

**LOCAL PENSION BOARD**  
**11 September 2024**

**Present:**

*Scheme Manager  
Representatives:*

Cllr Simon Coles (SC)

Andrew Furbear (AF)

Maria Phillips (MP) (*Chair*)

Satnam Singh Rai (SSR)

*Scheme Member  
Representatives:*

Greg Webb (GW)

Phil Gillbard (PG)

*Other Attendees:*

Mareena Anderson-Thorne (MAT)  
(Delegated Scheme Manager)

Helen Scargill (HSc) (West  
Yorkshire Pension Fund)

Hannah Singleton (HS) (Note-taker)

Samantha Brown (SB), Democratic  
Services Officer

Tamin Ingles (TI)

<b>MIN NO.</b>	<b>ITEM TITLE</b>
<b>LPB/24/25</b>	<p><b><u>Apologies</u></b> Apologies received from Scheme Member Representatives Ben Redwood (BR) and James Leslie (JL).  Introductions made for TI and SB.</p>
<b>LPB/24/26</b>	<p><b><u>Conflict of Interest Declaration</u></b> No new conflicts of interest to declare.</p>
<b>LPB/24/27</b>	<p><b><u>Notes</u></b> The notes of the meeting held on the 08 July 2024 were <b>AGREED</b>.</p>
<b>LPB/24/28</b>	<p><b><u>Review of Actions</u></b> <b>CONSIDERED</b> the updated Board Action Log listing both Open and Closed actions. It was noted that:</p> <ul style="list-style-type: none"> <li>• LPB089: One breach had been noted; the production of Annual Benefit Statements ('ABS') had not met the required timeframe of being issued by the 31 August 2024. As this deadline had not been met, a breach had been reported by the Service. HSc advised WYPF had been engaging with TPR, TPR were aware of the challenges being encountered by Pension providers as a result of the age discrimination case. 1528 individuals within scope for receiving statements, 850 sent within timescales with 678 delayed statements. RAG rating changed to 'Amber'.</li> <li>• LBP091: Revision of the Training Needs Analysis ("TNA"). TNA documents received for MP, GW and SSR. MAT requested other Board members to return the TNA at the earliest opportunity as this would inform future training for the Board and would allow</li> </ul>

the board to maintain their knowledge, this is fundamental to allowing the Board to operate effectively. HS to recirculate TNA to the Board. RAG rating changed to 'Amber'.

- LPB092: Internal resourcing: Resourcing remained a significant concern for the People Services team, in particular, the Pension administrative support team. RAG rating to remain at 'Amber'.

LPB/24/29

**Risk Register**

**CONSIDERED** the latest version of the Board risk register, risks were discussed by exception where a change had been highlighted. The following points were noted:

- LPB004 Industrial Action :Further detail added to 'impact'; 'existing pensions would continue to be paid' in the eventuality of any industrial action.
- LPB005 Member data incomplete or inaccurate: Additional controls in place noted, impacting the net likelihood and impact scores. Controls in place updated to include reference to the online account available to active and deferred members, and pensioners.
- LPB006 Administration process failure/ maladministration (WYPF): Further controls required updated to reference the need for fully training ed and competent staff within the Services Pay and Conditions Team.
- LPB007 Annual Benefit Statement (ABS) not produced in time: Further 'controls required' added to which had had resulted in a change in the gross likelihood score to '5' resulting in an overall red gross risk score. Further 'controls required' update to include the need for the financial extracts file and an ABS production system used by WYPF (review of). HSc advised that WYPF have separate processed for the production and ABS and DBS. The risk would be updated to reflect 'ABS' and Deferred Benefit Statements ('DBS').
- LPB010 Employer fails to deduct correct pension contributions from Members: Net likelihood score increased to '4'. No impact on RAG rating
- LPB013 Failure to communicate with staff concerning significant changes to pension arrangements: 'Controls in place' updated. No further comment to note.
- LPB014 Court of Appeal decision on unlawful discrimination from Transitional arrangements for transfer from the 1992 to 2015 (McCloud/Sargent case): 'Controls in place' updated to reflect

the re-appointment of the Pensions Officer, a long term resourcing plan would be considered under further controls.

- LPB015 Court of Appeal decision on unlawful discrimination for Part-time workers prior to 2000 (O'Brien/Matthews case): 'Controls in place' updated to reflect the re-appointment of the Pensions Officer with a longer term resourcing plan to be considered. The need for a GAD calculator and manual process for GAD cases was also reported. The O'Brien/Matthews case had required a significant resource to process which the Service did not have. The GAD calculator did not work for all cases, for example, it could not be used for any individuals serving over thirty years. To illustrate the level of work required, MAT advised the Board that the Service had the highest number of eligible individuals in the country with each case requiring around a day's work to complete.
- LPB019 Failure of LPB members to maintain knowledge and understanding: Gross likelihood increased to '5', resulting in a 'red' rated gross risk score, this reflected not all Board Members completing the TNA or eLearning modules.
- LPB020 Employer incorrectly enrolls or fails to enrol, an employee into the Firefighter's Pension scheme: The gross likelihood had increased to '5' resulting in a 'red' rated gross risk score. Further controls required had been updated to include the reviewing of staff job descriptions to ensure firefighting activity is fully understood before pension enrolment is undertaken.
- LPB021 Insufficient resources at WYPF: MP drew the Board to the attention of the new risk added to the register. HSc advised that WYPF had recruited a number of new staff with imminent start dates. WYPF continued to recruit further staff in attempts to further appoint.

LPB/24/30

**Scheme Manager Update (including Key Performance Indicators)**

**CONSIDERED** paper summarising current pension matters both locally and nationally which required input from the Service. In particular, the paper addressed:

***2015 Age Discrimination Remedy (Sargeant)***

All retirements being processed now included 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 (“GAD”).

Those members who are now classified as ‘Immediate Choice’ (formerly Category 2) have experienced additional delays in receiving their remedial service statements due to issues raised in relation the tax treatment of interest that arises under the public service pensions remedy.

### ***Second Options Exercise (Matthews)***

To date, the Service had received over 700 responses to the Second Options exercise election notification.

The GAD calculator and user guide for ‘Matthews 2’ had been issued, the process remained highly complex and resource intensive. Therefore, providing the calculations to the full cohort within the prescribed timeframes would present a significant challenge and presented potential organisational risk. The LGA had been advised by the Service of the risk in meeting the timeframe.

Though additional resource had been recruited to on a fixed term basis, it was important for the Board to note that each individual case to around a day to process. The Board asked whether neighbouring Service resourcing could be used to assist, MAT noted that this may not be viable due to GDPR legislation.

Guidance remained outstanding from the LGA on the legal advice they are seeking regarding lump sum commutation percentages when processing cases under the second options exercise.

### ***Reporting Breaches of Law***

There had been one breach since the last Local Pension Board meeting, this had related to the production of Annual benefit Statements for the 202/24 tax year by WYPF. This has not yet been reported due to staffing changes within the HR Management team.

### ***Internal Dispute Resolution***

There had been one complaint received since the last Local Pension Board meeting. This complaint centred around the out of hours cover of Service Delivery Protection Officers.

### ***Pension Administrator Quality of Service***

The implementation of the new HR system had resulted in change in the reporting process for the submission of the monthly reporting from the Service to WYPF. This had now been embedded with Aprils data returned to WYPF in July.

There had been a total of 11 FPS retirement notifications received (11 wholetime colleagues and 3 on-call colleagues).

	<p style="text-align: center;"><b><i>Service Resource Update</i></b></p> <p>A Pension Lead role had been recruited for and the appointee would be due to join the Service at the end of September.</p>
LPB/24/31	<p><b><u>Membership</u></b></p> <p><b>CONSIDERED</b> the Boards existing Terms of Reference document. The Board had experienced challenges with meeting quorum due to the availability of some Board members. The Board discussed the opportunities available to mitigate this happening. Attendance at Board meetings was important for members to aid in maintaining the requisite knowledge. The Board <b>PROPOSED</b> to add the following to their Terms of Reference document:</p> <p style="padding-left: 40px;">‘2 (d): be present at a minimum of one meeting per a meeting cycle (municipal year)’.</p> <p>The Board noted the need to reappoint to two Scheme Member Representative places, notably the places of BR and JL. An expression of interest advert would be published on the Services vacancy page.</p>
LPB/24/32	<p><b><u>Self-Assessment/Assurance</u></b></p>
	<p style="text-align: center;"><b><i>a. Website</i></b></p> <p>The Board <b>CONSIDERED</b> the Services website and confirmed the information illustrated was accurate. A concern previous noted by the Board had been the access to Board papers and minutes, the Board confirmed the links to this information was present.</p>
	<p style="text-align: center;"><b><i>b. tPR Self- Assessment</i></b></p> <p>The tPR self-assessment would be completed ahead of the next Board meeting.</p>
LPB/24/33	<p><b><u>Training Update</u></b></p> <p><b>CONSIDERED</b> the log showing the Pension Regulator (tPR) e-learning modules completed to date by members. The link to the current eLearning modules had been shared by HS on a number of occasions, this would be reshared with Board members alongside the training needs analysis self-assessment.</p>
LPB/24/34	<p><b><u>LPB Work Programme</u></b></p> <p>The Board <b>NOTED</b> the indicative work programme for Board meetings up to and including December 2025.</p>

**LPB/24/35**

**Date of Next Meeting**

The next meeting had been scheduled to take place on Wednesday 04 December at 10:00 via MS Teams.

The Meeting started at 14:03 and finished at 15:33