

LOCAL PENSION BOARD
24 June 2020

Present:

*Scheme Manager
Representatives:*

*Scheme Member
Representatives:*

Other Attendees:

Mike Pearson (MP) (Ch)
Satnam Singh Rai
(SSR)
Amy Webb (AW)
Cllr George Wheeler
(GW)

Andy Hallam (AH)
James Leslie (JL)

Peter Redbourn (PR)
Ben Redwood (BR)

Steve Pope (SP) (Delegated Scheme Manager)
Caroline Gourlay (CG) (Rewards & Benefits Manager)

Steve Yates (SY) (Note-taker)
Helen Scargill (HS) (West Yorkshire Pension Fund)
Victoria Wallens-Hancock (VWH) (Cornwall Council)

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| LPB/20/13 | <u>Conflict of Interest Declaration</u> No new interests were declared. |
| LPB/20/14 | <u>Notes</u> The Notes of the meeting held on 18 March 2020 were AGREED . |
| LPB/20/15 | <u>Review of Actions</u> CONSIDERED updated Board Action Log listing both Open and Closed Actions. Closed Actions would not be included in future updates. It was noted that: <ul style="list-style-type: none"> • the KPIs Action had been closed (it had been merged with the other KPI action); • the new Board Member inductions action had been closed; • the action on KPIs for Board Effectiveness remained open but was progressing; • the Risk Register action featured elsewhere on the agenda for this meeting; • the Work programme action was closed and featured elsewhere on the agenda for this meeting; • the Scheme Member representative appointment action was closed; • re: the cyber security action, a copy of the West Yorkshire Pension Fund (WYPF) business continuity plan had been received; • the tPR self-assessment had been updated and featured elsewhere on the agenda for this meeting. This action was closed; • the Fixed Term Contracts (FTCs) pensionability action was still open; • a new Action had been added on making WYPF reports available to Board Members on a secure part of the Authority's website rather than by e-mail. |
| LPB/20/16 | <u>Training Log Update</u> NOTED latest version of the log identifying training undertaken by Board Members. Some were out of date re: review and would need to be completed. BR had to date completed four out of seven modules. |

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| LPB/20/17 | <p data-bbox="339 219 683 253"><u>Correspondence Update</u></p> <p data-bbox="339 280 1441 344">NOTED latest version of the log listing all correspondence received and circulated to Board Members since the last meeting.</p> |
| LPB/20/18 | <p data-bbox="339 376 692 409"><u>Scheme Manager Update</u></p> <p data-bbox="339 423 1461 488">CONSIDERED paper summarising current pension matters both locally and nationally which required input from the Service. In particular, the paper addressed:</p> <p data-bbox="435 504 963 537"><i>Pension Surveys and Annual Returns</i></p> <p data-bbox="435 553 1441 618"><i>Pension Communications (Annual Benefit Statements; Covid19 and the Firefighters Pension Scheme)</i></p> <p data-bbox="435 636 1485 804">CG confirmed that the end of year data had been submitted to WYPF and HS confirmed that all queries relating to this had been addressed. WYPF was now accuracy checking the statements prior to issue. Monthly pension reporting was fully up-to-date and was now being done automatically (albeit with some manual adjustments). The LGA had provided a lot of support via its new webpage.</p> <p data-bbox="435 822 1485 1122">SP provided an update on the issue of Fixed Term Contracts (FTCs) and eligibility to join Scheme. Legal advice had been obtained by the Scheme Advisory Board but this could not be released at present. SP was looking to discuss this with the Legal Advisor and potentially obtain the advice via a non-disclosure agreement to assess the impact of potentially joining the scheme. The Service had previously considered those on FTCs could join the scheme. If not, there would be the option to join the Local Government Pension Scheme (LGPS) but this would not have the default of the added compensation scheme and so was not desirable for operational staff.</p> <p data-bbox="435 1140 1369 1205"><i>Pension Projects (Transition Protection Judgement; New Claim on Transitional Protections; O'Brien v Ministry of Justice)</i></p> <p data-bbox="435 1223 1453 1288">These cases were still ongoing. HS advised that, for fire and rescue services, the O'Brien case was now being referred to as the Matthews case.</p> <p data-bbox="435 1305 1490 1473">AH commented that it seemed it would not take three years to secure a remedy when previously it had been two and enquired whether this had been communicated across the Service. AH commented that delays in securing a remedy would result in an impact on more people (particularly those due to retire in the next two to three years).</p> <p data-bbox="435 1491 1485 1624">HS advised that three years was currently an assumption. A consultation document that should provide more information/clarification was expected shortly, with the Home Office indicating that this was likely to be available before next remedy meeting on 17 July.</p> <p data-bbox="435 1641 1393 1740">MP commented that it was the responsibility of Scheme Manager to keep Scheme Members informed of important issues, so communications on remedies and timescales would be required.</p> <p data-bbox="435 1758 1441 1856">ACTION SP and CG to consider issuing some interim communications at the earliest opportunity, following discussion with AH and BR as to appropriate content.</p> <p data-bbox="435 1874 820 1908"><i>Reporting Breaches of Law</i></p> <p data-bbox="435 1926 1177 1960">There had been no breaches to report since last meeting</p> |

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| | <p><i>Internal Dispute Resolution</i> None since last meeting</p> <p><i>Pension Administrator Quality of Service</i> Of a reasonable standard. Issues identified at last meeting had been resolved satisfactorily.</p> <p><i>Covid-19 Business Continuity</i> WYPF continued to provide good service.</p> <p><i>Recruitment of LPB Member Representatives</i> The term of office of one Member Representative had been extended for a further 12 months in light of the impact of the Covid-19 pandemic.</p> |
| LPB/20/19 | <p><u>Draft LPB Annual Report</u></p> <p>CONSIDERED draft Annual Report summarising Local Pension Board activities during the 2019-20 financial year. MP would look to incorporate additional information as follows:</p> <ul style="list-style-type: none"> • the number of retirements and numbers of staff in schemes; • expanding the section on statutory breaches; • expanding the section on training to cover what Board Members do to maintain competency. <p>It was felt that these additions would result in a report more consistent with the Board's Terms of Reference and have greater alignment with Regulator expectations. A copy of the final draft would be circulated to the Board prior its inclusion on the agenda for the next meeting of the Audit & Performance Review Committee.</p> <p>ACTION that, subject to inclusion of the amendments indicated, the Annual Report be submitted to the next meeting of the Audit & Performance Review Committee on 31 July 2020.</p> |
| LPB/20/20 | <p><u>Risk Register</u></p> <p>CONSIDERED latest version of the Board Risk Register (v1.03) as circulated on the day of the meeting.</p> <p>Considerable work had been undertaken on this since the last Board meeting albeit that suggestions by SSR on risks that might be incorporated were still to be considered.</p> <p>The following new risks had been added:</p> <ul style="list-style-type: none"> • risks around O'Brien/Matthews case and McCloud/Sargeant case • risks around the Covid 19 pandemic (loss of staff; detriment to administration) • risks around loss of key staff; and • GDPR considerations <p>The potential impact of risks, risk owners and control measures had also been identified to mitigate risks.</p> <p>Consideration might be given to adding to the register a risk relating to an audit of Board's effectiveness – failure of Board Members to maintain knowledge and understanding. The use of e-learning (the Pension Regulator training modules), LGA training and induction for new Board Members would mitigate this risk.</p> |

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| | <p>Consideration might also be given to having individual training plans for each Board Member, but these would need to be proportionate.</p> <p>The Risk Register would be a live document and could be amended at any time.</p> <p>The important thing was for the Board to be assured that all relevant risks had been identified, that controls were working and that the risks were being mitigated.</p> <p>MP commented that the risks would be prioritised in accordance with net risk scores. Any risk requiring further action would generate an action plan, with indicative timescales for completion.</p> |
| LPB/20/21 | <u>Self-Assessment/Assurance</u> |
| | <p>LPB/20/21a <u>Website</u></p> <p>The Board website was confirmed as up-to-date. The Service had a project plan in place to construct a new website which should offer enhanced functionality.</p> |
| | <p>LPB/20/21b <u>tPR Self-Assessment</u></p> <p>CONSIDERED the latest version of the Board self-assessment (completed in June 2020) against areas identified by the Pension Regulator and relating to Scheme governance, managing risks and issues and administration.</p> <p>The two amber areas from the previous self-assessment had been removed. The Board now had a risk register. Training Needs Analysis for Board Members was still amber and required more work, hence this was reflected on the Risk Register.</p> |
| LPB/20/22 | <p><u>LPB Work Programme</u></p> <p>NOTED latest version of the Board work programme to December 2021. For the Pension Regulator Annual Survey, the initial expectation was that results would be available for consideration by Board at next meeting in September but this could slip. Completion for next Survey would either be in December 2020 or March 2021 but would depend on when the Survey was issued by the Pensions Regulator.</p> |
| LPB/20/23 | <p><u>Timescales for Communicating Independent Disputes Resolution Procedure (IDRP) Pension Decisions</u></p> <p>(An item of Any Other Business).</p> <p>AH highlighted that, as a result of completing the Pension Regulator training modules, he had identified that the current Service IDPR policy was silent as to the timescales for communicating IDRPs. SP commented that the Service policy was based on the national procedure for fire service but that the Policy could be revisited with a view to incorporating timescales for communicating decisions.</p> <p>HS commented that the Scheme Advisory Board had recently issued an IDRPs Factsheet.</p> <p>ACTION: SP to review and revise as necessary the Service IDRPs policy to ensure consistency with best practice advice of the Regulator and the Scheme Advisory Board.</p> |
| LPB/20/24 | <p><u>Date of Next Meeting</u></p> <p>15.00hours, Wednesday 9 September 2020.</p> |

The Meeting started at 3.00 pm and finished at 4.00 pm