

# Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme

Date: Wednesday 9 June 2021  
Time: 2.00 pm  
Venue: Microsoft Teams

## Membership

Martin Reohorn (Chair)  
Barnaby Briggs  
Caroline Jones  
Sian Marsh  
Paul Morley  
Tony Morgan

Items on the agenda: -

## 1. General

### (1) Apologies

### (2) Board Members' Disclosures of Interest

(As stipulated by the Public Sector Pensions Act 2013 and set out in Annex A of the Agreed Board Terms of Reference).

### (3) Minutes of the Previous Meeting

2. Forward Plan	9 - 12
3. Risk Monitoring	13 - 18
4. Pensions Administration Activity and Performance update	19 - 24
5. Breaches Policy	25 - 38
6. Cyber Security Policy	39 - 46

**7. Next Steps**

**8. Any Other Business**

**9. Future Meeting Dates**

Tuesday, 14 September 2021

Tuesday, 9 November 2021

Monday, 14 February 2022

Tuesday, 10 May 2022

All meetings start at 2.00pm, unless specified otherwise and will be scheduled to take place virtually or at Shire Hall, Warwick.

**Monica Fogarty**  
Chief Executive  
Warwickshire County Council  
Shire Hall, Warwick

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A member attending a meeting where a matter arises in which they have a disclosable pecuniary interest must (unless they have a dispensation):

- Declare the interest if they have not already registered it
- Not participate in any discussion or vote
- Leave the meeting room until the matter has been dealt with
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

Non-pecuniary interests relevant to the agenda should be declared at the commencement of the meeting.

The public reports referred to are available on the Warwickshire Web <https://democracy.warwickshire.gov.uk/uuCoverPage.aspx?bcr=1>

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# Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme

Thursday 4 March 2021

## Minutes

### Attendance

#### Committee Members

Martin Reohorn (Chair)  
Barnaby Briggs  
Caroline Jones  
Councillor David Reilly  
Paul Morley  
Tony Morgan

#### Officers

Helen Barnsley, Democratic Services Officer  
Neil Buxton, Technical Specialist - Pension Fund Policy and Governance  
Liz Firmstone, Service Manager (Transformation)  
Jane Pollard, Legal Service Manager (Corporate)

### 1. General

### 2. Apologies

Apologies were received from Vicky Jenks, Sian Marsh and Deborah Moseley.

### 3. Board Members' Disclosures of Interest

(As stipulated by the Public Sector Pensions Act 2013 and set out in Annex A of the Agreed Board Terms of Reference).

There were no declarations of interest noted.

#### (1) Minutes of the Previous Meeting

The minutes of the previous meeting were agreed as a true and accurate record.

There were no matters arising.

#### **4. Terms of Reference**

Neil Buxton, Technical Specialist - Pension Fund Policy and Governance introduced the report to the Board and confirmed that the terms of reference had been updated.

It was noted that section 7.4 had been missed from the updated version sent to the Board. It was confirmed that this will be corrected and the correct document will be recirculated to the Board members.

The Board accepted the updated Terms of Reference.

#### **5. Pensions Administration Update**

Liz Firmstone, Service Manager (Transformation) presented the report to the Board. It was noted that the report brings a broad picture of the activity completed by the pension administrators.

The Board noted that there had been one recorded breach since the last meeting. The breach was a minor breach and had been resolved. There was no requirement for it to be reported.

In relation to internal disputes, it was noted that there have been three cases since October 2020. They have all been investigated with two not upheld and one being dealt with internally by HR.

In relation to McCloud/Sergeant, the Board noted that following consultation, the Government had announced that members will not have to choose options until they leave. These means that members will have the information to make the right decision. This is a good outcome.

It was noted that with reference to Immediate detriment, the Home Office has recently provided guidance, some of which was challenged in the courts but this has not been successful. It was confirmed that officers are waiting to hear if there will be appeals, although this is unlikely. Officers will revisit calculations to ensure that everything is correct.

The Chair raised a question in relation to the guidance and if it will include specific information about immediate ill health retirement and if it will this be across legacy schemes? It was confirmed that Liz Firmstone will investigate and report back at a future meeting.

Section 8 of the report related to data performance scores and it was noted that the scores compare well with others. There have been some issues with data in relation to legacy schemes but work is in progress to improve the performance score in this area. It was noted that advice is expected from the LGA in relation to legacy cases and how to proceed where data is missing or incorrect. The Board noted that access to older pay systems is still available and that this should help.

Following a question from the Chair, it was confirmed that Liz Firmstone will investigate if the missing data is all from one area and feedback to the Board at a future meeting.

Following a question from Councillor Dave Reilly it was confirmed that administrators can hold data from a range of sources and that this has been validated and verified by legal officers.

In relation to the outsourcing of administration, it was confirmed that work is in progress to ensure that the quality of the data is high before anything is outsourced.

The Board noted that Shropshire have expressed an interest in sharing the tendering process for the outsourcing. Reassurance was given that the sharing process will not delay Warwickshire's plan. The Board noted that 1 April 2022 is the planned go-live date for the outsourcing project.

Barnaby Briggs stated that the national fire procurement framework would allow Shropshire to benefit from the process undertaken by Warwickshire. The Board noted that it was unclear at the moment if Shropshire were interested in sharing the procurement process or in having a shared contract. The Chair advised caution in starting a new contract at the start of a financial year.

It was confirmed that in relation to O'Brien/Matthews case, an update would be prepared for the next meeting. O'Brien/Matthews related to a 2006 modified scheme for part time working settlements.

## **6. Risk Monitoring**

Neil Buxton, Technical Specialist - Pension Fund Policy and Governance, presented the report to the Board and confirmed that it would be presented each quarter and any amendments would be highlighted to the Board.

The board noted that risks associated with Covid-19 have been added to the register. It was also noted that the implementation of i-connect will improve the quality of the data that is input.

The Board noted the content of the report.

## **7. Forward Plan**

Neil Buxton, Technical Specialist - Pension Fund Policy and Governance presented the report to the Board confirming that it was a plan for items due to be presented to the Board at future meetings.

It was noted that there is flexibility if there are items that the Board would like to bring forward or push back. Standard items for each meeting are included on the plan as well as bespoke items such as policy reviews.

In relation to training, it was confirmed that a more detailed training plan for the Board will be provided at a future meeting. The Board noted that an LGA training session to be held at Hereford and Worcester has been opened to members in Warwickshire.

Paul Morley requested that the tender process be added to the forward plan as well as to the training plan to allow board members to fully understand the process

The Board noted the content of the report.

## 8. Any Other Business

Councillor Dave Reilly advised the Board that he would not be standing for re-election in May 2021, so this would be his last meeting of the pension board. The Board thanks Councillor Reilly for his work on the Board and wished him well for the future.

It was confirmed that a replacement member would be decided by full council at the meeting in May after the election.

Barnaby Briggs informed the Board of the latest FPS Bulletin (42) which raised a series of questions that Fire Authorities needs to address. It was agreed that the questions would be shared with the Board and that Liz Firmstone would circulate answers before the next meeting to that they could be discussed. The item will be added to the agenda.

## 9. Future Meeting Dates

The schedule of future meeting dates was agreed as follows:

Tuesday, 14 September 2021  
Tuesday, 9 November 2021  
Monday, 14 February 2022  
Tuesday, 10 May 2022

All meetings will be held at 2.00pm in Shire Hall or virtually (subject to government guidance)

The meeting rose at 14:49

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Chair



## Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme

### Forward Plan

9 June 2021

### Recommendation(s)

1. That the Warwickshire Fire and Rescue Local Pension Board (the Local Pension Board) notes and comments on the forward plan.
2. That the Local Pension Board identifies any areas of interest or activity to add to the forward plan.

### 1. Executive Summary

- 1.1 This report provides an updated rolling forward plan for the Board looking forward one year.
- 1.2 This is not intended to be rigid or definitive, the intention is that it can be updated and amended on a rolling basis at each meeting and be informed by the latest developments.

### 2. Financial Implications

- 2.1 None.

### 3. Environmental Implications

- 3.1 None.

### 4. Supporting Information

- 4.1 The updated forward plan is shown at Appendix 1.

### 5. Timescales associated with the decision and next steps

- 5.1 None

### Appendices

1. Appendix 1 The Forward Plan

## Background Papers

1. None.

	<b>Name</b>	<b>Contact Information</b>
Report Author	Neil Buxton	neilbuxton@warwickshire.gov.uk
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Lead Member	Portfolio Holder for Finance and Property	<a href="mailto:peterbutlin@warwickshire.gov.uk">peterbutlin@warwickshire.gov.uk</a>

The report was circulated to the following members prior to publication:

Local Member(s):

Other members:

## Warwickshire Fire Pension Schemes Pension Board

## Forward Plan items

Appendix 1.

Q1 9 <sup>th</sup> June 2021	Q2 14 <sup>th</sup> September 2021	Q3 9 <sup>th</sup> November 2021	Q4 14 <sup>th</sup> February 2022
<b>Standing Items</b>			
Administration Activity and Performance update	Administration Activity and Performance update	Administration Activity and Performance update	Administration Activity and Performance update
Risk Register	Risk Monitoring	Risk Monitoring	Risk Monitoring
Forward plan	Forward plan	Forward plan	Forward plan
<b>Bespoke Items</b>			
	Chairs Annual Report		
<b>Policies</b>			
Cyber Security Breaches Policy	Administration Strategy Communication policy		
<b>Training</b>			
	Introduction to Firefighter pension schemes	McCloud / Sergeant	To be confirmed

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## Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme

### Risk Monitoring

9 June 2021

#### Recommendation(s)

1. That the Warwickshire Fire and Rescue Local Pension Board notes and comments on the report.

#### 1. Executive Summary

- 1.1 The report identifies the risks to the administration of the Firefighter Pension Schemes and actions to manage them.
- 1.2 Future reports will provide an update on the risks.
- 1.3 Risks relating to the age discriminatory remedy work are listed in a separate risk register.
- 1.4 The Risk Register is detailed in Appendix 1.

#### 2. Financial Implications

- 2.1 None.

#### 3. Environmental Implications

- 3.1 None.

#### 4. Supporting Information

- 4.1 The risk register scores set out are based on the following convention:

Gross risk – risk before mitigating actions  
Net risk – risk after mitigating actions

4.2 Risk probability and impact are classified into four categories as follows:

		Likelihood			
		Unlikely 1	Possible 2	Likely 3	Very Likely 4
Impact	Very Likely 4	4	8	12	16
	High 3	3	6	9	12
	Medium 2	2	4	6	8
	Low 4	1	2	3	4

4.3 Risk impact and likelihood are multiplied together to provide an overall risk score. Red risks are those with scores 10 or higher, green risks have scores 3 or lower, and the remainder are amber.

4.4 The current risk table has been updated to include the potential risk of insufficient data being available to resolve the McCloud / Sergeant rectification exercise.

## 5. Timescales associated with the decision and next steps

5.1 The risk register will be monitored quarterly through the year.

### Appendices

1. Appendix 1 Risk Register Actions

### Background Papers

1. None

	Name	Contact Information
Report Author	Neil Buxton	neilbuxton@warwickshire.gov.uk
Assistant Director	Andrew Felton	<a href="mailto:andrewfelton@warwickshire.gov.uk">andrewfelton@warwickshire.gov.uk</a>
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Lead Member	Portfolio Holder for Finance and Property	<a href="mailto:peterbutlin@warwickshire.gov.uk">peterbutlin@warwickshire.gov.uk</a>

The report was circulated to the following members prior to publication:

Local Member(s):

Other members:

Ref	Risk	Cause	Effect	Risk Owner	Gross Risk			Existing Actions(in place or completed)	NET Risk			Further Risk Actions		
					Likelihood	Impact	Risk Level		Likelihood	Impact	Risk Level	Description (actions must be referenced to objectives in business unit plans or service plans)	Action Owner	Review Date
001	Inadequate data quality	Employer not aware of data provision responsibilities Employer not having the capacity or expertise to manage and provide their data Admininstrator not escalating data issues Administrator systems or processes allowing or creating errors Insufficient or poor quality for the 1992 scheme for determining the McCloud / Sergeant rectification.	Reputational damage/ incorrect pension benefits paid	Pensions Administration Delivery Lead/Payroll Delivery Lead	2	4	8	Monthly monitoring of actual and potential breaches activity  Ensure protocols are in place for co-ordination of data provision with Warwickshire County Council payroll service. Annual reporting of data quality with work plan to address quality issues  Implementation of i-Connect (complete)	2	3	6	Breaches Policy created June 2021 I-connect implemented March 2021	Pension Admin Lead	01/09/2021
002	Employee / employer contributions not paid	Employer has poor processes and procedures Lack of clarity from the administrator about expectations Lack of escalation by the Administrator	Additional funding required from central government is different to what has been submitted via DELTA system Reputational risk to the Pensions Administration Team	Pensions Administration Delivery Lead/Payroll Delivery Lead	2	3	6	New staffing structure with more dedicated capacity for policy development and employer liaison	1	3	3		Pension Admin Lead	01/12/2021
003	Loss of service provision due to disruption	Fire Flood National event/emergency Cyber Crime Systems Failure	Inability to pay pensioners  Inability to keep data up to date leading to data inaccuracy and data backlogs	Pension Admin Delivery Lead	1	4	4	Data back ups stored off site Use of scheme administrator disaster planning processes Digital imaging of records Access to the scheme administrator's systems security facilities Creation of a cyber security policy	1	3	3	Review and update of disaster recovery plan	Pension Admin Lead	01/09/2021

Ref	Risk	Cause	Effect	Risk Owner	Gross Risk			Existing Actions(in place or completed)	NET Risk			Further Risk Actions		
					Likelihood	Impact	Risk Level		Likelihood	Impact	Risk Level	Description (actions must be referenced to objectives in business unit plans or service plans)	Action Owner	Review Date
004	Lack of skills and knowledge	Increasing demand and complexity within the scheme  Pressure to maximise efficiency and minimise costs	Deterioration in data quality  Inability to make decisions  Inability to make decisions in a timely way  Workload backlogs  Inability to meet service objectives and deadlines  Reputational damage  Adverse impact on morale	Strategy and Commissioning Manager	3	3	9	Training for new staff  Documentation of procedures and practices  Pro-active talent mapping and succession planning for internal staff  Consider outsourcing administration of Fire Pensions	2	2	4	The introduction of longer term workforce planning  Budget setting informed by cost drivers not cash limits	Strategy and Commissioning Manager  and Transformation Manager	01/09/2021
005	Failure to meet governance standards	Inadequate reporting to Local Pension Board  Lack of training  Out of date policies  Not following and responding to external developments  Lack of capacity to focus on planning and governance	Breaches of the law  Decisions taken without appropriate authority  Poor decisions taken based on inadequate information or insufficiently skilled boards, officers, or advisers	Strategy and Commissioning Manager	2	3	6	Training plans for Local Pension Board members  Quarterly board meetings  Review of Terms of Reference of the Local Pension Board  Rolling forward plan of policy reviews  Structural separation of governance and policy from delivery	2	2	4	Review of terms of reference Creation of separate policies for Fire scheme administration	Strategy and Commissioning Manager	21/03/2021
006	Fraud or error within the Admin Team	Inadequate procedure notes and training of team  No segregation of duties through workflow system	Payments made to incorrect individuals or made fraudulently	Pension Admin Delivery Lead	3	3	9	Workflow processes have levels of authority set within them payments are set up and have to go through a process where there is a two stage authorisation, this is checked by a senior officer and signed off by a team leader Implementation of recommendations arising from 2019/20 routine internal audit	2	3	6		Pension Admin Lead	01/09/2021



Ref	Risk	Cause	Effect	Risk Owner	Gross Risk			Existing Actions(in place or completed)	NET Risk			Further Risk Actions		
					Likelihood	Impact	Risk Level		Likelihood	Impact	Risk Level	Description (actions must be referenced to objectives in business unit plans or service plans)	Action Owner	Review Date
<b>COVID RISK</b>														
Cov001	Administration Service Disruption	Lack of remote working facilities Staff lost to sickness Disruption to employer admin and payroll functions Disruption to systems and system suppliers	Reduction in performance against KPIs that impact on members and sustainability Incorrect or missing pensioner payments Data quality deterioration Delays to administration improvements	Pension Admin Delivery Lead	2	4	8	Remote working facilities have been set up with almost all work done from home Use of video conferencing Prepared to move resources around the team to protect the payment of pensions Review priorities for KPIs and ensure protection of those that support the most vulnerable Engage with key contacts to plan how we work Expediting the use of IT to replace paper based systems	2	3	6	Review activities, procedures, signatories etc Cross train staff	Pension Admin Lead	01/09/2021
Cov002	Inability to recover	Significant staff absence (pensions team and employer) Loss of systems Significant gaps in data or data quality during the crisis (pensions team and employer)	Poor quality for a significant period of time Significant costs to get data back to acceptable standards	Pension Admin Delivery Lead/Payroll Delivery lead	2	3	9	Regular review of the situation	2	2	4	IT and processes have been developed to cope with WFH There have been no significant issues with staff sickness Data quality work plan has been created and actioned	Pension Admin Lead	01/09/2021

Ref	Risk	Cause	Effect	Risk Owner	Gross Risk			Existing Actions(in place or completed)	NET Risk			Further Risk Actions		
					Likelihood	Impact	Risk Level		Likelihood	Impact	Risk Level	Description (actions must be referenced to objectives in business unit plans or service plans)	Action Owner	Review Date

## **Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme**

### **Pensions Administration Activity and Performance update**

9 June 2021

#### **Recommendation(s)**

1. The Local Pension Board to note this report.

#### **1. Executive Summary**

- 1.1 This report updates the board on key developments affecting Fire pensions administration and the performance of the Pensions Administration Service (PAS).

#### **2. Financial Implications**

- 2.1 All financial implications are dealt with in the body of the report.

#### **3. Environmental Implications**

- 3.1 None

#### **4. Pensions Administration Service (PAS)**

##### **Breaches**

- 4.1 The Pensions Regulator (the Regulator) has a Code of Practice no 14 (the Code) for the governance and administration of public service pension schemes. This is not a statement of law, but it carries great weight. One of the requirements of the code is to record and report, when stakeholders do not deliver on their statutory obligations.
- 4.1 There are no breaches recorded for the year so far.
- 4.2 The Breaches Policy will be discussed as a separate report.

## 5. Internal Disputes (Internal Dispute Resolution Procedure – IDRP)

- 5.1 There are currently no new outstanding IDRP cases. Of the cases listed in the previous board meeting:

1 case was upheld at Stage 1

1 case was not upheld at Stage 1

1 case was not upheld at Stage 1 and has now gone to Stage 2

## 6. McCloud/Sargeant Update

- 6.1 The McCloud project has commenced, and the PAS are in the planning phase of the work that needs to be done. We are currently waiting for a reporting tool to be made available by our software provider, to identify members in scope.
- 6.2 A data capture template has been created by the LGA with guidance notes and this became available at the beginning of May. This cannot be used until we have the reporting tool from our software provider, as this report will allow us to populate the template and request the data required from WCC payroll. We are still waiting on guidance where payroll data may not be available. However, it is unlikely that this will be an issue for this project.
- 6.3 As part of the project plan a risk register has been created to record specific risks relating to the administration of the age discrimination remedy. This is reviewed on a monthly basis and any issues reported directly to the project management group.
- 6.4 **Immediate detriment cases** – There are currently legal challenges being raised against other Fire services around the use of the Home Office guidance for immediate detriment cases. Warwickshire County Council has joined a collective organised by the Local Government Association to gain legal advice on the use of this guidance.
- 6.5 In relation to the question raised in the last board meeting regarding ill-health cases and specific notes to these in the immediate detriment guidance, the criteria for ill health cases listed in the guidance is:

*For the purposes of this guidance, immediate detriment includes those scheme members who were in service on or before 31 March 2012 and on or after 1 April 2015, including those with a qualifying break in service of less than 5 years, and who did not benefit from full protection and were moved into the 2015 Scheme on or after 1 April 2015:*

*who don't qualify for lower-tier (and therefore higher-tier) ill-health pension under the single pot Ill-Health Retirement (IHR) arrangement BUT would do so under the IHR arrangements in their legacy scheme.*

- 6.6 Members can assume that ill health benefits payable from final salary schemes are always better than those payable from the one pot CARE

scheme, which is not always the case. In these cases, it is important to share with the member both sets of benefits from both the final salary and CARE schemes so that they can see the comparison.

- 6.7 With regard to the total number of immediate detriment cases WFRS have, approx. 70 members who would be able to retire between 1<sup>st</sup> April 2021 to 30 September 2023- this is the date that all immediate detriment cases would need to clear, once regulations are in place.
- 6.8 A question was raised at the last pension board meeting regarding bulletin 42 issued by the LGA in February. There were several questions raised regarding the use of the immediate detriment guidance and whether this provides enough information for Fire Services to make decisions and understand the risk to their organisation. The questions and responses can be seen in Appendix 1.

## **7. Matthews/O'Brien Case – modified retained second exercise**

- 7.1 There has been no update to this since the last board meeting.

## **8. I-Connect**

- 8.1 From March 2021, we will be receiving pay and contribution data from WCC payroll to member records via i-Connect on a monthly basis. This will help to keep records up to date and reduce the manual updates.

## **9. Annual Benefit Statements**

- 9.1 The Annual Benefit Statements project has commenced. The team are planning the timescales and resources for the different elements of work that must be completed and holding regular project meetings.

## **10. Pension Schemes Bill/ Pension Schemes Act 2021**

- 10.1 On 11 February the UK Pensions Scheme Act received Royal Assent. The Act sets out changes of which not all will be relevant to the LGPS, the following is expected to be relevant to the Fire schemes:
- 10.2 Pensions dashboards: The Money and Pensions Service (MaPS) is to deliver a non-commercial dashboard. The Act provides a framework to support pensions dashboards, including new powers to compel schemes to provide information. We will be required to feed in information and regulations will specify the detail of what, when and how information must be provided.

## 11. Firefighter Pensions Administration outsourcing

- 11.1 A working group with representatives from pensions, payroll, legal, procurement and the Fire service, has been set up to finalise the Invitation to tender (ITT) documents for the outsourcing of the administration service.
- 11.2 The date of transfer is currently set as 1st April 2022, and we hope to issue the ITT by the end of June to allow for a suitable transfer and implementation period.
- 11.3 Shropshire Fire & Rescue service (SFRS) are working with WFRS to undertake a joint tender. However, the tender will involve 2 Lots, 1 for each service and 2 separate contracts.
- 11.4 A briefing note has been provided to the board regarding the ITT, as it is the intention to have the tender out by 1<sup>st</sup> June 2021.

## 12. Timescales associated with the decision and next steps

- 12.1 None

## Appendices

Appendix 1 – response to question from LGA bulletin 42

## Background Papers

1. n/a

	<b>Name</b>	<b>Contact Information</b>
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Assistant Director	Andrew Felton	andrewfelton@warwickshire.gov.uk
Lead Director	Strategic Director for Resources	Robpowell@warwickshire.gov.uk
Lead Member	Portfolio Holder for Finance and Property	Cllr Peter Butlin

The report was circulated to the following members prior to publication:

Local Member(s):

Other members:

Appendix 1:

<https://www.fpsregs.org/images/Bulletins/Bulletin-42-February-2021/Bulletin-42.pdf>

6.7 When the Home Office guidance was issued, it was reviewed by WCC Legal and Pension Teams:

Question 1: The guidance does not provide enough information in order to deal with cases that have issues regarding taxation of benefits because of annual allowance, divorce pension sharing orders, pension contribution holidays.

Question 2: Within the cohort at WFRS, we have no members purchasing additional service. We have a small number of members with CETVs received after 1 April 2015. We also have a handful of members who have tax charges, relating to annual allowance and lifetime allowance.

Question 3: The risk for members accepting payments without key policy decisions in place, is that the benefits would need to be revisited when these were in place to ensure they were correct. If they needed to be adjusted the member may be liable for repayment of any overpayment, tax charges or difference in pension contributions. All this would need to be explained to member at the point the benefits are brought into payment and a declaration would need to be signed by the member, to confirm their understanding of this.

Question 4. What governance might FRAs put in place to assure themselves that:

*a. The correct benefits will be paid to members*

*b. Members have been satisfactorily made aware of expectations such as future payments owed due to interest being applied to contributions arrears.*

*c. Necessary processes will be in place to calculate and record the payments due bearing in mind that no automated processes or systems are available for the calculations until the significant software development needed has been completed.*

The calculation of benefits in these circumstances will heavily rely on manual calculations as the software system will not have been updated to account for immediate detriment cases. This will lead to a higher risk of error, particularly due to the complexities of the Firefighter pension schemes and the limited knowledge and expertise we have within the pension team.

To ensure the member is fully informed of these risks the information sent out to confirm how their benefits have been calculated will include a full breakdown and include a caveat to say that once the new regulations are in place we will have to revisit the calculation of the benefits and they could be adjusted accordingly. It will also state that the member may be liable for any

difference in the value of contributions or interest on contributions owed, and will need to pay back any over payment of benefits.

Any immediate detriment cases that have been manually calculated will have documentation added to the member record including the LGA matrix, An indicator will be added to the record to show it has been treated as an immediate detriment case and will need to be reassessed following implementation of new regulations and software up-dates.



Immediate-detriment  
-matrix.xlsx

*Question 5. How might they record their decision making so it is clear and transparent?* To assist with the decision-making process we will use the immediate detriment matrix devised by the LGA, which will help identify complexities with each case and these will be documented in any correspondence with the member.



## Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme

### Breaches Policy

9 June 2021

#### Recommendation(s)

1. That the Warwickshire Fire and Rescue Local Pension Board note and comment on the report.

#### 1. Executive Summary

- 1.1 The Pension Regulator sets out in Code of Practice 14 the legal requirements for reporting breaches of the law.
- 1.2 The code sets out those people who have a responsibility to report a breach where they believe there is reasonable cause that the legal duty which is relevant to the administration of the pension scheme has not been or is not being complied with and, failure to comply is likely to have a significant failure in the exercise of the scheme's functions.
- 1.3 The attached policy (Appendix 1) provides more details about the reporting function.

#### 2. Financial Implications

- 2.1 The Pension Regulator can impose significant fines for major breaches of the law.

#### 3. Environmental Implications

- 3.1 None

#### 4. Supporting Information

- 4.1 The policy provides the following details:
  - What is a breach and how to classify the breach within a Red, Amber, Green (RAG) assessment.
  - Provides examples of breaches, and
  - Arrangements for escalation and reporting of a breach

4.2 The breaches policy for the Firefighter Pension Schemes is derived from the policy for the Warwickshire Pension Fund. References to the Local Government Pension Scheme and Warwickshire Pension Fund have been amended or removed as appropriate.

## 5. Timescales associated with the decision and next steps

5.1 Following this meeting the policy will be uploaded to the firefighter section of the pension fund's website.

### Appendices

1. Appendix 1 Breaches Policy.

### Background Papers

1. None.

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The report was circulated to the following members prior to publication:

Local Member(s):

Other members:

# A procedure for reporting breaches of the law to The Pensions Regulator



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## Introduction

1. In April 2015 the Pensions Regulator (the Regulator) publishes its Code of Practice no 14 (the Code) Governance and administration of public service pension schemes. This is not a statement of law of itself but nonetheless it carries great weight. In some respects, it is like the Highway Code, in that some of its contents refer to statutory items, whilst others are advisory. The Courts may however also rely on the latter. In the same way, if determining whether any pensions related legal requirements have been met, a court or tribunal must consider the Code.
2. There are many and various laws relating to the Firefighter Pension Schemes, with many and various people having a statutory duty to report material breaches of the law to the Regulator. To assist, the Code states that a procedure should be established to ensure that those with a responsibility to make reports are able to meet their legal obligations.
3. Much of the text herein is drawn from the Code itself. Where it has been, the Regulator's copyright applies.

If you have any questions about this procedure, please contact the Pensions Services Manager.

## Legal Requirements

4. Certain people are required to report breaches of the law to the Regulator where they have reasonable cause to believe that:
  - a legal duty which is relevant to the administration of the scheme has not been, or is not being, complied with.
  - the failure to comply is likely to be of material significance to the Regulator in the exercise of any of its functions.

5. People who are subject to the reporting requirement ('reporters') for public service pension schemes are:
  - scheme managers (meaning, in the case of the Warwickshire Firefighter Pension Schemes, the Staff and Pensions Committee).
  - members of the pension board (meaning, in the case of the WFRS, the Local Pension Board).
  - any person who is otherwise involved in the administration of the Firefighter Pension Schemes.
  - professional advisers including auditors and legal advisers; and any person who is otherwise involved in advising the managers of the scheme in relation to the scheme.

## **Reasonable Cause**

6. Having 'reasonable cause' to believe that a breach has occurred means more than merely having a suspicion that cannot be substantiated.
7. Reporters should ensure that where a breach is suspected, they carry out checks to establish whether a breach has in fact occurred.
8. Where the reporter does not know the facts or events around the suspected breach, it will usually be appropriate to consult the appropriate Pension Services Manager, Finance Manager (Transformation) or Strategy and Commissioning Manager (Treasury, Pension, Audit & Risk), regarding what has happened. It would not be appropriate to check in cases of theft, suspected fraud, or other serious offences where discussions might alert those implicated or impede the actions of the police or a regulatory authority. Under these circumstances the reporter should alert the Regulator without delay.
9. If the reporter is unclear about the relevant legal provision, they should clarify their understanding of the law to the extent necessary to form a view.
10. In establishing whether there is reasonable cause to believe that a breach has occurred, it is not necessary for a reporter to gather all the evidence which the Regulator may require before taking legal action. A delay in reporting may exacerbate or increase the risk of the breach.

## **Material significance**

11. In deciding whether a breach is likely to be of material significance to the Regulator, it would be advisable for the reporter to consider the:
  - cause of the breach.
  - effect of the breach.

- reaction to the breach; and
- the wider implications of the breach.

12. When deciding whether to report, those responsible should consider these points together. Reporters should consider expert or professional advice, where appropriate, when deciding whether the breach is likely to be of material significance to the Regulator.

13. The breach is likely to be of material significance to the Regulator where it was caused by:

- dishonesty.
- poor governance or administration.
- slow or inappropriate decision-making practices.
- incomplete or inaccurate advice; or
- acting (or failing to act) in deliberate contravention of the law.

14. When deciding whether a breach is of material significance, those responsible should consider other reported and unreported breaches of which they are aware. However, historical information should be considered with care, particularly if changes have been made to address previously identified problems.

15. A breach will not normally be materially significant if it has arisen from an isolated incident, for example resulting from teething problems with a new system or procedure, or from an unusual or unpredictable combination of circumstances. But in such a situation, it is also important to consider other aspects of the breach such as the effect it has had and to be aware that persistent isolated breaches could be indicative of wider scheme issues.

## Effects of the breach

16. Reporters need to consider the effects of any breach, but with the Regulator's role in relation to public service pension schemes and its statutory objectives in mind, the following matters in particular should be considered likely to be of material significance to the Regulator:

- Local Pension Board members not having the appropriate degree of knowledge and understanding, which may result in the Board not fulfilling its role.
- Local Pension Board members having a conflict of interest, which may result in them being prejudiced in the way that they carry out their role.
- adequate internal controls not being established and operated, which may lead to the Scheme not being run in accordance with the Scheme's Regulations and other legal requirements, risks not being properly identified and managed and/or the right money not being paid to or by the Administrator at the right time;

- accurate information about benefits and Scheme administration not being provided to Scheme members and others, which may result in members not being able to effectively plan or make decisions about their retirement.
- appropriate records not being maintained, which may result in member benefits being calculated incorrectly and/or not being paid to the right person at the right time.
- anyone involved with the administration or management of the Scheme misappropriating any of its assets, or being likely to do so, which may result in assets not being safeguarded; and
- any other breach which may result in the Scheme being poorly governed, managed or administered.

17. Reporters need to take care to consider the effects of the breach, including any other breaches occurring because of the initial breach and the effects of those resulting breaches.

### **Reaction to the breach**

18. Where prompt and effective action is taken to investigate and correct the breach and its causes and, where appropriate, notify any affected members, the Regulator will not normally consider this to be materially significant.

19. A breach is likely to be of concern and material significance to the Regulator where a breach has been identified and those involved:

- do not take prompt and effective action to remedy the breach and identify and tackle its cause to minimise risk of recurrence.
- are not pursuing corrective action to a proper conclusion.
- fail to notify affected scheme members where it would have been appropriate to do so.

### **Wider implications of the breach**

20. Reporters should consider the wider implications of a breach when they assess which breaches are likely to be materially significant to the Regulator. For example, a breach is likely to be of material significance where the fact that the breach has occurred makes it appear more likely that other breaches will emerge in the future. This may be due to the scheme manager or pension board members having a lack of appropriate knowledge and understanding to fulfil their responsibilities or where other pension schemes may be affected. For instance, public service pension schemes administered by the same organisation may be detrimentally affected where a system failure has caused the breach to occur.



## What constitutes a breach?

21. Breaches can occur in relation to a wide variety of the tasks normally associated with the administrative function of a Scheme such as keeping records, internal controls, calculating benefits and making investment or investment-related decisions.

### Example 1 - Green Breach

An employer is late in paying over employee and employer contributions. It is contacted by officers from the administering authority, it immediately pays the contributions that are overdue, and it improves its procedures so that in future contributions are paid over on time.

In this instance there has been a breach, but members have not been adversely affected and the employer has changed its processes regarding future payments. The breach is therefore not material to the Regulator and need not be reported.

### Example 2 - Amber Breach

A pension overpayment is discovered, the administering authority has failed to pay the right amount to the right person at the right time. A breach has therefore occurred.

The overpayment is however for a modest amount and the pensioner could not have known that they were being overpaid. The overpayment is therefore waived.

In this case there is no need to report the breach as it is not material.

### Example 3 - Red Breach

An employer is late in submitting its statutory year-end return of pay and contributions in respect of each of its active members and as such it is in breach. Despite repeated reminders it still does not supply its year-end return.

Because the administrator does not have the year-end data it is unable to supply, by 31 August, annual benefit statements to the scheme members.

In this instance there has been a breach which is relevant to the Regulator, in part because of the employer's failures, and because the administrator has not been able to fulfil its statutory duties also.

22. Most common breaches:

Cause of Breach	Deadline	Green breach	Means of reporting
i-Connect submission	19th of month	3 days late	Monthly report from IC
Retirement notifications	Individual retirement date	4 weeks late	Admin team
Annual Returns (until April 2021)	30th April	1 day late	Annual Return checklist sheet (one off)
Administration Breaches	Variable		To be judged by case

## Review process and when a breach needs to be escalated

23. The PAS will provide details of breaches to the Employer Relations team so that they can be recorded, and RAG rated. A monthly review will be held with the Employer Relations Team Leader, Pensions Admin Delivery Lead, Strategy and Commissioning Manager (Treasury, Pensions, Audit, Insurance, and Risk) & Finance Manager

(Transformation) to assess amber breaches that may need to be escalated.

24. An example of an amber breach that may need escalating:

*An employer has submitted payment for contributions late each month for 3 months and is not responding to correspondence from the Employer Relations Team Leader.*

- The first email from the Employer Relations Team Leader should inform the employer that they are late submitting information and that this has been recorded as a breach but will not at this point be reported to The Pensions Regulator.
- The employer will be asked to submit the required information by a certain date.
- If no response is received within 2 weeks of to this email the Employer Relations Team Leader, will send a 2<sup>nd</sup> email which will include the following wording:
- **If there is no response to this email** Senior management will escalate the issue at Tier 2 level or above within the employing organisation and preferably avoiding escalating to personnel already involved.

## Reporting to Staff & Pensions Committee and Local Pension Board

25. A report will be presented to Staff & Pensions Committee and the Pension Board on a quarterly basis setting out:

- A summary of all breaches, including those reported to The Pensions Regulator and those unreported
- Any actions taken to reduce future breaches.

26. Staff and Pensions Committee and Pension Board are both entitled to have access to detailed information about breaches, should they request it (and will be required to maintain confidentiality of information where necessary).

## Reporting process

Type of Breach	Timescale for reporting	Internal actions	Further actions
<b>Urgent and Material</b>  <b>RED</b>	Employer Relations Team Leader informs Pensions Admin Delivery Lead.  Prior to reporting to tPR the AD Finance and Section 151 Officer are informed.	Employer Relations Team to keep record of breach and investigate options to prevent further occurrence. The Pensions Admin Delivery Lead will also liaise with the Pension Regulator where applicable to come to a satisfactory resolution.	These breaches must also be reported to: Assistant Section 151 Officer, Strategy and Commissioning Manager (Treasury, Pensions, Audit, Insurance, and Risk), Finance Service Manager (Transformation), the Chairs of the Staff and

Type of Breach	Timescale for reporting	Internal actions	Further actions
	The breach is reported immediately to the Pensions Regulator.		Pensions Committee and Local Pension Board, with a full report to be submitted at the next available meeting for members.
<b>Non urgent and material</b>  <b>RED</b>	Employer Relations Team Leader informs the Pensions Admin Delivery Lead  Prior to reporting to tPR the AD Finance and Section 151 Officer are informed.  The breach is reported within 30 days to the Pensions Regulator	Employer Relations team to keep record of breach and investigate options to prevent further occurrence	Report non urgent and material breach at next Pension Committee/ Pension Board meeting
<b>Amber</b>		Employer Relations Team to keep record of breach and Employer Relations Team Leader to investigate options to prevent further occurrence  Employers who on more than 3 occasions in a row have amber breaches will be escalated to the Strategy and Commissioning Manager (Treasury, Pensions, Audit, Insurance, and Risk) & Finance Service Manager (Transformation)	Report immaterial breach as part of summary at next Pension Committee/Pension Board meeting.
<b>Green</b>		Employer Relations Team to keep record of breach	Report immaterial breach as part of summary at next Pension Committee /Pension Board meeting.

## Submitting a report to the Regulator

27. Before you submit a report, you should obtain clarification of the law around the suspected breach. If:

- you are a member of the Staff and Pensions Committee, Local Pension Board, or you are an external adviser, please contact the Solicitor to the Scheme.
- you are an actuary, auditor, or other external agent, please contact the Assistant Executive Director - Property, Accountancy and Legal.
- you are an officer of the Scheme and you work in Administration, please contact Head of Corporate Financial Services.

28. The person you contact will consider in the round whether the Regulator would regard the breach as being material. (S)he will also be clarifying any facts, if required. If the case is a difficult one (s)he will seek advice, as required.

29. Some matters could be urgent, if for example a fraud is imminent, whilst others will be less so. Non-urgent but material breaches should be reported to the Regulator within 30 working days of them being confirmed, and in the same time breaches that are not material should be recorded (see later).

30. Some breaches could be so serious that they must always be reported, for example a theft of funds by anyone involved with the administration or management of the Fire Scheme. It is difficult to be definitive about what constitutes a breach that must always be reported, but one test is: might it reasonably lead to a criminal prosecution or a serious loss in public confidence?

31. Any report that is made (which must be in writing and made as soon as reasonably practicable) should be dated and include as a minimum:

- full name of the Scheme.
- description of the breach or breaches.
- any relevant dates.
- name of the employer or scheme manager (where known).
- name, position, and contact details of the reporter; and
- role of the reporter in relation to the Fund.

32. Additional information that would help the Regulator includes:

- the reason the breach is thought to be of material significance to the Regulator.
- the address of the Scheme.
- the pension scheme's registry number (if available); and
- whether the concern has been reported before.

33. Reporters should mark urgent reports as such and draw attention to matters they consider particularly serious. They can precede a written report with a telephone call, if appropriate.

34. Reporters should ensure they receive an acknowledgement for any report they send to the Regulator. Only when they receive an acknowledgement can the reporter be confident that the Regulator has received their report.
35. The Regulator will acknowledge all reports within five working days of receipt, however it will not generally keep a reporter informed of the steps taken in response to a report of a breach as there are restrictions on the information it can disclose.
36. The reporter should provide further information or reports of further breaches if this may help the Regulator to exercise its functions. The Regulator may make contact to request further information.
37. Breaches should be reported as soon as reasonably practicable, which will depend on the circumstances. In particular, the time taken should reflect the seriousness of the suspected breach.
38. In cases of immediate risk to the Scheme, for instance, where there is any indication of dishonesty, the Regulator does not expect reporters to seek an explanation or to assess the effectiveness of proposed remedies. They should only make such immediate checks as are necessary. The more serious the potential breach and its consequences, the more urgently reporters should make these necessary checks. In cases of potential dishonesty, the reporter should avoid, where possible, checks which might alert those implicated. In serious cases, reporters should use the quickest means possible to alert the Regulator to the breach.

### **Recording breaches that have not been reported to the Regulator**

39. Breaches that are found not to be material to the Regulator must still be recorded. This is so that if similar breaches continue, then they become material. Recording all breaches also highlights where improvements are required, to try and prevent similar breaches.
40. Breaches that are not being reported should be recorded here: (being a link to an in-house spreadsheet designed to capture all the relevant data).

### **Whistleblowing protection and confidentiality**

41. The Pensions Act 2004 makes clear that the statutory duty to report overrides any other duties a reporter may have such as confidentiality and that any such duty is not breached by making a report. The Regulator understands the potential impact of a report on relationships, for example, between an employee and their employer.
42. The statutory duty to report does not, however, override 'legal privilege. This means that oral and written communications between a professional legal adviser and their client, or a person representing that client, while obtaining legal advice, do not have to be disclosed. Where appropriate a legal adviser will be able to provide further information on this.
43. The Regulator will do its best to protect a reporter's identity (if desired) and will not disclose the information except where lawfully required to do so. It will take all

reasonable steps to maintain confidentiality, but it cannot give any categorical assurances as the circumstances may mean that disclosure of the reporter's identity becomes unavoidable in law. This includes circumstances where the regulator is ordered by a court to disclose it.

44. The Employment Rights Act 1996 (ERA) provides protection for employees making a whistleblowing disclosure to the regulator. Consequently, where individuals employed by firms or another organisation having a statutory duty to report disagree with a decision not to report to the regulator, they may have protection under the ERA if they make an individual report in good faith. The Regulator expects such individual reports to be rare and confined to the most serious cases.

### **Warwickshire County Council whistleblowing policy**

45. The Council has its own whistleblowing policy. The person contacted about the potential breach, e.g., the Solicitor to WFRS, will take this into account when assessing the case.

## Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme

### Cyber Security Policy

9 June 2021

#### **Recommendation(s)**

1. The Warwickshire Fire and Rescue Local Pension Board comment on and approve the Cyber Security Policy.

#### **1. Executive Summary**

- 1.1 Pension Schemes are required by The Pension Regulator to publish and maintain a Cyber Security Policy (the Policy). A copy of the proposed Policy is attached at Appendix 1 for comment.
- 1.2 The increasing reliance of pension administrators upon systems means that scheme managers, executive committees and pension boards should increase the priority of data security and ensure arrangements remain fit for propose and mitigate risks.

#### **2. Financial Implications**

- 2.1 Financial losses are possible if cyber fraud attempts are successful and costs in the form of fines can be imposed if personal / confidential information is accessed by unauthorised individuals.
- 2.2 The requirement for a bespoke policy is a new administrative burden and will require resourcing. Where additional resources are required and identified these will be a cost to the Fire Service.

#### **3. Environmental Implications**

- 3.1 None.

#### **4. Supporting Information**

- 4.1 Pension administrators hold large amounts of personal data which can make them vulnerable to significant risks if an error occurs.
- 4.2 It is essential therefore, that the pension administrator has robust systems and policies in place to ensure that this information and data is held securely.

4.3 The cyber policy for the Firefighter Pension Schemes is derived from the policy for the Warwickshire Pension Fund. References to the Local Government Pension Scheme and Warwickshire Pension Fund have been amended or removed as appropriate.

**5. Timescales associated with the decision and next steps**

5.1 None.

**Appendices**

1. Appendix 1 Cyber Security Policy

**Background Papers**

1. None

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## Warwickshire Fire and Rescue Service Firefighter Pension Schemes

### Cyber Security Policy

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Appendix 1	The Role of The Pensions Regulator
Appendix 2	Cyber Policies of the Administering Authority
Appendix 3	External Service Providers
Appendix 4	Roles and Responsibilities
Appendix 5	Incident Reporting

#### 1. Introduction

Warwickshire County Council holds personal information for more than 1,000 members of the Firefighter pension schemes (“the Schemes”). The Schemes hold large amounts of personal data which can expose them to significant risks if an error occurs.

A Cyber Security Policy for the Schemes is set out below and a summary of the guidance from the Pensions Regulator is included at Appendix 1.

#### 2. Warwickshire Fire and Rescue Service Firefighter Pension Schemes Cyber Security Policy

1. The Cyber Security Policy is to be approved by the Staff and Pensions Committee.
2. The Cyber Security Policy is to be reviewed annually, or sooner if circumstances require it. Appendix 4 sets out roles and responsibilities to achieve this.
3. The Schemes adopt the Cyber Security protocols of the Administering Authority (Appendix 2 and Appendix 5) except where this policy expressly deviates from them or adds to them.
4. External agencies providing services to the Schemes are required to provide assurances that they have identified Cyber Security Risks and have in place arrangements to control and mitigate risks, and arrangements to report cyber security events to the Scheme Manager in a timely way. Appendix 3 sets out the external agencies.
5. Future contracts taken out with external agencies will consider how to have appropriate regard to cyber security risks in both the service specification and

contract terms.

6. Cyber security will be considered in the development and design of annual training plans for pensions administration officers and for Committee and Board members.
7. Data breaches will be managed using the Administering Authority procedure. All data breaches will be reported to the Assistant Director (Finance /scheme manager) and will be escalated if/as appropriate to the Monitoring Officer. The Monitoring Officer in conjunction with the Assistant Director of Finance will make a decision on referral to the Information Commissioner's Office and / or The Pensions Regulator as required by each entity.
8. Communications to members will from time to time include references to maintaining awareness of cyber/online fraud to assist members in protecting themselves.
9. The Schemes' risk register will have regard to Cyber Security Risk.
10. The Schemes will commission an independent audit of its exposure to and management of Cyber risks to begin within one year of the initial commencement of this policy.

## Appendix 1

### The Role of The Pensions Regulator

For local authority pension funds, including Firefighter Pension Schemes, the Pensions Regulator (TPR) requires pension administrators, pension committees and the local pension board to ensure that they have the appropriate system in place to ensure safe management of the schemes and custody of assets.

The Pensions Regulator summarises its expectation of pension schemes as follows:

1. Trustees and scheme managers are accountable for the security of scheme information and assets
2. Roles and responsibilities should be clearly defined, assigned, and understood
3. You should have access to the required skills and expertise to understand and manage the cyber risk in your scheme
4. You should ensure sufficient understanding of the cyber risk: your scheme's key functions, systems, and assets, its "cyber footprint", vulnerabilities and impact
5. The cyber risk should be on your risk register and regularly reviewed
6. You should ensure sufficient controls are in place to minimise the risk of cyber incident around systems, processes, and people
7. You should assure yourselves that all third-party suppliers have put sufficient controls in place. Certain standards and accreditations can help you and your suppliers demonstrate cyber resilience
8. There should be an incident response plan in place to deal with incidents and enable the scheme to swiftly and safely resume operations. You should ensure you understand your third-party suppliers' incident response processes
9. You should be clear on how and when incidents would be reported to you and others including the regulators
10. The cyber risk is complex and evolving and requires a dynamic response. Your controls, processes and response plan should be regularly tested and reviewed. You should be regularly updated on cyber risks, incidents, and controls, and seek appropriate information and guidance on threats

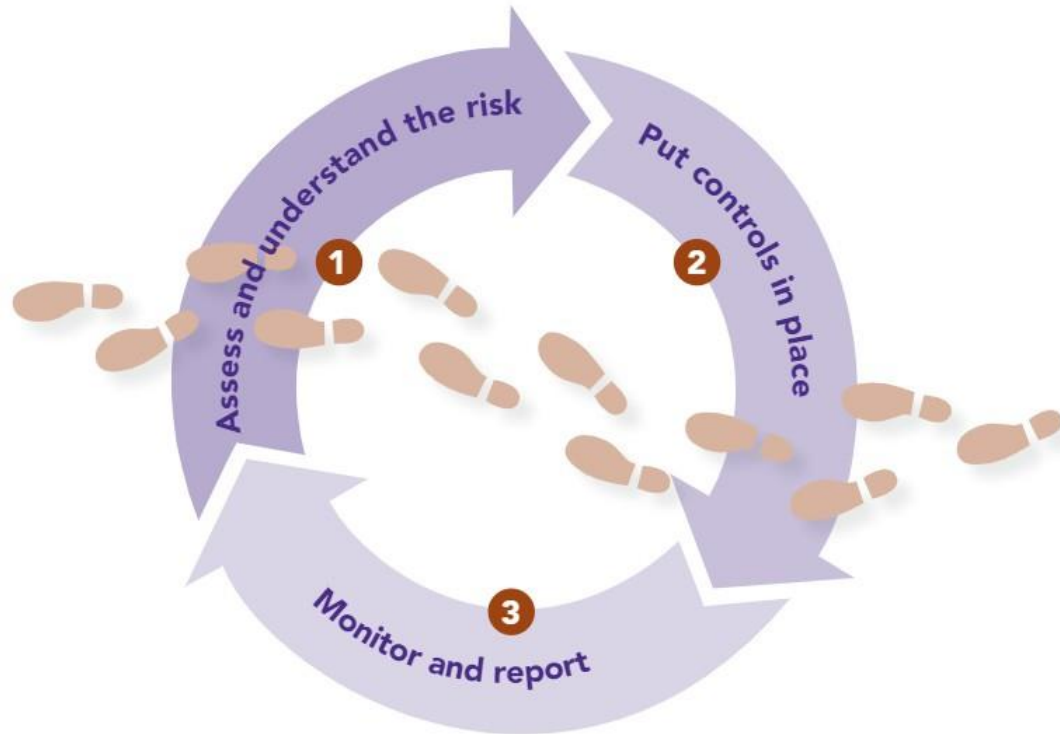
The guidance can be found in full in the link below:

<https://www.thepensionsregulator.gov.uk/en/document-library/regulatory-guidance/cyber-security-principles-the-pensions-regulator>

The Pension Regulator's 'Cyber risk assessment cycle has been reproduced below:

## Cyber risk assessment cycle

Are roles and responsibilities clearly defined, assigned and understood?



1

### Assess and understand the risk

- ▶ Do you understand the cyber risk facing your scheme:
  - your key functions, systems and assets
  - your cyber footprint, vulnerabilities and impacts?
- ▶ Is the cyber risk on your risk register and is it regularly reviewed?
- ▶ Do you have access to the right skills and expertise to understand and manage the risk?

2

### Put controls in place

- ▶ Are sufficient controls in place to minimise the risk of a cyber incident occurring:
  - IT security controls
  - processes
  - people?
- ▶ Have you assured yourselves of your third party providers' controls?
- ▶ What standards or accreditations help you or your suppliers demonstrate cyber readiness?
- ▶ Do you have an response plan in place to deal with any incidents which occur and help you swiftly and safely resume operations? Do your suppliers?
- ▶ Are you compliant with data protection legislation (including readiness for the General Data Protection Regulation)?

3

### Monitor and report

- ▶ Are your controls, processes and response plans regularly tested and reviewed?
- ▶ Are you clear on how and when incidents would be reported to you and others including regulators?
- ▶ Are you kept regularly updated on cyber risks, incidents and controls?
- ▶ Are you keeping up to date with information and guidance on threats?

**Appendix 2****Cyber Policies of the Administering Authority**

As the Administering Authority, Warwickshire County Council already has in place Information Security Policies (Cyber Security Policies) which apply to the Schemes and provide the backbone of the Cyber Security infrastructure required by the them.

<https://apps.warwickshire.gov.uk/api/documents/WCCC-1162-15>

**Appendix 3****External Service Providers**

External service providers will be required to provide assurances as to the cyber risks and arrangements to mitigate, manage, and report them. External providers include but are not limited to:

- Pensions Administration Provider
- Pension Administration System Provider
- Firefighter Pensions Payroll Provider

**Appendix 4****Roles and Responsibilities**

<b>Activity</b>	<b>Responsible Person / Forum</b>
Reporting cyber security failures	All
Following IT security protocols and the pension fund Cyber Security Policy	All
Maintaining a Cyber Security Policy	Pensions Policy and Governance Officer
Approving a Cyber Security Policy	Staff and Pensions Committee
Reviewing specific cyber risks – detailed risk reviews	Managed at team or contractor level, for example the pensions administration provider, the the pensions administration system provider, the firefighter pensions payroll provider, etc.
Maintaining an appropriate cyber security profile on the pension fund risk register	Pensions Policy and Governance Officer
Maintaining an up to date IT Security Policy for the Administering Authority Generally	Warwickshire County Council Information Security Officer
Reporting data breaches and incidents	Pensions Administration Delivery Lead or the Pensions and Investment Manager

## **Incident Reporting Process / WCC Incident Process**

Below is an extract from WCC's Information Security Policy

### **13. Security Incident Management**

WCC recognises that from time to time 'things go wrong' and there may be a breach of security involving information or equipment holding information. The purpose of the "Data Breach and Information Security Incident Procedure" is to ensure that all actual or potential information security incidents are reported centrally to enable WCC to react quickly and effectively to minimise the impact.

These procedures are mandatory and must be followed by all staff as part of the council's Information Governance Framework which is the standard for managing information in the council and is one of the linked procedures in the Information Compliance Policy aimed at all staff.

Please consult WCC's Data Breach and Information Security Incident Procedure for more detail

<https://apps.warwickshire.gov.uk/api/documents/WCCC-1073-648>