

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

LOCAL PENSIONS BOARD

DATE OF MEETING	8 December 2021
SUBJECT OF REPORT	SCHEME MANAGER UPDATE
REPORT AUTHOR	HR Rewards & Benefits Manager
EXECUTIVE SUMMARY	<p>This report provides a summary of current pension matters both nationally and locally which have required input from the Service. This report should also be considered in conjunction with the regular monthly Bulletins which are issued by the Firefighters' Pensions Scheme Advisory Board.</p>

1. INTRODUCTION

- 1.1. This is the update report from the Devon & Somerset Fire & Rescue Authority (the Authority) delegated Scheme Manager for the Authority's Local Pension Board (the Board). The Scheme Manager is defined as being the Fire and Rescue Authority under The Firefighters' Pension Scheme (England) Regulations 2014. However, the Scheme Manager may delegate any functions under these Regulations. The Authority has set out in the Discretions Policy where decisions will need to be taken by the Authority. The day-to-day managing and administering of the pension schemes and any statutory scheme that is connected with them, is delegated to the HR Rewards & Benefits Manager.
- 1.2. The Board provides a number of functions as set out in the Terms of Reference, which include:
- assisting the Scheme Manager to ensure compliance with the relevant regulations and the efficient and effective management of the pension administration;
 - advising on member communications; and
 - monitoring complaints.
- 1.3. This report provides a summary of current pension matters both nationally and locally and further updates will be provided at subsequent Board meetings.

2. GOVERNANCE & STRATEGY

- 2.1. Further to the last Board meeting, this is to report that the review of the governance strategy template (provided by the LGA) is currently underway with a view to publication on the Pensions section of the DSFRS website in early 2022.

3. PENSION COMMUNICATIONS

- 3.1. To note that HM Treasury (HMT) published its response to the cost control mechanism (CCM) consultation on 4 October 2021. The full response to the CCM consultation is available online and the hyperlink is included in FPS Bulletin 50.
- 3.2. Since the last board meeting, the Pensions Ombudsman (TPO) has launched a new page on its website called 'How to avoid the Ombudsman'. It contains 'top tips', links to case studies, key determinations, and new frequently asked questions.
- 3.3. An internal announcement via 'Shout Out' was included in early November to acknowledge the publication of the Immediate Detriment Framework, to remind staff of the 4-month timeframe to process retirements under Immediate Detriment and also to reiterate that any pensionable service accrued in the 1992 scheme up to and including 31 March 2022 will continue to remain protected for those who remain in service as active FPS members.

- 3.4. A new section has been added to the FPS member website, www.fpsmember.org, titled 2015 Remedy. This section provides a background to the McCloud/ Sargeant age discrimination ruling and a series of frequently asked questions. The communications team have been asked to include a link to this on the pensions section of the intranet.
- 3.5. It has been noted that WYPF is now advising members who contact them directly that they can process up to *“two estimates per scheme member in a rolling 12-month period, and each estimate must be based on a leaving date within 12 months of the date of request”*. The pensions section of the intranet is being updated to reflect this change.

4. PENSION PROJECTS

2015 Remedy (Sargeant)

- 4.1. On 8 October 2021, the FBU and LGA published a joint statement to announce the agreement of a Memorandum of Understanding and Framework for managing immediate detriment cases arising from the McCloud/ Sargeant age discrimination judgment. The LGA also published a guidance document to assist FRAs in adoption of the Immediate Detriment Framework. Due to the subsequent publication of an HMRC policy document and the Finance (No.2) Bill (which both now indicate a move towards making payments of lump sums paid more than 12 months after retirement authorised), an additional joint statement was published on 19 November 21 and accompanied by a revised set of guidance notes from the LGA.
- 4.2. Since the last report, the Service has received a further 6 requests for immediate detriment quotations for retirement before 1 April 2022 (22 in total to date, excluding 2 submitted in August from protected 92 scheme members).

5. REPORTING BREACHES OF LAW

- 5.1. 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.
- 5.2. There have been no breaches reported since the last Local Pension Board meeting.

6. INTERNAL DISPUTE RESOLUTION

- 6.1. Within the Firefighters' Pension Scheme formal complaints are made via the Internal Disputes Resolution Procedure (IDRP). There have been no new complaints under this procedure since the last Local Pension Board meeting.

7. PENSION ADMINISTRATOR QUALITY OF SERVICE

- 7.1. The Service continues to have an excellent working relationship with WYPF and both sides are continuing to collaborate and periodically review the arrangements that are in place to identify potential improvements that can be made.

8. BOARD MEMBERSHIP

- 8.1. Thank you to Andy Hallam for his participation as a Scheme Member representative. A recruitment process will commence in the New Year for his replacement.

ZOE SMYTH
HR Rewards & Benefits Manager