

Staff and Pensions Committee

Monday 11 September 2023

Minutes

Attendance

Committee Members

Councillor Yousef Dahmash (Chair)
Councillor Bill Gifford (Vice Chair)
Councillor Brian Hammersley
Councillor Christopher Kettle
Councillor Sarah Millar
Councillor Mandy Tromans

Officers

John Cole, Senior Democratic Services Officer
Jan Cumming, Senior Solicitor and Team Leader, Commercial and Contracts
Sarah Duxbury, Director of Governance and Policy
Andy Felton, Director of Finance
Liz Firmstone, Head of Finance Transformation and Transactions
Marina Fraser-Ryan, Delivery Lead – People Relations
Martin Griffiths, Technical Specialist – Pension Fund Policy and Governance
Bal Jacob, Head of Strategic HR
Vicky Jenks, Pensions Administration Delivery Lead
Delroy Madden, Equality, Diversity and Inclusion Team Leader
Chris Norton, Head of Investments, Audit and Risk
Kate Sullivan, Strategy and Commissioning Lead – Organisational Development
Gary Summerfield, Health and Safety Technical Specialist
Sally Waldron, Assistant Chief Fire Officer

1. General

(1) Apologies

There were no apologies.

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

There was none.

(3) Minutes of the Previous Meeting

Resolved:

That the minutes of the meeting held on 12 June 2023 be approved as a correct record and

signed by the Chair.

There were no matters arising.

2. Our People Strategy Annual Review - Focus on Leading Organisational Wellbeing

Kate Sullivan (Strategy and Commissioning Lead – Organisational Development) introduced the three Our People Strategy Annual Reviews which focused on Leading Organisational Wellbeing, Health and Safety, and Equality, Diversity and Inclusion (EDI). She stated that the reviews outlined progress and achievements across the three subject areas over the past 12 months. Proposed action plans and priorities for the year ahead were also included. She advised that attention would be given to the ongoing annual review process to ensure that it was fit for purpose and aligned with the Council Plan.

Kate Sullivan provided a summary of the Annual Review – Focus on Organisational Wellbeing and invited questions from members.

In response to Councillor Millar, Kate Sullivan advised that the menopause had been prioritised as part of ongoing wellbeing work. This was supported by the Menopause Working Group which had expressed interest in analysing data for menopause-related absences. The introduction of 'menopause-related absence' as a new category for recording absences would allow data to be tracked. It would take some time for the changes to embed, and efforts would be made to signpost staff to the new absence category.

In response to the Chair, Kate Sullivan advised that COVID-19 had been a cause of staff absences. However, the adoption of more widespread home working during the Pandemic had led to a reduction in absences. The transition to agile working, including a return to office settings, had increased the transmission of viruses which was reflected in absence data. She stated that compared to pre-2020 data, the Council's absence figures remained good. However, absences would continue to be monitored.

In response to the Chair, Kate Sullivan advised that efforts to secure Silver Thrive at Work accreditation enabled the Council to focus on the right areas to promote wellbeing. It was a combined authority award; therefore, the Council would work with partnership organisations. She emphasised that wellbeing activities were not undertaken solely to secure the accreditation. However, it provided a means to showcase the Council's wellbeing programme and how this made a positive difference.

In response to the Chair, Kate Sullivan advised that sessions to encourage employees to take care of their wellbeing such as mindfulness workshops and the Learning at Work Week were funded by the Council's wellbeing budget. She stated that the adoption of agile working had resulted in a change in working habits. It had been found that sessions to encourage wellbeing provided a change of focus for many employees leading to improved productivity.

The Chair requested that details of the costs of sessions to encourage employees to take care of their wellbeing be shared with the Committee alongside evidence of how these had led to increased productivity.

Councillor Hammersley moved that the recommendations be accepted and was seconded by Councillor Kettle. This was supported unanimously by the Committee.

Resolved:

That the Committee:

1. Endorses the Leading Organisational and Wellbeing Review 2022/23 as set out at Appendix 1.
2. Notes the performance information relating to the management of employee sickness absence during 2022/23 set out in Section 3 and endorses maintaining an overall target of 8 days per FTE (with a +/- 1 day tolerance) for 2023/24.
3. Notes the work in our approach to leading organisational wellbeing and supports the priority actions for 2023/2024 as set out Section 2.11.

3. Our People Strategy Annual Review - Focus on Health and Safety

Kate Sullivan (Strategy and Commissioning Lead – Organisational Development) provided a summary of the Annual Review – Focus on Health and Safety and invited questions from members.

In response to Councillor Hammersley, Gary Summerfield (Health and Safety Technical Specialist) stated that there had been a high number of reports of incidents involving violence to school staff by pupils. He advised that the Health and Safety Team worked closely with schools and the Department for Education to identify if violence to school staff by pupils could be prevented. However, this was inherently challenging. The Department for Education was in the process of developing a policy to determine actions to be taken in these cases. He agreed to provide some additional information showing actions that were taken for cases of violence to school staff by pupils in Warwickshire.

Sarah Duxbury (Director of Governance and Policy) advised that several agencies were involved to resolve incidents involving violence to school staff by pupils. In many cases, efforts were made to avoid the criminalisation of young people. However, this was not to downplay the seriousness of violence to school staff. It was likely that the agencies involved would strive to identify a solution (including alternative provisions if necessary) which avoided the need to exclude pupils wherever possible.

Councillor Gifford highlighted the need for detailed analysis of the relevant data to ascertain if the increased number of reports of incidents involving violence to school staff by pupils was the result of multiple incidents perpetuated by a small number of pupils.

In response to the Chair, Gary Summerfield agreed to provide a breakdown of incidents involving violence to school staff by pupils across schools in Warwickshire.

Councillor Gifford moved that the recommendations be accepted and was seconded by Councillor Tromans. This was supported unanimously by the Committee.

Resolved:

That the Committee:

1. Endorses the Corporate Occupational Health and Safety Review 2022/23 as set out at Appendix 1.
2. Notes the performance information in relation to the Council's management of Health and Safety.
3. Notes the work in our approach to the management of Health and Safety and supports the key focus areas for 2023/2024 set out in section 4.0.

4. Our People Strategy Annual Review - Focus on Equality, Diversity and Inclusion

Kate Sullivan (Strategy and Commissioning Lead – Organisational Development) provided a summary of the Annual Review – Focus on Equality, Diversity and Inclusion (EDI) and invited questions from members.

Councillor Gifford praised the quality of the report, stating that it showed that the Council's work to prioritise EDI was undertaken to a high standard. There were no obvious concerns.

Delroy Madden (Equality, Diversity and Inclusion Team Leader) highlighted that EDI was seen as a 'golden thread' throughout the Council's work. He emphasised that outcomes were much improved by having EDI as a core element within the Council's way of working, rather than it being treated as an afterthought.

Councillor Hammersley moved that the recommendations be accepted and was seconded by Councillor Gifford. This was supported unanimously by the Committee.

Resolved:

That the Committee:

1. Notes the Annual Review for Equality Diversity and Inclusion, attached at Appendix 1, including the priority areas for 2023/2024.
2. Agrees that the Our Diversity Data and Pay Gaps Report 2022-23, at Appendix 2, be published on the Council's website to meet the statutory requirement to publish annually equality information relating to employees, including gender pay gap information.
3. Agrees that the Council's gender pay gap figures, based on a reporting date of 31 March 2023, be published on the Government's gender pay gap website, as required by the gender pay gap regulations.

5. Pension Fund Regulatory and Policy Update Report

Martin Griffiths (Technical Specialist – Pension Fund Policy and Governance) introduced the report which confirmed the findings of the Annual Review of Pension Fund policies and gave an update on regulatory developments in the pensions arena. He highlighted that:

- Fund officers had reviewed the Administration Strategy and concluded that no amendments were required as the existing timescales were fully compliant with relevant legislation.

- Updates had been made to the Admission and Termination Policy and the Funding Strategy Statement to reflect an amendment relating to how exit credit payments should be assessed for Community Admission Bodies (CABs).
- Fund Officers had deferred the review of the Governance Compliance Policy until after the publication of the Scheme Advisory Board (SAB) Good Governance Review in 2024. However, prior to publication of the SAB Review, attention would be given to the introduction of a Workforce Planning Strategy and Representation Policy.
- It was expected that a consultation would be held on equalising the survivor benefits paid to male spouses or civil partners of female members with the benefits paid to same sex spouses or civil partners.
- There were no immediate plans to remove the upper age limit of 75 for death grants. This had prompted some concerns by the SAB because of the possibility of a legal challenge (as changes were scheduled to be made to other public sector pension schemes to remove the upper age limit). These concerns would be pursued by the SAB as well as the Local Government Association (LGA).
- Public sector exit payment reform remained a government commitment although there was no indication of when new rules might be consulted on. Any changes would be introduced by individual schemes in lieu of a public sector-wide approach.
- The LGA had responded to the Department for Levelling Up, Housing and Communities (DLUHC) consultation on the McCloud Judgement. The response was generally supportive of the proposed approach albeit with some technical comments about whether the draft regulations would deliver the policies as intended. The LGA had also expressed some concerns about the timing of arrangements and how this would impact on funds.
- In March 2023, the Department for Work and Pensions (DWP) had issued a Written Ministerial Statement on the Pensions Dashboard initiative. Since then, a further statement had been published in June 2023 which confirmed the removal of the phased staging deadline from legislation, replacing it with a single connection deadline of 31 October 2026. The Pensions Regulator (TPR) has encouraged schemes not to delay preparatory work ahead of the launch of the initiative. This advice was being followed by the Fund.

Councillor Millar moved that the recommendations be accepted and was seconded by Councillor Tromans. This was supported unanimously by the Committee.

Resolved:

That the Committee:

1. Notes the updates contained in the report; and
2. Approves the changes proposed to the Fund's Admission and Termination Policy and Funding Strategy Statement as set out in appendices 1 and 2 respectively.

6. Pensions Administration Activity and Performance Update Report

Vicky Jenks (Pensions Administration Delivery Lead) introduced the report which outlined key developments affecting pensions administration and the performance of the Pensions Administration Service (PAS). She reported that the PAS had continued to work to increase participation in the Member Self Service (MSS) scheme. She stated that the progress made in Warwickshire compared favourably to the national average for take up of schemes of this type. More work was proposed to promote MSS.

Vicky Jenks provided an update on e-payslips, stating that pensioners who were unable to access an e-payslip had the option of contacting the Fund to request a paper payslip. It was recognised that some pensioners did not make use of digital technology. Attention had been given to ensuring that contact with these individuals was maintained. She advised that, other than e-payslips, correspondence issued by the Fund was sent in paper format. Pensioners could choose to opt into paper communications, rather than receive digital updates.

Vicky Jenks provided an overview of Key Performance Indicators (KPIs) for the period of 1 April 2023 to 31 July 2023. She highlighted that performance for 'letter detailing transfer in quote' had dropped significantly. This was not due to an inability by the Team to cope with workload, but rather a delay in the receipt of factors used for administering transfers. This had resulted in a backlog which was now being addressed.

Vicky Jenks provided an update on breaches, stating that the report showed some amber breaches. In cases where several multi-academy trusts had a single payroll provider, a delay by the payroll provider in submitting information to the Fund resulted in several breaches being recorded. When this occurred, efforts were made to liaise with the payroll provider to secure the relevant information and re-establish timely reporting. A red breach had been reported to the Pensions Regulator in May 2023 relating to a data breach of a third-party provider following a malware attack. Investigation showed that this had not had a severe impact and the Pensions Regulator was satisfied with the actions taken by the Fund.

Vicky Jenks reported that good progress had been made to produce Annual Benefits Statements (ABS) for all active and deferred members of the Fund within the statutory deadline of 31 August 2023.

Vicky Jenks reported that the PAS had continued to progress work associated with the McCloud Project. A newsletter would be sent to members of the Fund whose pensions had been affected by McCloud. This would ensure compliance with the latest regulations.

In response to the Chair, Vicky Jenks stated that the introduction of the Pensions Dashboard could prompt an increased number of enquiries to the PAS. It was considered that active members of the scheme were more likely to be in regular contact with the PAS as well as receiving newsletters and e-payslips. A greater number of enquiries could be received from deferred members, including those who had once paid into the Fund but lost track of the status of their pension. Attention had been given to the anticipated number of enquiries to ensure that the PAS was adequately prepared to respond.

Councillor Millar moved that the recommendation be accepted and was seconded by Councillor Hammersley. This was supported unanimously by the Committee.

Resolved:

That the Committee notes the content of the report.

7. Employers Joining and Leaving Warwickshire Pension Fund

Councillor Hammersley moved that the recommendation be accepted and was seconded by Councillor Millar. This was supported unanimously by the Committee.

Resolved:

That the Committee delegates authority to the Executive Director for Resources to approve applications to the Pension Fund from the employers listed in Appendix 1 of the report, subject to the applications meeting the criteria set out in the Local Government Pension Scheme Regulations 2013, and to facilitate those employers listed in Appendix 1 to exit the Pension Fund.

8. Review of the Minutes of the Warwickshire Local Fire Pension Board of 15 February 2023

Councillor Tromans moved that the recommendation be accepted and was seconded by Councillor Hammersley. This was supported unanimously by the Committee.

Resolved:

That the Staff and Pensions Committee notes the minutes of the meeting of the Warwickshire Fire Local Pension Board held on 15 February 2023.

9. Reports Containing Exempt or Confidential Information

Resolved:

That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 3 of Schedule 12A of Part 1 of the Local Government Act 1972.

10. Orbit Heart of England Housing and Care Association Cessation and Exit of Warwickshire Pension Fund

The Committee held a confidential discussion.

11. Next Meeting

The Committee noted the dates of future meetings.

The meeting rose at 14.52.

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Chair