Pensions Regulator (TPR) enforcement and prosecution policies updated

On 25 October 2022, The Pensions Regulator (TPR) published the following:

- revised enforcement policy
- updated prosecution policy
- new enforcement strategy

These aim to give clarity on what those who are subject to enforcement action can expect from TPR.

### September 2022 CPI rate announced

On 19 October 2022, the Office for National Statistics announced the Consumer Prices Index (CPI) rate of inflation for September 2022 as 10.1%.

Government policy in recent years has been to base increases under the Pensions (Increase) Act 1971 and revaluation of pension accounts under section 9 of the Public Service Pensions Act 2013 on the rate of CPI in September of the previous year.

# Pension Officer's Bulletin Overview (Sept – Nov 2022)



We await confirmation from Government that the revaluation and pensions increase that will apply to FPS deferred pensions and pensions in payment in April 2023 will be 10.1 per cent.

## HMRC

### HMRC publishes Pension Schemes Newsletter 143

On 30 September 2022, HMRC published pension schemes [newsletter 143](#). The newsletter includes the following articles:

- confirming that schemes can again use the pension scheme tax reference number when paying charges if they do not have a specific charge reference
- confirming that Government has decided against introducing a new reportable event for certain public service pension schemes from April 2023
- confirming that HMRC expects to release the event report for 2023/24 on the Managing pension schemes service in summer 2023. HMRC had previously been expected to release this in spring 2023.

## Legislation

Draft dashboard regulations laid for approval On 17 October 2022, the Department for Work and Pensions (DWP) laid a draft of The Pensions Dashboard Regulations 2022 before each House of Parliament. DWP can only make the regulations if each House approves the draft by a resolution. The House of Lords will consider the regulations on 15 November 2022. As yet, no date has been set for this to happen in the House of Commons.

## Events

### FPS coffee mornings

The next session is due to take place on 8 November at 14:00.

We are pleased to include the presentations from recent sessions below:

11 October 2022 - [General update on Matthews and 2015 remedy project management](#)

# Pension Officer's Bulletin Overview (Sept – Nov 2022)



## **FPS AGM 25 and 26 October**

The 25 and 26 October saw the long-awaited return of the annual fire pensions conference. In keeping with tradition, the two-day event opened with a meeting of the regional chairs of each fire pensions officer group, followed by the technical community.

[Day 1 – Presentation slides are available here](#)

[Day 2 - Presentation slides are available here](#)

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## DEVON & SOMERSET FIRE & RESCUE AUTHORITY

### LOCAL PENSIONS BOARD

<b>DATE OF MEETING</b>	<b>07 December 2022</b>
<b>SUBJECT OF REPORT</b>	<b>SCHEME MANAGER UPDATE</b>
<b>REPORT AUTHOR</b>	<b>HR Rewards &amp; Benefits Manager</b>
<b>EXECUTIVE SUMMARY</b>	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 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**

### ***FPS Administration, Management and Governance Strategy***

- 2.1. Further to the last Board meeting, the governance strategy document has now been finalised for publication on the Pensions section of the Service website and sign off within the Service's Policy Management System is currently underway.

## 3. **PENSION PROJECTS**

### ***2015 Remedy (Sargeant)***

- 3.1. The Service position on immediate detriment has not changed since the last Board meeting. Consideration is currently being given to suitable communication for retired colleagues, given that all announcements on this matter to date have been internal and will not have reached those who fall into 'Category Two' under the Immediate Detriment Framework.

### ***Matthews – Second Options Exercise***

- 3.2. Since the last Board meeting, the LGA has now added a section to the FPS members website specifically in relation to Special Members of the 2006 Scheme. This content provides FPS members with an overview of the Court ruling, an outline of which members are eligible and an expected timeframe for the second options exercise. The page reiterates that the government is currently drafting the scheme rules required to bring in the second options exercise in England, prior to consultation and implementation of the relevant legislation, which is expected to be in place by 1 October 2023.

- 3.3. Following this, FRAs will be expected to start the second options exercise and contact eligible members. The exercise will run for a maximum period of 18 months (October 2023 to March 2025).

#### **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. Since the last Local Pension Board meeting, 2 potential breaches have been reviewed and, based on an amber rating, it is recommended that they are both recorded and reported to the Pensions Regulator. Details of these breaches are set out in the Breaches Register attached as Appendix A to this report.

#### **5. INTERNAL DISPUTE RESOLUTION**

- 5.1. Within the Firefighters' Pension Scheme formal complaints are made via the Internal Disputes Resolution Procedure (IDRP). Since the last Local Pension Board meeting, two complaints have been received under this procedure. Both have been heard at Stage 1 of the procedure, where the finding was the complaints were not upheld. Both have then progressed to Stage 2 of the procedure. The first complaint had its Stage 2 hearing on 6 October, where the Stage 1 finding was upheld. The second complaint is due to have its Stage 2 hearing on 2 December, the outcome will be reported at the LPB meeting.

#### **6. PENSION ADMINISTRATOR QUALITY OF SERVICE**

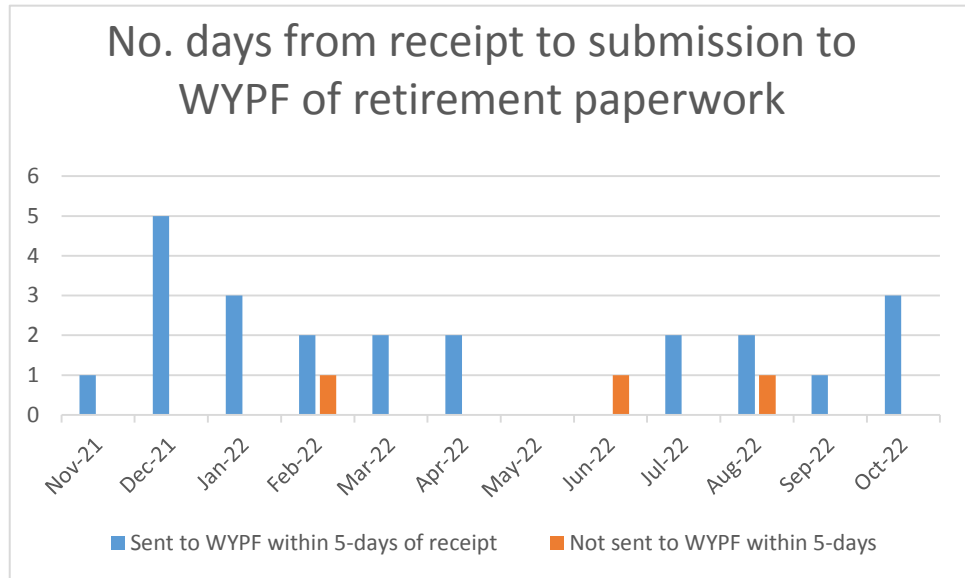
- 5.1. The Service is continuing to collaborate with West Yorkshire Pension Fund (WYPF) and to periodically review the arrangements that are in place to identify potential improvements. It has been noted that there is not a clear alignment between the KPIs listed in our contract and the monthly reports issued by WYPF. This matter has been discussed with key stakeholders at WYPF, alongside other concerns regarding the time that it has taken to update member records in the earlier part of 2022. It is understood that there are now measures being put in place to address these resourcing and administration issues and we will continue to monitor progress going forward. Data submissions to WYPF are summarised overleaf.

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

5.2. For 10 out of the last 12 months, we have achieved this KPI, as detailed below.

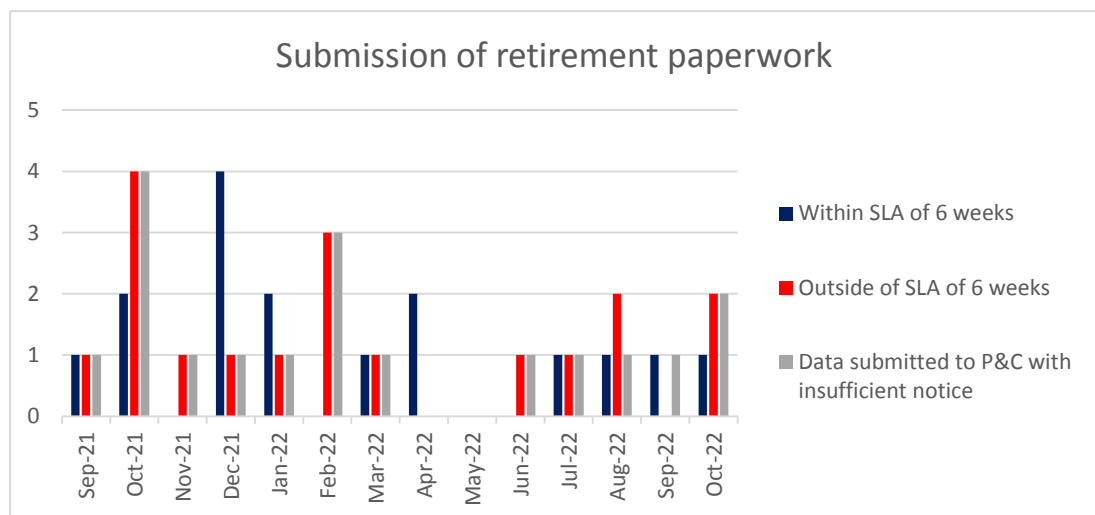
Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22
22-Dec-21	24-Jan-22	01-Mar-22	07-Mar-22	29-Apr-22	15-Jun-22	15-Jun-22	20-Jul-22	16-Aug-22	01-Sep-22	26-Oct-22	23-Nov-22

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



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

5.3. Since the last report, there have been a total of 4 retirements, 2 of which were not submitted within the 6-week timeframe (prior to retirement date).



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



## **PENSIONS DASHBOARD PROGRAMME**

- 7.1. The Pensions Dashboard Programme is a government initiative to allow pension scheme members in Great Britain to view all their pension entitlements online in one place. There is a legislative requirement for fire schemes (along with all other public sector schemes) to connect to the dashboard by 30 September 2024, with a further requirement to be able to provide information about benefits (value data) by 1 April 2025 at the latest.
- 7.2. Scheme managers are ultimately responsible under the regulations for ensuring that dashboard duties are met. In the coming months the Service will be liaising with WYPF to discuss plans for connecting to the dashboard, as well as reviewing our current internal resourcing to meet these requirements.
- 7.3. More information regarding this programme can be found at [UK Pensions Dashboards Programme | Homepage](#)

**ZOE SMYTH**  
**HR Rewards & Benefits Manager**

**APPENDIX A TO SCHEME MANAGER UPDATE**

**REGISTER OF BREACHES**

<b>Date</b>	<b>Category</b>	<b>Description and cause of breach</b>	<b>Possible effect of breach and wider implications</b>	<b>Reaction of relevant parties to breach</b>	<b>Delegated Scheme Manager recommendation</b>
Nov-22	Admin	ABS/DBS Production - RDS modified	Failure to send statements to all Scheme Members by the scheme administrator was a technical breach of the regulatory requirements. It is that no individual has suffered a financial or material detriment as a result of the breach.	The Pensions Officer for the Service sought clarification from the LGA and raised the concern with the Scheme administrator on 07 Sept 22. To date this has not been remedied.	For deferred 2015 members and previous FY 2006 members - reportable as deadline for production was 31 Aug each year. Deferred 2006 members - record but not report, as deadline for production is 01 April.
Nov-22	Administration	Ill health retirement and injury disablement benefit calculations (inc. Retirement Allowance)	Incorrect calculations affected 71 members, dating back to 2010 (change of scheme administrator in 2018). Of those, there have been significant underpayment of benefits identified for c.20 members. Scheme administrator conducted a benefits	The delegated scheme manager has worked extensively with the scheme administrator to better understand the quantum and reasoning of the payments, seeking legal advice and arranging regular	Potentially reportable due to the problem extending back in time more than several years, affecting multiple members and the administrator not having adequate resourcing to resolve the problem sooner.

			<p>review during 19/20 FY and then notified the FRA in Jan 2021 of the 71 potential cases identified as possible under/over payments. Due to the length of time the review has taken, several members have died during the process, resulting in underpayments payable to the estate, and probate required. Investigative work is still ongoing by the scheme administrator.</p>	<p>updates on the individual calculations to ensure that any underpayments are clearly identified and paid to the member as soon as possible. The Scheme Administrator was asked for clarification on the delays between the initial benefits review and correcting the payments - they responded that this was mainly due to resourcing and the pandemic.</p>	
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## Pension Officer's LGA AGM Update (25 & 26 October 2022)

The 25 and 26 October saw the long-awaited return of the annual fire pensions conference. The Service was represented by Mike Pearson and Mareena Anderson-Thorne.

Lots of topics were covered, including Pension Dashboards and recent caselaw affecting Pensions.

Updates were also given from the Home Office on Age Discrimination Remedy and O'Brien Second Options exercise. The Pension Regulator on the Single Code, and Mark Rowe from the FBU on FPS from a member's perspective.

Details can be found below on the presentation slides from the 2-day event.

[Day 1 – Presentation slides are available here](#)

[Day 2 - Presentation slides are available here](#)

Following the information given at the AGM it is clear we need to improve some of our internal processes and decision-making methods, to ensure we remain protected from IDRPs and Ombudsman challenge.

Areas that need improvement are mainly surrounding our discretions policy, the process for making a discretionary decision and our cyber security.

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## 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"> <li>1. Technological security tested in recent Pen Test</li> <li>2. Cyber attack plan</li> <li>3. BC plans (incl ICT)</li> <li>4 Staff awareness</li> <li>5. Additional comms to staff</li> <li>6. Prog of BC exercises</li> <li>7. Protective Monitoring System</li> </ol>	3	3	9	8. Evidence of BC plan for WYPF	3	3	9	<ol style="list-style-type: none"> <li>1 &amp; 2 Head of ICT</li> <li>3. HR R&amp;B Mngr &amp; HoICT</li> <li>4 &amp; 5 HR R&amp;B Mngr</li> <li>6. HR R&amp;B Mngr &amp; HoICT</li> <li>7. Head of ICT</li> <li>8. HR R&amp;B Mngr</li> </ol>	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"> <li>1. BC Plan (incl ICT)</li> <li>2. Departmental BC plans reviewed</li> <li>3. Additional comms to staff</li> <li>4. BC exercise 2 Dec 2019</li> </ol>	3	3	9	5. Evidence of BC plan for WYPF	3	3	9	<ol style="list-style-type: none"> <li>1. HR R&amp;B Mngr &amp; Ho ICT</li> <li>2. HR R&amp;B Mngr</li> <li>3. HR Reward &amp; Benefits Manager</li> <li>4. HR R&amp;B Mngr &amp; HoICT</li> <li>5. HR Reward &amp; Benefits Manager</li> </ol>	Mike Pearson
LPB003	Power supply failure	Temporary loss of systems	Systems unavailable until recovered	3	3	9	<ol style="list-style-type: none"> <li>1. BC Plan (incl ICT, HR &amp; Finance)</li> <li>2. Departmental BC plans reviewed</li> <li>3. Access to alternative locations</li> <li>4. Back-up generator available</li> </ol>	2	3	6	None at this time	2	3	6	<ol style="list-style-type: none"> <li>1. Heads of ICT, Finance &amp; HR R&amp;B Mngr</li> <li>2. Heads of ICT, Finance, Estates &amp; HR R&amp;B Mngr</li> <li>3. Head of Estates</li> <li>4. Head of Estates</li> </ol>	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"> <li>1. BC Plan (incl ICT)</li> <li>2. Departmental BC plans reviewed</li> <li>3. Access to alternative locations and working from home</li> </ol>	2	3	6	None at this time	3	2	6	<ol style="list-style-type: none"> <li>1. Head of ICT &amp; HR R&amp;B Mngr</li> <li>2. Heads of ICT; Finance; Estates &amp; HR R&amp;B Mngr</li> <li>3. Ho ICT/Estates</li> </ol>	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"> <li>1. Payroll data for active members is provided by Pay &amp; Conditions on a monthly basis to WYPF</li> <li>2. Active members, deferred members and pensioners have an online account and can check their information</li> <li>3. A data reconciliation exercise has been undertaken with GAD.</li> <li>4. Address data cleanse completed annually and any address found to be incorrect or not known are investigated using a tracing agency.</li> </ol>	2	2	4	None at this time	2	2	4	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"> <li>1. Pension SLA in place with KPIs</li> <li>2. Scheme of delegation in place</li> <li>3. Regular communication with administrator</li> <li>4. WYPF have significant experience of administering a number of Fire Authorities.</li> <li>5. Within P&amp;C, we have a settled team who are competent in role.</li> <li>6. Trend lines within WYPF monthly reports for key measures</li> <li>7. WYPF to report on the agreed KPIs</li> </ol>	2	2	4	8. Review Pension Administrator's audit reports	2	2	4	<ol style="list-style-type: none"> <li>1 to 7 HR Reward &amp; Benefits Manager</li> <li>8. Head of Finance</li> </ol>	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"> <li>1. Pension data from P&amp;C now available on a monthly basis including yearend data</li> <li>2. WYPF developing an automated system for ABS statements for the Modified Pension Scheme</li> </ol>	2	2	4	None at this time	2	2	4	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"> <li>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.</li> <li>2. Contract prices and any adhoc scenarios where additional charges may be incurred are included in the contract terms.</li> </ol>	2	2	4	None at this time	2	2	4	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"> <li>Authority Members have agreed an approved Scheme of Delegation and financial limits for decisions associated with the pensions.</li> <li>A Pensions Discretions Policy is in place.</li> <li>Officers are competent in pension matters and receive CPD training</li> <li>Support and advice is available through the WYPF Client Manager and the LGA Pension Advisors</li> </ol>	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"> <li>Pension deductions and rules are set within the payroll system based on earnings</li> <li>New joiners are entered into the applicable pension scheme</li> <li>Staff who have opted-out are auto-enrolled into the applicable pension scheme unless they opt-out again</li> <li>Reconciliation of deduction carried out by Finance on a monthly basis</li> <li>Internal audit review deductions as part of audit scope</li> </ol>	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"> <li>Regular attendance at pension training and update events by WYPF.</li> <li>Regular monitoring of key sources of information e.g. LGA Bulletins, Scheme Advisory Board.</li> <li>DSFRS have regular client meetings with WYPF and scrutinise pension changes</li> </ol>	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"> <li>Trained, experienced officers produce the accounts to a detailed timescale.</li> <li>Pension data for the accounts is provided by the Governments Actuary Departments (GAD).</li> <li>Advice available from the Fire Finance network, LGA and Pension Administrator</li> </ol>	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"> <li>Regular attendance at LGA pension training events.</li> <li>Regular monitoring of key sources of information e.g. LGA Bulletins, Scheme Advisory Board.</li> <li>Client meetings with WYPF and scrutiny of pension changes</li> <li>Ensure information on the impact of promotions to the Annual Allowance is made clear to staff.</li> </ol>	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"> <li>Employers will be represented at the ET.</li> <li>Ensuring that historic data that might be required is retained to help manage any potential remedy</li> <li>Pension reserve in place to support administration costs</li> <li>Accessing information from LGA to ensure we are fully informed</li> <li>Receiving updates from Fire Finance Network and national reps</li> <li>Legal advice</li> <li>LGA 'coffee mornings'</li> <li>Pensions Officer appointed</li> </ol>	2	5	10	<ol style="list-style-type: none"> <li>Consideration of data retention pending remedy</li> <li>Ability to take on additional staff to support administration (pending reserve)</li> <li>PSTax Advice to be obtained</li> </ol>	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"> <li>Employers represented at the ET.</li> <li>Ensuring that historic data that might be required is retained to help manage any potential remedy</li> <li>Pension reserve in place to support administration costs</li> <li>Accessing information from LGA to ensure we are fully informed</li> <li>Receiving updates from Fire Finance Network and national reps</li> <li>Pensions Officer appointed</li> </ol>	2	5	10	<ol style="list-style-type: none"> <li>Consideration of data retention pending remedy</li> <li>Ability to take on additional staff to support administration (pending reserve)</li> </ol>	2	5	10	<ol style="list-style-type: none"> <li>1 &amp; 2 HR Reward &amp; Benefits Manager</li> <li>Head of Finance</li> <li>HR Reward &amp; Benefits Manager</li> <li>Head of Finance</li> <li>6 to 8 HR Reward &amp; Benefits Manager</li> </ol>	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"> <li>Working at home arrangements</li> <li>HR Business continuity plans</li> <li>Government guidance on healthy workplaces</li> <li>WYPF business continuity arrangements</li> </ol>	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"> <li>Head of HR supported by Rewards and Benefits Manager</li> <li>Pension SLA in place with KPIs</li> <li>Scheme of delegation in place</li> <li>WYPF has an experienced team</li> <li>P&amp;C has an experienced team.</li> <li>WYPF to report on the agreed KPIs</li> <li>Pensions Officer appointed</li> <li>Additional FTC post in P&amp;C</li> <li>Succession planning in place</li> </ol>	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"> <li>GDPR impact assessments conducted by DSFRS as part of GDPR prep</li> <li>GDPR requirements included in pensions administration contract</li> <li>Data sharing agreements in place with WYPF</li> <li>Staff induction and CPD includes GDPR</li> </ol>	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"> <li>LPB induction includes: TPR CoP 14; TPR e-learning; and LGA training</li> <li>Attendance at LGA Annual Fire Pensions Conference</li> <li>Regular LPB meetings</li> <li>LPB meetings include a training topic to reinforce learning or generate debate</li> <li>TNA and individual training plans</li> </ol>	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"> <li>P&amp;C staff informed that only FF on permanent contracts can be enrolled in the FFPS.</li> <li>P&amp;C staff informed to not include the FFPS in the offer letter for FF on FTCs but to include the LGPS.</li> <li>Auto enrolment for FF on temporary contracts will only be applied under the LGPS.</li> </ol>	2	2	4	None at this time	2	2	4	1 to 3 HR Reward & Benefits Manager	Zoe Smyth

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Devon and Somerset Fire and Rescue Authority - Local Pension Board Work Programme 2022 - 2024 v0.04

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	20-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	LGA Bulletin Overview	Y													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	
Governance	LPB Work Programme	Y			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	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		
Governance	Annual Report							X				X				X				X					X		
Governance	Appointments to the Board		X				X				X				X				X					X			
Governance	Review of Breaches		X																								
Governance	Review ToR						X				X				X	X			X					X			
Governance	Roles and Responsibilities				X		X				X				X	X			X					X			
Governance	TPR Annual Survey Results					X					2019	2020/21							None					X			
Governance	TPR Annual Survey Return						X				2020/21 (Feb '21)			No 2021/22 survey			None		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			

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