



**DEVON &
SOMERSET**
FIRE & RESCUE SERVICE

LOCAL PENSION BOARD

Date of Meeting: Wednesday 11 September 2024, at 2.00 pm via MS Teams

A G E N D A

ITEM NO.	ITEM TITLE
1.	Apologies
2.	Conflict of Interest Declaration
3.	Notes (Pages 1 - 6) To review the notes of the meeting held on 08 July 2024 (attached)
4.	Review of Actions (Pages 7 - 8) Latest Action Log attached.
5.	Risk Register (Pages 9 - 12) To review the register (attached).
6.	Scheme Manager Update Report of the Scheme Manager to follow.
	(a) <u>Key Performance Indicators</u> Discussed within the Scheme Manager Update report.
7.	Membership (Pages 13 - 20) Board to consider Membership inline with the Board's Terms of Reference. Terms of Reference attached.
8.	Self-Assessment/Assurance
	(a) <u>Website</u> To confirm that the website is up-to-date.

ITEM NO.	ITEM TITLE	LEAD OFFICER
	<p>(b) <u>tPR Self-Assessment</u> To consider The Pension Regulators self-assessment.</p>	
9.	Training Update	
	<p>(a) <u>Training Log</u> (Pages 21 - 22) Latest Training Log attached.</p>	
	<p>(b) <u>Topic of Interest</u> Topics of interest to be considered.</p>	
10.	<p>LPB Work Programme (Pages 23 - 24) Attached. To review the LPB work programme.</p>	
11.	<p>Date of Next Meeting The next meeting is scheduled for Wednesday 04 December 2024 at 10:00.</p>	

Board Membership

*Scheme Manager
Representatives:*

Cllr. Simon Coles

Andrew Furbear

Maria Phillips

Satnam Singh Rai

*Scheme Member
Representatives:*

Phil Gillbard

James Leslie

Ben Redwood

Greg Webb

Other Attendees:

Mareena Anderson-Thorne (Culture &
Service Transformation Manager)

Hannah Singleton (note-taker)

This page is intentionally left blank

Agenda Item 3

LOCAL PENSION BOARD

08 July 2024

Present:

*Scheme Manager
Representatives:*

Satnam Singh Rai (SSR)

Andrew Furbear (AF)

Maria Phillips (MP)

Cllr Simon Coles (SC)

*Scheme Member
Representatives:*

Greg Webb (GW)

James Leslie (JL)

*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)

Helen Scargill (HSc) (West Yorkshire Pension Fund)

Hannah Singleton (HS) (Note-taker)

Apologies:

*Scheme Manager
Representatives:*

MIN NO.	ITEM TITLE
LPB/24/01	<u>Apologies</u> Apologies received for PG and BR.
LPB/24/02	<u>Conflict of Interest Declaration</u> Interest declared by MP. Husband would be in receipt of the Firefighters Pension Scheme. The Board were satisfied with the interest, recognising the Board was not a decision making body.
LPB/24/03	<u>Notes</u> The Notes of the meeting held on 06 December 2023 were AGREED .
LPB/24/04	<u>Review of Actions</u> CONSIDERED the updated Board Action Log listing both Open and Closed actions. It was noted that: <ul style="list-style-type: none">LBP089: Reporting of breaches. No new breaches had been reported.

- LBP091: Revision of the TNA. TNA received for SRR however no other responses. Action to remain open. MP reiterated the importance of undertaking necessary knowledge building.
- LPB092: Internal resourcing. Pensions Lead role recruited to with the expected new joiner anticipated to join in September. Action to remain open to monitor impact on resourcing and capacity.
- LPB093: WYPF Contract. Action had been closed, presented to the Board for noting only.

LPB/24/05

Risk Register

CONSIDERED the latest version of the Board risk register, risks were discussed by exception. The following points were noted:

- LPB001a: Updated business continuity plan received from WYPF.
- LPB001b: No further comment to note.
- LPB007: Annual benefit statement (ABS) not produced in time. WYPF had advised the Service the ABS' would not be produced and sent by 31st August 2024. In light of this, the gross likelihood score would be changed to 5. WYPF would be reporting a breach, all affected individuals would be notified by the end of July. HSc would share a copy of the letter with MAT and ZS to allow the Service to distribute their own internal comms. By not receiving up to date ABS statements, soon to retire scheme members would be hindered in their retirement decision making. Risk changed to 'red' to reflect likelihood.
- LPB010: Employer fails to deduct correct pension contributions from members.
- LPB013: Recognising the discussion under LPB007, the Board considered alterations to risk LPB013. **Action:** Narrative to be expanded to recognise link to LPB007. HS to discuss with ZS.
- LPB014: Court of appeal (McCloud/Sargent). The Board considered the risk prevalent, however noted the legislation in place and the challenges presented by immediate choice members. **Action:** Narrative to be reviewed. HS to discuss with ZS.
- LPB015: Court of appeal (O'Brien/Matthews). Risk to be kept under review whilst additional resources are onboarded, this would allow for ongoing evaluation of team capacity.
- LPB017: Risk would remain present until resourcing concerns mitigated.
- LPB021: Insufficient resources at WYPF. HSc advised recruitment was underway to backfill vacant posts at WYPF.

	<ul style="list-style-type: none"> • LPB022: Employer fails to enrol an employee into an appropriate pension scheme. The new risk required necessary controls to be noted. The risk focused on DDS ('Day Duty System') members of staff where job descriptions and contracts had not illustrated operational activity. The Board agreed to increase the gross likelihood to '5', with the additional controls in place to include: <ul style="list-style-type: none"> ○ Service Pension Team to be included in any discussions around contractual changes and role moves at an early stage. ○ Review of existing staff contracts to be undertaken. <p style="margin-left: 40px;">Action: MAT and JL to discuss further risk.</p> • Risks previously assigned to 'Shayne Scott' would be transferred to MP as Chair.
<p>LPB/24/06</p>	<p><u>Local Pension Board Annual Report 2023-24</u></p> <p>CONSIDERED the Local Pension Board Annual Report 2023-24. The paper provided an overview of the Board's activity in the 2023-24 Authority year. In particular, the paper addressed:</p> <ul style="list-style-type: none"> • Membership changes including the appointed of MP as the new Chair. • The tenure of Board members, notably that of JL and BR who had both served on the Board past the four year mark. Inline with the Boards Terms of Reference, these positions on the Board require readvertisement or consideration. <p>Action: JL and BR to considered membership.</p> <ul style="list-style-type: none"> • Meeting attendance, in particular, the two Board meetings which had been cancelled due to the inability to achieve quorum. <p>No further comments noted. The Board noted the report.</p>
<p>LPB/24/07</p>	<p><u>Scheme Manager Update (including Key Performance Indicators)</u></p> <p>CONSIDERED paper summarising current pension matters both locally and nationally which required input from the Service. In particular, the paper addressed:</p> <p style="margin-left: 40px;">2015 Age Discrimination Remedy (Sargeant)</p> <p style="margin-left: 40px;">All retirements being processed now include a 'reformed' and 'legacy' benefit option in relation to the remedy period (subject to eligibility) and the pension pack that is prepared by WYPF is accompanied by a contributions mandate to show the adjustments for contributions, tax relief and interest in relation to the two options available. The figures are run through a calculator issued by the Government Actuary Department.</p>

Those members who are now classified as 'Immediate Choice' have experienced additional delays to receiving their remedial service statements due to some additional issues raised in relation the tax treatment of interest that arises under the public service pensions remedy. On 3 June 2024, the LGA facilitated a Teams call with Chief Fire Officers, scheme managers, and internal pension contacts to discuss the current position. A substantial update would not be expected until after the general election. HSc advised WYPF would be reviewing cases in line with the original priority timelines, WYPF would be reviewing the most recent retirements first.

Second Options Exercise (Matthews)

All those eligible for the second options exercise had been written to, including an 'expressions of interest' form which invites recipients to either request figures or opt out of the exercise. Over 2000 letters had been sent by the Service with over a 1000 subsequent reminder letters sent where a return had not been received. The Service had received around 650 expressions of interest forms back to date, leaving a high number of returns not received.

Additional resource has now been recruited for on a fixed term basis to support delivery of the above activities and the relevant collation of employment history and pay data for each case is currently underway.

Reporting Breaches of Law

Since the last Board meeting, no breaches had been reported.

Internal Dispute Resolution

No new complaints received since the last Board meeting.

Pension Administrator Quality of Service

The WYPF submission deadline for month end data had been brought forward in 2023 from the last day to the nineteenth day of the subsequent month. Due to an extremely high workload in the pensions administration team coupled with reduced resource, there had been occasions where the month end submission had not met the deadline. Work had been underway alongside DDaT to improve the reporting process going forward.

There had been a total of 34 FPS retirements (26 wholetime colleagues and 8 on-call colleagues). Data submissions were summarised as follows:

- Pensionable pay data to be submitted to WYPF at least six weeks prior to retirement date; and

Contract type	Data submitted with 6 weeks + notice	Data submitted within 6 weeks of retirement date
Wholetime	14	12
On Call	1	7

- retirement pack with contributions mandate to be issued to member within five working days of receipt from WYPF.

Contract type	Pack provided to member within 5 days of issue	Pack sent more than 5 working days after issue
Wholetime	22	4
On Call	7	1

Service Resource Update

A Pension Lead role has now been recruited for and the appointee would be due to join the Service in September.

LPB/24/08

Training Update

CONSIDERED log showing the Pension Regulator (tPR) e-learning modules completed to date by Board Members. The link to current e-learning modules had been shared by HS in May and June, Board members were reminded to undertake the necessary learning. The training log would need to be updated to reflect the updated Board Membership.

LPB/24/09

Self-Assessment/Assurance

LPB/23/21a Website

The Communication and Engagement Team had been tasked with updating membership on the Pension page of the website.

Action: HS to ensure LPB Minutes shared publicly on the external facing website.

LPB/23/21b tPR Self-Assessment

The self-assessment would be completed ahead of the next Board meeting.

LPB/23/23

LPB Work Programme

NOTED indicative work programme for Board meetings up to and including December 2024.

LPB/23/24

Date of Next Meeting

The next meeting would take place at 14.00hours on Wednesday 11 September 2024.

The Meeting started at 10.05 am and finished at 11.22 am

LPB Action Log (Live Master) - Open Actions

Action Ref	Date Raised	Source	Action Lead	Status	Pension Work Activity	Action	Comments	RAG
LPB089	02-Aug-23	Board	Mareena Anderson-Thorne	In Progress		Reporting of Breaches	<p>08/02/2023: MAT and ZS to identify and present breaches at next LPB meeting.</p> <p>06/04/2023: MAT and ZS to contact the pension regulator to try and set up an exchange account to be able to report breaches.</p> <p>04/05/2023: Exchange accounts have now been set up</p> <p>06/07/2023: Action to remain open. No breaches reported in current month.</p> <p>02/08/2023: No new breaches</p> <p>07/09/2023: No new breaches</p> <p>05/10/2023: No new breaches</p> <p>01/02/2024: No new breaches</p> <p>07/03/2024: No new breaches</p> <p>17/04/2024: No new breaches</p> <p>24/06/2024: No new breaches</p> <p>08/07/2024: No new breaches</p> <p>02/09/2024: One breach, ABS not issued. No need for the Service to report as WYPF had pre-emptively reported. DSFRS can now report if they wish to do so.</p>	G
LPB091	21-Jun-23	Board	Mareena Anderson-Thorne	In progress		Revision of the training needs analysis New Board members to undertake TNA with MAT.	<p>06/07/2023: Ongoing, awaiting TNA for MP and Cllr Trail.</p> <p>02/08/2023: Ongoing. MAT to contact Cllr Trail.</p> <p>07/09/2023: Ongoing - awaiting confirmation of new Board members.</p> <p>06/12/2023: Training Needs Analysis to be completed by new Board Members (MS and SC)</p> <p>01/02/2024: ZS had a call with TPR regarding new code for new legislation that needs to be signed off. New Pension training is nearly complete and all Board members will be contacted to revisit training when appropriate.</p> <p>07/03/2024: New code had been launched, however, new TPR training packages not yet live.</p> <p>17/04/2024: Work ongoing.</p> <p>24/06/2024: Ongoing.</p> <p>08/07/2024: Ongoing, TNA and modules circulated to Board Members in May and June, recirculated following July Board meeting.</p> <p>02/09/2024: Ongoing. TNA received for MP, GW and SSR.</p>	G
LPB092	21-Jun-23	Board	Board	In progress		Internal Resourcing SS to discuss internal resourcing requirements with MAT (relating to case administration and processing for McCloud/Saergant/Matthews)	<p>06/07/2023: The resourcing requirements for administration of the McCloud/Saergant/Matthews cases had increased, further resourcing was required by MAT and ZS imminently. Internal options for resourcing to be explored. MAT and ZS to provide short description of role requirements to SS.</p> <p>02/08/2023: Additional support resourcing sought for the data file work. Matthews work still required additional resourcing. Internal resourcing reached further than the McCloud/Saergant/Matthews work, including level of knowledge base, impact of additional responsibilities and changing capacities. Short term resourcing support had been sought within the finance department, this would not be a sustainable longer term solution.</p> <p>07/09/2023: A number of colleagues from the Finance department had assisted in checking the data file. The work required needed to be done manually and would be a lengthy process. A significant factor for the lengthy process is the complexity of the data and the discrepancies arising in the calculations. The data discrepancies had arisen through changes made to allowances, changes in ruling and changes to the pensions administrator. Each case takes a number of hours to administer. When all avenues for managing had been exhausted MAT and ZS would discuss acceptable discrepancy figures with SS.</p> <p>06/12/2023: The Service was looking to obtain additional administrative support on fixed term contract basis to assist with significant workload (immediate detriment etc.). The recruitment for a replacement Pensions Officer was ongoing. In light of these issues, it was agreed to increase RAG rating to amber. WYPF considered it was adequately resourced until 2025 but had a constant process for recruitment and training;</p> <p>01/02/2024: One additional staff member assisting with the workload.</p> <p>07/03/2024: Service would be looking to obtain additional fixed term staff, three additional staff members approved (07/03).</p> <p>17/04/24: Two new starters were anticipated to join the HR team at the end of April 2024. Considerable concerns remained with team resilience and capacity due to limited resourcing.</p> <p>24/06/24: Two new starters joined the Service in May commencing work on Matthews cancellations, this provider an increased level of assurance that resource heavy work was underway. Notwithstanding the recruitment, resourcing remained an area of concern in light of other increased areas of Pension work expected.</p> <p>08/07/2024: Two staff members appointed. Pensions Lead role recruited to with the expected new joiner anticipated to join in September. Action to remain open to monitor capacity and impact.</p> <p>02/09/2024: Resourcing remained a significant concern, opportunities being explored internally to support. A key member of staff had been unavailable impacting work progress, further update would be provided when available.</p>	A

This page is intentionally left blank

Local Pensions Board - Risk Register (LIVE)

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
LPB001a	Cyber-attack	Complete loss of systems (WYPF)	Catastrophic loss of capability	5	4	20	Evidence of BC plan for WYPF received by the Service (March 2024). Updated business continuity plan received from WYPF.	3	3	9	Evidence of BC plan for WYPF	3	3	9		Mareena Anderson-Thorne
LPB001b	Cyber-attack	Complete loss of systems (DSFRS)	No impact on Pensioner Payroll. Would impact processing of retirements i.e. notification.	5	4	20	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	None at this time	3	3	9	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	Maria Phillips (as Chair)
LPB002	System failure (To include power failure)	Temporary loss of systems	Systems unavailable until recovered and potential loss of data	4	3	12	1. BC Plan (incl ICT) 2. Departmental BC plans reviewed 3. Additional comms to staff 4. BC exercise 2 Dec 2019 5. Access to alternative locations (power failure) 6. Back-up generator available (power failure)	3	3	9		3	3	9	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	Maria Phillips (as Chair)
LPB004	Industrial Action	Loss of utilities or access to premises	Inability for staff to undertake work (existing pensions would continue to be paid)	3	3	9	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	1. Head of ICT & HR R&B Mngr 2. Heads of ICT; Finance; Estates & HR R&B Mngr 3. Ho ICT/Estates	Maria Phillips (as Chair)
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	Active members, deferred members and pensioners have an online account and can check their information.	3	4	12	Payroll data for active members is provided by Pay & Conditions on a monthly basis to WYPF. WYPF Financial extracts spreadsheet.	2	2	4	1 to 4 HR Reward & Benefits Manager	Mareena Anderson-Thorne
LPB006	Administration process failure/ maladministration (WYPF)	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	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. Trend lines within WYPF monthly reports for key measures 6. WYPF to report on the agreed KPIs	2	2	4	8. Review Pension Administrator's audit reports Fully trained and competent staff in P&C.	2	2	4	1 to 7 HR Reward & Benefits Manager 8. Head of Finance	Maria Phillips (as Chair)
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	5	15	1. Pension data from P&C now available on a monthly basis including year-end data 2. WYPF developing an automated system for ABS statements for the Modified Pension Scheme	3	5	15	Financial extracts file. ABS production system used by WYPF (review of)	2	2	4	1 & 2 HR Reward & Benefits Manager	

Page 9

Agenda Item 5

Local Pensions Board - Risk Register (LIVE)

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
LPB008	Excessive charges by Pension Administrator	Unplanned increases in charges	Additional pressure on the budgetary efficiency of the Service	3	4	12	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 ad hoc scenarios where additional charges may be incurred are included in the contract terms.	2	2	4	None at this time	2	2	4	1 & 2 Head of Finance	Maria Phillips (as Chair)
LPB009	Officers or Members acting outside of delegated responsibility	Officers or Members either deliberately or unknowingly acting outside of their delegated responsibility	Additional financial implications for the pension schemes or breach of the pension regulations	3	4	12	1. Authority Members have agreed an approved Scheme of Delegation and financial limits for decisions associated with the pensions. 2. A Pensions Discretions Policy is in place. 3. Officers are competent in pension matters and receive CPD training 4. Support and advice is available through the WYPF Client Manager and the LGA Pension Advisors	2	2	4	None at this time	2	2	4	1. Dem Services Manager 2 to 4 HR Reward & Benefits Manager	Maria Phillips (as Chair)
LPB010	Employer fails to deduct correct pension contributions from members	Incorrect pension contribution being recorded and collected	Active pensioners and DSFRS have to backdate pension contribution arrears	3	4	12	1. Pension deductions and rules are set within the payroll system based on earnings 2. New joiners are entered into the applicable pension scheme 3. Staff who have opted-out are auto-enrolled into the applicable pension scheme unless they opt-out again 4. Reconciliation of deduction carried out by Finance on a monthly basis 5. Internal audit review deductions as part of audit scope	2	4	8	None at this time	2	2	4	1. Head of Finance 2 & 3 HR Reward & Benefits Manager 4 & 5 Head of Finance	Maria Phillips (as Chair)
LPB011	Failure by the Pension Administrator to interpret rules or legislation correctly	Incorrect pension calculations and estimates	Incorrect pensions received and either backdated employer and employee contributions required or overpayments collected.	3	4	12	1. Regular attendance at pension training and update events by WYPF. 2. Regular monitoring of key sources of information e.g. LGA Bulletins, Scheme Advisory Board. 3. DSFRS have regular client meetings with WYPF and scrutinise pension changes	2	2	4	None at this time	2	2	4	1 to 3 HR Reward & Benefits Manager	Mareena Anderson-Thorne
LPB012	Annual Statutory Accounts criticised by external auditors / The Pension Regulator	Major issues exist with the Management and Administration, and/or accounting for the Firefighter Pension Schemes	Reputational damage to the Service. Dissatisfaction from staff in the service they receive.	3	4	12	1. Trained, experienced officers produce the accounts to a detailed timescale. 2. Pension data for the accounts is provided by the Governments Actuary Departments (GAD). 3. Advice available from the Fire Finance network, LGA and Pension Administrator	2	2	4	None at this time	2	2	4	1 to 3 Head of Finance	Maria Phillips (as Chair)
LPB013	Failure to communicate with staff concerning significant changes to pension arrangements	Pension members not receiving correct information	Members could make key pension decisions with inadequate information available to them	3	4	12	1. Regular attendance at LGA pension training events. 2. Regular monitoring of key sources of information e.g. LGA Bulletins, Scheme Advisory Board. 3. Client meetings with WYPF and scrutiny of pension changes 4. Ensure information on the impact of promotions to the Annual Allowance is made clear to staff. 5. Service aware of communication sent by WYPF (July 2024) with delays in ABS.	3	3	9	National communication messages from the LGA.	1	2	2	1 to 4 HR Reward & Benefits Manager	Mareena Anderson-Thorne

Local Pensions Board - Risk Register (LIVE)

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
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. Lack of resourcing and pension knowledge within the team, reducing the ability to process in a timely manner.	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 re-appointed, starting October 2024. 	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) Longer term resourcing plan 	2	5	10	<ol style="list-style-type: none"> HR Reward & Benefits Manager Head of Finance HR Reward & Benefits Manager Head of Finance HR Reward & Benefits Manager Head of Finance 	Maria Phillips (as Chair)
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 re-appointed, starting October 2024. 	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) Longer term resourcing plan GAD Calculator and manual process for GAD cases 	2	5	10	<ol style="list-style-type: none"> HR Reward & Benefits Manager Head of Finance HR Reward & Benefits Manager Head of Finance HR Reward & Benefits Manager 	Maria Phillips (as Chair)
LPB016	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	<ol style="list-style-type: none"> HR Reward & Benefits Manager 	Mareena Anderson-Thorne
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"> Pension SLA in place with KPIs Scheme of delegation in place WYPF has an experienced team WYPF to report on the agreed KPIs 	4	5	20	<ol style="list-style-type: none"> P&C has an experienced team. Head of HR supported by Rewards and Benefits Manager Pensions Officer recruitment Succession planning in place Additional FTC posts in P&C 	2	2	4	<ol style="list-style-type: none"> HR Reward & Benefits Manager 	Mareena Anderson-Thorne
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	<ol style="list-style-type: none"> HR Reward & Benefits Manager 	Mareena Anderson-Thorne
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	5	15	<ol style="list-style-type: none"> LPB induction includes: TPR CoP 14; TPR e-learning; and LGA training Regular LPB meetings LPB meetings include a training topic to reinforce learning or generate debate 	2	1	2	<ol style="list-style-type: none"> Review Terms of Reference, to include required minimum attendance at Board meetings. TNA and individual training plans 	2	1	2	<ol style="list-style-type: none"> HR Reward & Benefits Manager 	Maria Phillips (as Chair)
LPB020	Employer incorrectly enrolls or fails to enrol, 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	5	15	<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	Review JDs of roles regarding engagement of FF activity.	2	2	4	<ol style="list-style-type: none"> HR Reward & Benefits Manager 	Mareena Anderson-Thorne

Local Pensions Board - Risk Register (LIVE)

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
LPB021	Insufficient resources at WYPF		1. WYPF reported to the Ombudsman/TPR 2. e.g. WYPF failing to issue starter packs - data uploads not being processed. 3. DSFRS Personnel impacted by lack of action 4. Financial Penalty (DSFRS) 5. Quality of Service	3	5	15	1. The Service to monitor and report breaches as soon as they arise 2. HR Management to continue to liaise with WYPF over concerns 3. Re-establishing quarterly meetings (prioritised) 4. WYPF progressing with recruitment.	3	4	12	Assurance by WYPF of the risk being monitored	2	2	4		Maria Phillips (as Chair)

Devon and Somerset Fire and Rescue Authority

LOCAL PENSION BOARD - TERMS OF REFERENCE

Statement of Purpose

1. The purpose of the Board is to assist Devon and Somerset Fire and Rescue Authority (the Authority) in its role as a scheme manager of the Firefighters Pension Scheme. Such assistance is to:
 - (a) secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme; and
 - (b) ensure the effective and efficient governance and administration of the Scheme.

Duties of the Board

2. The Board should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty Board members should:
 - (a) act always in the interests of the scheme and not seek to promote the interests of any stakeholder group above another.
 - (b) demonstrate standards of conduct based on the seven “Nolan” Principles of Public Life, modified accordingly and as appended to this document.
 - (c) be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

Membership

3. The Board will comprise an equal number of employer and member representatives with a minimum requirement of no less than four in total.
 - (a) **Member representatives**
 - i) Four member representatives shall be appointed to the Board.
 - ii) Member representatives shall either be members of the scheme administered by the Authority or have experience of representing pension scheme members in a similar capacity.
 - (b) **Employer representatives**
 - i) Four employer representatives shall be appointed to the Board
 - ii) Employer representatives shall be Members of the Devon & Somerset Fire & Rescue Authority or senior officers of the Authority, or have experience of representing scheme employers in a similar capacity. Officers of the Authority with delegated responsibility for discharging the scheme manager function of the Authority may not serve as employer representatives.

- iii) Employer representatives shall be appointed by the Authority in a manner which it considers best promotes the purpose of the Board.

(c) Other invitees

- i) The Board reserves the right to appoint advisers at its discretion. In the first instance, this will be a representative of West Yorkshire Pension Fund, to attend meetings as requested by the Board;
- ii) Any other appointments shall have regard to the best interests of the purpose of the Board.

(d) Appointment of Chairman

- i) The Board will appoint a Chair from its members annually at the first meeting of the Board following the Authority's Annual Meeting.
- ii) The duties of the Chair should be in accordance with the duties of a Chair within the Authority.

4. Substitute representatives are not permitted because of the nature of the Board, the need for appropriate knowledge and skills and the management of conflicts of interests.

Notification of appointments

5. On appointment to the Board, the Authority shall publish the name of the appointees, the process followed in the appointments together with the way in which the appointments support the effective delivery of the purpose of the Board.

Conflicts of interest

6. All members of the Board must declare to the Authority on appointment, and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.
7. On appointment to the Board and following any subsequent declaration of potential conflict the Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of the Authority and the requirements of the Pensions Regulator's Codes of practice 14: Governance and administration of public service pension schemes.

Knowledge and understanding (including Training)

8. Knowledge and understanding must be considered in light of the role of the Board to assist the Authority in line with the requirements outlined in section 2 above. The Board should establish and maintain a policy and framework to address the knowledge and understanding requirements that apply to Board members. That policy and framework shall set out the degree of knowledge and understanding required as well as how knowledge and understanding is acquired, reviewed and updated.

9. Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding policy and framework.
10. Board members shall participate in such personal training needs analysis or other processes that are put in place in order to ensure that they maintain the required level of knowledge and understanding to carry out their role on the Board.

Term of Office

11. The term of office for Board Members will be four years, with two positions on the Board (ideally one employer and one member representative) being subject to appointment every year so as to maintain continuity of knowledge and experience.
12. To maintain continuity of knowledge and experience built up by the inaugural members of the Board, after the first four years only two positions will be considered for appointment, i.e. year 5 is first new appointment process, year 6 is second new appointment process etc. This will have the potential effect that two Board members could serve for five years and a further two for 6 years before their initial term ends.
13. There will be no restriction on existing Board Members being re-appointed to the Board following the end of their initial (or subsequent) term of office.
14. Board membership may be terminated prior to the end of the term of office in the event of:
 - (a) A member representative appointed on the basis of their membership of the scheme no longer being a member of the scheme;
 - (b) A member representative no longer being a member of the body on which their appointment relied;
 - (c) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied;
 - (d) The representative no longer being able to demonstrate their capacity to attend and prepare for meetings or to participate in required training.

Notice Periods

15. Except at the end of their term of office, Board members are to give three months' notice of their resignation from the Board.

Meetings

16. The Board shall meet quarterly.

17. The Chair of the Board may call additional meetings subject to giving appropriate notice in light of the matter(s) to be considered. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board including telephone conferencing and e-mails.

Quorum

18. The total number of members required to be present for a meeting to be quorate is 50% of the total membership (i.e. four attendees), to comprise at least one employer and one member representative.

Voting

19. The Chair shall determine when consensus has been reached.

20. Where consensus is not achieved this should be recorded by the Chair.

Support for Core Functions

21. In support of its core functions the Board may:

- (a) make a request for information to a relevant officer of the Authority with regard to any aspect of the scheme manager function. Any such a request should be reasonably complied with in both scope and timing; and
- (b) make recommendations to the Authority, which should be considered and a response made to the Board on the outcome within a reasonable period of time.

Reporting

22. The Board will produce an annual report for the Authority. The report will: highlight any areas of concern; provide details of any statutory breaches; identify any improvements required and highlight good practice.

23. The annual report will also include information on the number of retirements (natural and ill health), new starters, membership numbers and 'opt out' numbers.

Interpretation

24. In these terms:

- (a) 'the Scheme' means the Firefighters' Pension Scheme; and

- (b) 'Regulations' means the Firefighters' Pension Scheme 1992 (as amended), the Firefighters' Pension Scheme 2006 (as amended) and the Firefighters' Pension Scheme Regulations 2014 (as amended) and includes the Pension Regulators Codes of Practice (as they apply to the Scheme Manager and Pension Board) and any other relevant legislation applying to the Scheme.

APPENDIX A TO LOCAL PENSIONS BOARD TERMS OF REFERENCE

STANDARDS OF CONDUCT

The Board should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty Board members:

- (a) Should act always in the interests of the scheme and not seek to promote the interests of any stakeholder group above another.
- (b) Should demonstrate standards of conduct based on the seven “Nolan” Principles of Public Life (modified accordingly below) and consistent with the Core Values of the Devon & Somerset Fire & Rescue Service (as set out at Appendix B).

1. Selflessness

The Board should act solely in terms of assisting the Scheme Manager to discharge its obligations under the various pension legislation or regulations as may be in force. They should not act in order to gain financial or other material benefits for themselves, their family, or their friends.

2. Integrity

The Board members must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work.

3. Objectivity

The Board must act and make recommendations impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

The Board members are accountable to the Devon & Somerset Fire & Rescue Authority (as Scheme Manager) for their actions and must submit themselves to any scrutiny requirements as may from time to time be required by the Authority.

5. Openness

The Board members should act in an open and transparent manner.

6. Honesty


The Board members should be truthful.

7. Leadership

The Board members should demonstrate and promote the above principles by leadership and example.

APPENDIX B - DEVON & SOMERSET FIRE & RESCUE SERVICE CORE VALUES


WE ARE PROUD TO HELP



We show this by...

- Doing what we say we will do and seeing things through to the end
- Demonstrating high standards
- Working hard and doing our best to get the right outcomes
- Being motivated, keen and willing to give things a go

WE ARE HONEST



We show this by...

- Being open, clear, and realistic
- Admitting and learning from mistakes
- Showing trust and being trustworthy
- Being responsible and accountable

WE ARE RESPECTFUL



We show this by...

- Being consistent and giving credit where it's due
- Always being polite, considerate and treating people fairly
- Genuinely listening, involving and engaging others
- Being inclusive to all

WE ARE WORKING TOGETHER



We show this by...

- Understanding others needs and appreciating their demands
- Positively challenging, sharing ideas and giving feedback
- Supporting others and giving practical help and advice
- Being willing to adapt and change to get the best results

This page is intentionally left blank



Local Pension Board – Training Log

September 2024

	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>							
Maria Phillips	February 2024	February 2024	February 2024	February 2024	February 2024	February 2024	February 2024
Satnam Singh Rai	June 2020	June 2020	June 2020	June 2020	June 2020	June 2020	June 2020
Cllr Simon Coles							
<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>							
Mareena Anderson-Thorne	March 2022	March 2022	March 2022	March 2022	March 2022	March 2022	March 2022

Page 21

Agenda Item 9a

This page is intentionally left blank

Devon and Somerset Fire and Rescue Authority - Local Pension Board Work Programme

Theme	Activity	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	TBC Mar 25	TBC June 25	TBC Sept 25	TBC Dec 25
Administration	Confirmation website up to date	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Administration	Correspondence	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Administration	LGA Bulletin Overview		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Administration	Scheme Manager's Report	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Governance	LPB Work Programme	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Risk and Assurance	KPIs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Risk and Assurance	LPB Action Log	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Risk and Assurance	Risk Register	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Training	Training Log	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Administration	ABS Feedback			X				X				X				X	
Governance	Annual Report		X	X			X				X				X		
Governance	Appointments to the Board	X				X				X				X			
Governance	Review of Breaches																
Governance	Review ToR		X	X		X				X				X			
Governance	Roles and Responsibilities		X	X		X				X				X			
Governance	TPR Annual Survey Results					None				X				X			
Governance	TPR Annual Survey Return	No 2021/22 survey			None		X				X				X		
Risk and Assurance	Annual review of internal controls		X			X				X				X			
Risk and Assurance	LPB Audit Report																
Risk and Assurance	TPR Self Assessment		X				X				X		X		X		X
Training	Annual Training Needs Analysis			X			X				X		X		X		X
Training	Induction for new members		X					X				X				X	

This page is intentionally left blank