



## Pension Officer's LGA Bulletin Overview (June-Aug 22)

### Actions arising from bulletin to include DSFRS status update

LGA Bulletin No.	Action	Due date	DSFRS Status Update		
			June	July	August
No 54	Abatement Policy review considering Pensions Ombudsman determination PO-25374	ASAP	There has been a delay to ensure the policies do not contradict each other. Meeting on 20.6 to discuss some elements that will influence the policies. Latest Bulletin contained <a href="#">informal abatement guidance</a> that I will use.	Policy day booked for 14/07 to finalise policies with ZS ready for sharing.	Retire/Re-employment (including Abatement & Flexible retirement) was completed and shared with wide HR function. Disagreement over if it should be a policy or procedure – currently unresolved.
No 55 & No 56 & 57	Matthews: FRAs to inform LGA of total numbers of member, split by scheme (FPS 1992, FPS 2006), affected by aggregation.	<del>No later than 31 May 2022</del> 30 June 2022	Payroll workshop was attended by ZS/HB&JF 24/05. Payroll data extraction is underway. No concerns at his time. Confident we will meet the deadline.	Deadline has been extended due to additional information the LGA have requested. Payroll workshop attended by ZS/HB&JF 24/05. Payroll data extraction is underway. No concerns at his time. <b>Deadline met – data reported * Action Completed*</b>	N/a
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	Review of the Risk register to ensure areas advised on the factsheet are included. ZS & MAT have meeting booked for 17/06 to discuss RR	Review of the Risk register to ensure areas advised on the factsheet are included. ZS & MAT have meeting booked for 17/06 to discuss RR <b>RR was discussed at LPB although factsheet was not</b>	<b>MAT has investigated the RR and TPR factsheet. SAB have produced an up to date RR template</b> <a href="https://www.fpsboard.org/images/PDF/Board-policies/SAB-risk-register-December-2020.xlsx">https://www.fpsboard.org/images/PDF/Board-policies/SAB-risk-register-December-2020.xlsx</a> <b>that</b>

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				referred to. Will need to ensure we have the areas identified on our RR.	MAT feels we should look to use, ensuring the 6 key process areas are included.
No 58	Home Office collection of FPS forecasts for 2022-23 to 2027-28	19 August 2022	MAT emailed AF & RH on 6.7.22 to ensure they are aware and can meet the deadline. AR confirmed the request is in hand.	N/a	N/a
No 58	Bluelight inbox & query form	N/A	FRAs and administrators to use the Bluelight inbox for email correspondence with the Bluelight team. FRAs and administrators to complete query form when submitting a technical query	N/a	N/a
No 58	Annual Benefit Statement – factsheet produced	ASAP	MAT will update the intranet page and include in shout out w/b 18/7.	MAT organised 3 shout out communications with follow up emails to WM's regarding ABS and future retirement plans during the month of August.	15/8/22 – Register now Annual Benefit statements (ABS) are coming. 22/8/22 – Steps to check retirement plans 29/8/22 – Annual benefit statements are here
No 58	TPR Dashboard guidance To help trustees and scheme managers get ready, TPR has published <a href="#">Pensions dashboards: initial guidance</a> which outlines their legal duties, based on draft regulations, including a checklist to help track progress		FRA's to read dashboard guidance and book onto Q&A webinar on 28 July. <a href="#">book here</a>	MAT has booked a space. Dashboard to be on future LPB meeting agendas	MAT and ZS attended the Pensions Dashboard webinar. Downloaded the slides for use at LPB and provide some background information.

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No 59	Administrator survey results: Administrators to consider the recommendations set out in section 5 of the report.	ASAP	N/a	N/a	Although this is an Administrator action (WYPF) MAT has read the recommendations and will be looking at how WYPF can ensure they meet them in a timely manner.
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	N/a	N/a	MAT to revisit past deferred cases to determine what options were offered: If the member has been offered the options as set out above, then no further action is needed.
No 59	Service history data for transitional FPS 2015 members: FRAs to have a process in place to ensure that their administrator is informed of any unpaid breaks in service for transitional FPS 2015 members.	Ongoing	N/a	N/a	All unpaid leave/breaks in service are reported monthly via the WYPF monthly interface. *Action closed*
No 59	Age discrimination remedy - Data sharing: FRAs to share pensionable data for members who are subject to age discrimination remedy and have had an interbrigade transfer during the remedy period with the current FRA's administrator.	Ongoing	N/a	N/a	DSFRS to share pensionable data for members who are subject to age discrimination remedy and have had an inter-brigade transfer during the remedy period with the current FRA's administrator on request.

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No 59	TPO McCloud factsheet published: FRAs to review the information in the factsheet to ensure they do not fall short of TPO's expectations.	Ongoing			<a href="#">TPO factsheet on McCloud and Sargeant complaints</a> has been produced to ensure FRA's do not fall short of TPO 's expectations.
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## **Key Information**

### **FPS Bulletin 57**

#### **Ill health underpin**

To avoid any such members being placed in a worse position, changes have been made to the reformed scheme rules. [Regulations 65\(2A\) and \(2B\)](#) have been inserted into the FPS 2015 regulations with effect from 1 April 2022. This means that for members where the ill-health assessment process began on or before 31 March 2022, the member is assessed for ill-health retirement against an NPA of 55. This will mean that there should be no cases where an affected member would have qualified for ill-health retirement under the legacy 1992 scheme but does not qualify under the reformed scheme.

The members benefit entitlement should be calculated in the same manner as set out in the FPS 2015 regulations.

#### **Abatement**

As mentioned in the actions above, new guidance has been issued from LGA. They have consulted with FRA FPS practitioners and administration colleagues as well as the Scheme Advisory Board and Home Office ahead of publication. The guidance will be kept under review and updated in line with any scheme changes. We also hope to add an example abatement policy in due course. We recommend that FRAs take the guidance into account when considering future cases

#### **Software Workshop**



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At the coffee morning on 17 May concerns were raised over the readiness of pension administration software for the retrospective remedy.

As highlighted in the meeting, the legislation needed to facilitate retrospective remedy will not come into force until 1 October 2023, at which point this will signify the start of the implementation phase. FRAs and administrators will have a period of up to 18 months to provide members with options on their scheme benefits. This means that anyone who has retired and has an entitlement to the remedy should be contacted and presented with their options. [Click here to return to Contents](#)

Our software providers, Heywood and Civica, are currently working on updating their administration systems to ensure that they are fully functioning to provide the calculations needed for the retrospective legislation. Unfortunately, some modifications cannot be made without clear direction on certain policy decisions. This may mean that elements of the payroll software cannot be updated until the regulations have been made available.

With this in mind, we have contacted the software suppliers and asked whether they would be prepared to present their implementation timeline to FRAs, which should enable FRAs to become more familiar with the overall time frame and highlight any problem areas. We will contact FRAs once a date has been agreed with your relevant software supplier.

### **Annual Benefit Statements (ABS's) 2022**

At the Fire Technical Working Group (FTWG) meeting on 7 March 2022 we discussed annual benefit statement production (ABS) for 2022.

As ABS's in 2022 will be based on current scheme regulations up to 31 March 2022, it was proposed that the same process as last year is followed, and the statements caveated in a similar way. FPS Bulletin 44 – April 2021 provides more information.

However, while the recommendation last year was to suppress projections for fully protected members which would have incorrectly forecast final salary benefits beyond 31 March 2022, administrators were asked to consider that projections for former protected members could be included this year on a fully CARE basis.

The group failed to reach a consensus on this matter, it was therefore agreed that administrators will make the final call on whether to include projections or not. It is the expectation that administrators will notify the FRAs they administer on their decision.

### **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



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## **FPS England SAB updates**

### **TPR factsheet**

We advised readers in FPS Bulletin 47 – July 2021 that the results of the 2020-21 [Governance and Administration survey](#) had been published by the Pensions Regulator (TPR). As part of the annual survey, TPR measures six processes as key indicators of public service pension scheme performance. The six processes are:

1. Documented policy to manage board members conflicts of interest
2. Access to knowledge, understanding and skills needed to properly run the scheme
3. Documented procedures for assessing and managing risks
4. Process to monitor records for accuracy / completeness
5. Process for resolving contribution payment issues
6. Procedures to identify, assess and report breaches of the law

In 2020-21, 74 per cent of Firefighters' schemes across the UK reported having all six processes in place. This had increased from 55 per cent in 2019.

We have refreshed [six key processes factsheet](#) to reflect the most recent results and give guidance to FRAs and their Local Pension Boards (LPBs) to improve understanding and compliance in the next survey.

### **SAB remedy engagement sessions**

The Home Office has invited the Scheme Advisory Board (SAB) 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.

The first meeting is due to take place on 24 June 2022 where the SAB will be discussing the interest and eligibility PDDs

### **PASA Cybercrime protection checklist**



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The PASA Cybercrime and Fraud Working Group has published a [Cybercrime protection checklist](#) for pension administrators. The checklist builds on cybercrime guidance published by the group in November 2020. It provides examples of steps administrators can take to assess their defences against cybercrime.

### **DLUHC publishes statutory guidance on special severance payments**

On 12 May 2022, the Department for Levelling Up Housing and Communities (DLUHC) published statutory guidance on special severance payments. Best Value authorities in England must have regard to the guidance in circumstances in which it may be appropriate to make Special Severance Payments. The guidance also covers approval, disclosure, and reporting requirements.

The guidance does not apply to authorities in Wales. You can find a list of the bodies the guidance applies to at the end of the guidance.

The guidance confirms that:

- strain cost related to the early payment of LGPS benefits under regulation 30(6) or (7) (flexible retirement, redundancy, or efficiency retirement over age 55) does not constitute a special severance payment
- strain cost of awarding additional pension under regulation 31 of the LGPS Regulations 2013 may constitute a Special Severance Payment, depending on the terms of the individual's contract [Click here to return to Contents](#)
- strain cost related to waiving an actuarial reduction when a member retires under regulation 30(5) may constitute a Special Severance Payment, depending on the terms of the individual's contract.

DLUHC consulted on a draft version of this guidance in 2021.

Considering the above, we contacted the Home Office to establish whether any consideration needs to be taken of the strain costs for releasing benefits early under Authority/Employer initiated early retirement or waiving restricted commutation under the FPS.

The Home Office confirmed that, although this policy sits outside of its pensions remit, it has contacted the policy lead at DLUHC, who has confirmed that both instances (i.e., fitness assurances and commutation uplift) would not fall within the scope of special severance payments.

### **HMRC**

#### **2 new Newsletters have been published by HMRC**

[Pension schemes newsletter 139](#) has articles on:

- relief at source — annual return of information for 2021 to 2022



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- digitisation of relief at source
- managing Pension schemes service
- Accounting for Tax (AFT) returns

[Pension schemes newsletter 138](#) has articles on:

- HMRC has updated its annual allowance calculator to include the 2022 to 2023 tax year
- changes to Scheme Pays reporting deadlines in some cases following the introduction of the Registered Pension Schemes (Miscellaneous Amendments) Regulations 2022 (see FPS Bulletin 56 – April 2022 for more information)
- a reminder to take action now to migrate your pension scheme to the Managing Pension Schemes service
- accounting for tax returns for the quarter ending 31 March 2022 must be submitted through the Managing Pension Schemes service.

### Events

#### FPS coffee mornings

The next session is due to take place on 14 June 2022.

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

3 May 2022 – [Contingent decisions](#)

17 May 2022 – [Transitional benefits post 1 April 2022](#)

31 May 2022 – [ABS and RSS](#)

#### Payroll workshop

Slides covering the event have been made available and can be found on the [age discrimination implementation page](#) of the FPS Regs and Guidance Website.





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## [FPS Bulletin 58](#)

### Information shared

#### **Matthews – lessons learned**

The Home Office has recently shared with us a [draft document which outlines the lessons learned](#) from the first special members' options exercise.

This high-level paper has been produced for stakeholders involved in Matthews Remedy work. The purpose of this paper is to identify the areas of improvement from the previous remedy project and how to implement the lessons identified. The lessons referenced are drawn from the experience and reflections of the Home Office, Government Actuary Department and Local Government Association on Matthews Remedy options exercise which took place between April 2014 and September 2015.

Stakeholders had opportunity to discuss the key points from the paper at our latest coffee afternoon session on 28 June 2022.

Feedback is welcomed from the sector as to whether anything is missing from the document which should have been captured.

Please send any thoughts and suggestions through to the Bluelight inbox ([bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk)).

#### **Immediate Detriment Framework costing and assumption guidance**

The LGA has been working closely with Cleveland FRS to establish a calculator which should enable FRAs to estimate their financial liabilities when considering adoption of the Framework.

We are pleased to confirm that the guidance, along with template spreadsheets, has now been published and is available to access via the [age discrimination page in the member protected area](#) of the FPS Regulations and Guidance website.

Before using the spreadsheet, it is worth noting that it has been designed to provide FRAs with a basic estimate of their financial exposure; it does not cover every eventuality and it is based on the LGA's current understanding of what the main financial liabilities are.

#### **Bluelight inbox and query form**



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Now that the Bluelight team is up to full strength please can we ask that all queries are sent to the generic Bluelight inbox (bluelightpensions@local.gov.uk). This will enable the most appropriate team member to respond as well as ensuring that queries can be dealt with when someone is on leave.

### **Annual Benefit Statements (ABS's) 2022**

At the Fire Communications Working Group (FCWG) meeting on 13 June 2022 we discussed whether it would be beneficial to provide members who are affected by age discrimination remedy with any additional information alongside their annual benefit statement.

Although the notes clearly indicate that benefit statements cannot at this stage reflect remedy, the group thought that it would be prudent to provide members with an additional information note which outlines the timeframes associated with remedy.

The factsheet is available to access via the [guides and sample documents page](#) of the FPS Regulations and Guidance website, under the heading Annual Benefit Statements (ABS). All administrators are encouraged to send the document to members impacted by remedy, with the 2021/22 benefit statements.

### **Technical Query Log**

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

Queries have been answered this month in the following categories: Commutation (page 19)

### **FPS England SAB updates**

#### **SAB respond to HM Treasury's letter**

We reported in FPS Bulletin 52 that the chair of the SAB had written an [open letter to HM Treasury \(HMT\) on the withdrawal of the Home Office informal guidance](#) on immediate detriment. The letter, dated 17 December 2021, asked for more information on the risks and uncertainties which HMT said arose because of processing cases ahead of legislation.

On 23 March 2022, [HMT provided a response outlining the factors behind the withdrawal](#) in more detail. The response highlighted that Section 61 of the Equality Act 2010 did not, in HMT's opinion, allow for amendment of a member's tax position. The response detailed several tax complexities which had been identified and will be dealt with through legislation.



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On 20 June 2022, the chair of the SAB wrote an [open letter in response to HMT's reply](#) which seeks further clarity on the extent of Sections 61/ 62 and the tax implications detailed.

### **Other news and updates**

#### **DWP call for evidence – helping savers understand their pension choices**

On 14 June 2022, the Department for Work and Pensions (DWP) launched a [Call for Evidence entitled: 'Helping savers understand their pension choices'](#). The call for evidence explores what support pension scheme members need to help them make informed decisions about how to use their savings. DWP welcomes views from pension scheme members, consumer organisations, trustees, and scheme managers.

The consultation closes on 25 July 2022.

#### **Further consultation on Pensions Dashboards launched**

On 28 June 2022, DWP launched a further consultation on Pensions Dashboards: [Pensions dashboards: further consultation - GOV.UK \(www.gov.uk\)](#)

This further consultation supplements the consultation on the draft dashboard regulations which ran from 31 January 2022 to 13 March 2022. More information, including the LGA FPS response to that consultation, can be found on the [consultations page](#) of [www.fpsregs.org](http://www.fpsregs.org).

The further consultation sets out two proposals. The first proposal provides clarity on the 'Dashboard Available Point' (DAP). The second proposal allows the Money and Pensions Service and the Pensions Regulator to share information about dashboards with each other.

The DAP is the point at which dashboards will be available to all members of the public. The consultation proposes that the DWP will decide on the DAP and then give pension schemes 90 days' notice. It is hoped that this will give schemes sufficient time to make final preparations.

The consultation is scheduled to run for 3 weeks and closes on 19 July 2022.

#### **TPR Deadline Campaign for Pensions Dashboards**

The Pensions Regulator (TPR) has launched its new "Deadline" campaign urging trustees and scheme managers to start preparing for pensions dashboards.



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It is expected that occupational pension schemes with 100 or more relevant members will connect to the pension's dashboards through a phased approach according to size and type of pension scheme. The first schemes will connect to the dashboards system by June next year and TPR will begin writing to them at least twelve months ahead of their connection deadline to alert them to what they need to do.

To help trustees and scheme managers get ready, TPR has published Pensions dashboards: initial guidance which outlines their legal duties, based on draft regulations, including a checklist to help track progress. TPR are urging the following:

- All schemes need to prepare, so it is vital that all schemes start to prioritise their duties and not leave them until the last minute-your pensions dashboard deadline is coming.
- Include pension dashboards as an agenda item at trustee board meetings.
- Decide how you will connect-i.e., using your current pensions administrator, an integrated service provider, or building your own connection solution.
- Check that the data you will use to match people with their pensions and return to the dashboard is available, accurate and assessable.

### [Check connection deadline and download checklist](#)

TPR is hosting a webinar and Q&A on 28 July 2022 to take you through the steps you need to take to prepare for connection. [Register your place.](#)

### **State pension triple lock reinstated**

Chancellor Rishi Sunak has confirmed that the [state pension triple lock will be reinstated next April](#) after it was put on hold last April. It is likely to be based on the September 2022 consumer price index, which is expected to be around 10 per cent

**There were several job vacancies advertised that none of us will be interested in 😊**

### **Events**

#### **FPS coffee mornings**

The next session is due to take place on 14 July 2022.

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

14 June 22 - [TPR Governance and Administration survey results 20-21](#)



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28 June 22 - [Matthews - lessons learned](#)

## **FPS Bulletin 59**

### **Information shared**

#### **Administrator self-assessment survey results**

The administrator self-assessment survey was launched in FPS Bulletin 54 – February 2022 and ran between 24 February and 18 March. It comprised of 57 questions which focused on variety of topics including Sargeant, Matthews, and pensions dashboards. The aim of the survey was to understand more about arrangements for administering the Firefighters' Pension Scheme and specifically for implementing the age discrimination remedy.

The survey received a 100 per cent response rate which will allow an accurate assessment of the sector and a better understanding of the challenges that administrators face.

[The full results of the survey and recommendations](#) can be found on the protected area of the FPS Regulations and Guidance website.

#### **FPS 2006 special members - Corrective action**

We have been alerted to an issue on which FRAs will need to take immediate remedial action. The issue relates to members who have elected for special membership under the first options exercise and to repay their contributions by way of periodic contributions, however, leave part way through their contract and therefore have a number of instalments still outstanding.

The regulations support the fact that the member's decision to leave should not impact their ability to continue to pay for the cost of past service. If the member leaves, or opts out, they have the option to pay all remaining contributions within three months of the leaving date to count all the service. Alternatively, the member can continue to pay periodical contributions as a deferred member

We would expect the options above to be offered to a member as a matter of course, however, as we understand it, some FRAs have not offered their members these options.

In preparation for the second options exercise, our view is that corrective action should be taken to address this issue. FRAs should use the time between now and the 2023 options exercise to rectify any such issues where there are regulations in place to do so. This will help keep the 2023 options exercise as straightforward as possible.



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We therefore recommend that all FRAs follow the steps set out below.

1. FRAs to revisit past deferred cases to determine what options were offered:
  - a. If the member has been offered the options as set out above, then no further action is needed.
  - b. If the member has not been offered the options as set out above, then progress to step 2.
2. Confirm which regulatory option applies to the member:
  - a. If the member has left within the last 3 months, then they can be offered:
    - i. The option to repay the outstanding contributions by lump sum
    - ii. The option to continue with \*periodic contributions
    - iii. The option of a pro-rated pension based on the contributions already paid
  - b. If the member has left more than 3 months ago, then they can be offered:
    - i. The option to continue with \*periodic contributions
    - ii. The option of a pro-rated pension based on the contributions already paid

\*Periodic contributions would need to be reviewed and possibly altered to take account of any gaps in the repayment schedule.

We believe that the correct regulatory option available is to recalculate the instalments so that the remaining balance is repaid at the original 10-year point – in line with Rule 6A (8). The calculator has been specifically designed to ensure that the correct proportion of interest is applied for the 10-year period.

3. FRAs should take immediate steps to contact affected members and notify them of the options available to them.
  - a. If the member elects for periodic contributions, as they are no longer employed and instalments cannot be taken from their salary, they will have the option of paying by standing order.
4. FRAs to notify administrator of the member's decision and update their record accordingly.

**Service history data for transitional FPS 2015 members**



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As of 1 April 2022, all members who remain active members of the Firefighters' Pension Scheme do so as members of FPS 2015. The FPS 2015 is a statutory, defined benefit, career average, public service pension scheme.

As qualifying service in the FPS 2015 is added to qualifying service in the FPS 1992 or 2006 to determine whether a member with continuity of service qualifies for retirement benefits, any reduction in pensionable service due to an unpaid service break such as maternity/paternity/adoption leave, industrial action, and career breaks will affect that date by the relevant number of days. Therefore, FRAs should continue to record and report any days lost to unpaid service to their pension scheme administrator.

### **Age discrimination remedy - Data sharing**

As part of the data collection exercise for age discrimination remedy FRAs may identify a proportion of cases whereby information such as pensionable pay and contributions are required from another FRA. This is because the member has been subject to an inter-brigade transfer during the remedy period.

Corrective action cannot be taken unless the current administrator has access to the data, they need to perform this function.

This issue was discussed in detail at the Fire Technical Working Group (FTWG) on Monday 25 July. It was decided that, to remove any GDPR issues, the information should be shared with the current administrator instead of the current FRA. This is because the administrator has a legitimate reason for needing the data.

FRAs will be required to share pensionable data for members who are subject to age discrimination remedy and have had an inter-brigade transfer during the remedy period with the current FRA's administrator on request.

### **Duradiamond - Contract extension**

The Home Office has received several queries regarding the status of the medical appeals board framework contract currently supplied by Duradiamond (trading as Health Partners). The contract with Duradiamond/Health Partners was due to expire on 30 September 2022.

The Home Office has agreed to extend this contract by a further 12 months to reduce the backlog of cases that accrued because of the pandemic and to avoid any further disruptions to the service. The terms of the contract remain the same and the extension will begin on 1st October 2022.

### **Technical Query Log**

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

Queries have been answered this month in the following categories: Annual Allowance (page 15), IHR for deferred Special Members (page 84), Payroll (page 95), Two Pensions (page 122).



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## **FPS England SAB updates**

### **FPS 1992 Scotland – commutation provisions**

The commutation provisions have been amended for FPS 1992 Scotland from 1 April 2022. At the SAB meeting on 23 June 2022, SPPA gave an update to the Board on the impact that the change in the provisions has had on retirement numbers.

SPPA reported that there had been a significant rise in expected retirements in the first quarter of 2022-2023. Due to timing, it is not clear whether this is because of the change in provision or due to the move of all members back into the FPS 2015 from 1 April 2022. It is also not clear how this will impact on workforce planning.

The SAB has decided to monitor the impact of this over a longer time period so that more data is available to be considered. If the SAB wanted to pursue a change to the commutation provisions in England, then a business case would have to be prepared for the Government to take this forward.

### **2020 Valuation assumptions**

At the last SAB meeting GAD provided the Board with a presentation on four of the key demographic assumptions which are proposed to be used in the 2020 valuation.

These are: withdrawal from the scheme, promotional pay, age retirement and commutation.

GAD confirmed that there had been an improvement in the data provided by FRAs for the 2020 valuation.

GAD will now consider the assumptions to be presented to the Home Office for incorporation into the valuation exercise.

### **Contingent decisions**

At SAB meeting on 23 June 2022, a [paper on contingent decisions](#) was discussed which introduced the topic to the board and highlighted the instances where a contingent decision may apply.

Police and Fire SABs are involved in joint engagement sessions with the Home Office to discuss the policy definition documents (PDDs) in relation to remedy.

A joint engagement session on contingent decisions is due to take place on 9 November 2022 with Home Office and the SABs.



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## Other news and updates

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

Unions across the public sector sought a judicial review against the UK Government about McCloud/ Sargeant remedy costs in the cost control mechanism.

The FBU, GMB, and British Medical Association (BMA) argued that the cost of rectifying the discrimination should not be met by scheme members.

On 4 July 2022, the FBU and the BMA were given permission to judicially review the Government's decision. The judicial review is expected to be heard towards the latter part of 2022.

### TPO Annual Report and Accounts for 2021/22 On 14 July 2022,

The Pensions Ombudsman (TPO) published its Annual Report and Accounts for 2021/22. For more information, see [the press release announcing the publication](#) .

### TPO McCloud factsheet published

On 20 July 2022, TPO published a [factsheet on McCloud](#).

The factsheet sets out TPO's views on what affected members and schemes can do now and TPO's present approach to dealing with McCloud complaints.

TPO's current general starting position is that it would not investigate McCloud complaints. This is because it acknowledges that the Government is taking steps to address the discrimination with retrospective effect.

TPO will, however, carefully look at the facts of each case before deciding whether to investigate.

Pension Dashboard information and consultations were discussed. Lots of reports/links to read.

## Dashboards



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## **Dashboard Accuracy Data Guidance**

On 4 July 2022, the Pensions Administration Standards Association published the [Dashboard Accuracy Data Guidance](#).

The guidance provides information on how schemes could test their data and what data sources they could use.

We have previously provided [data scoring guidance](#) which includes a matrix for adjusting scores for accuracy. We are in the process of updating our guidance to take account of age discrimination and value data for pensions dashboards.

## **DWP responds to consultation on the draft pensions dashboards regulations**

On 14 July 2022, the Department for Work and Pensions (DWP) [responded to the consultation on the draft Pensions Dashboards Regulations](#).

The DWP has also published a [summary of the key policies](#). The summary reflects the response to the consultation.

We are pleased to note that the staging deadline for all public service schemes has been extended by five months from 30 April 2024 to 30 September 2024 and, that the requirement to provide value data has been pushed back to 1 April 2025 at the latest and will only be earlier where a Remediable Service Statement has been issued – paragraphs 5.35-5.36.

In relation to members with different tranches of benefits, the regulations will be amended to allow scheme flexibility to provide “a separate set of values for different combinations of tranches of benefits, along with a retirement date in relation to each.” – paragraph 2.39.

The DWP will amend the draft regulations (‘the Regulations’) to reflect the response. We expect the DWP to lay the Regulations before Parliament in autumn.

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

On 19 July 2022, we responded to the further consultation on pensions dashboards.

DWP launched the further consultation on 28 June 2022. We covered this in FPS Bulletin 58 – June 2022. The consultation included proposals on the ‘Dashboard Available Point’ (DAP).

You can find a copy our response on the consultations page of the FPS Regs and Guidance website.

Our response expressed broad support for the proposals, providing that schemes received enough advance notice of the expected DAP.

## **PDP launches consultation and call for input on standards and guidance**

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](#).



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

## **Cyber Risk Made Simple Guide**

The Pensions and Lifetime Savings Association (PLSA) has recently published '[Cyber Risk Made Simple Guide](#)'. PLSA produced the guide in partnership with Aon and Crowe.

The guide explains the nature of the cyber threat to pension schemes. It also outlines 15 actions pension schemes may wish to take in response.

## **HMRC**

### **HMRC publishes Pension Schemes Newsletter 140 and 141**

**On 30 June 2022, HMRC published pension schemes [newsletter 140](#).**

The newsletter includes articles:

- clarifying the rules on paying interest and arrears when equalising for guaranteed minimum pensions
- reminding schemes to migrate from the Pension schemes online service to the Managing Pension Schemes service
- on the expected release in spring 2023 of the event report for tax year 2023/24 on the Managing Pension Schemes service
- on a new reportable event from April 2023 for certain public service schemes. This will relate to issuing annual allowance statements. HMRC will consult on legislation introducing this new reportable event later this year
- reminding schemes that they can no longer compile and submit accounting for tax returns for any quarter from 1 April 2020 using the Pension schemes online service.

**On 21 July 2022, HMRC published pension schemes [newsletter 141](#).**

The newsletter includes articles:

- covering the technical consultation on resolving the low earners tax relief anomaly



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- clarifying how to migrate schemes from the Pension Schemes Online service to the Managing Pension Schemes service
- reminding schemes that they cannot compile and submit new Accounting for Tax returns for any quarter from 1 April 2020 onwards on the Pension Schemes Online service
- reminding schemes who need to submit an Accounting for Tax return for the quarter 1 April 2022 to 30 June 2022 that they will need to have migrated the scheme and submitted the return on the Managing Pension Schemes service by 14 August 2022 to avoid interest and penalties.

### Events

#### FPS coffee mornings

The next session is due to take place on 14 July 2022.

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

12 July 22 - [General update: Matthews, scheme valuations and SAB remedy engagement](#)

28 July 22 - [Remedy eligibility and administrator self-assessment survey](#)

#### 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](#)