

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

Date: Monday 5 June 2023

Time: 2.00 pm

Venue: Microsoft Teams

Membership

Martin Reohorn (Chair)

Councillor Brian Hammersley

Caroline Jones

Sian Marsh

Paul Morley

Sally Waldron

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) Public Minutes of the Previous Meeting

5 - 10

2. Administration update - 1st year review

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3. Governance and Policy Update

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4. Risk Register

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5. Forward Plan

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6. Any Other Business

7. Future Meeting Dates

To note future meeting dates as follows:

25 September 2023
6 November 2023
12 February 2024

All meetings to start at 2pm.

Monica Fogarty
Chief Executive
Warwickshire County Council
Shire Hall, Warwick

To download papers for this meeting scan here with your camera



Disclaimers

Disclosures of Pecuniary and Non-Pecuniary Interests

Members are required to register their disclosable pecuniary interests within 28 days of their election of appointment to the Council. Any changes to matters registered or new matters that require to be registered must be notified to the Monitoring Officer as soon as practicable after they arise.

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>

Observing the Meeting

Scheme members and scheme employers who wish to observe the meeting should contact Democratic Services by email (democraticservices@warwickshire.gov.uk) to request a joining link.

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

Wednesday 15 February 2023

Minutes

Attendance

Committee Members

Martin Reohorn (Chair)
Barnaby Briggs
Caroline Jones
Paul Morley
Tony Morgan
Councillor Brian Hammersley

Officers

Liz Firmstone, Service Manager (Transformation)
Victoria Jenks, Pensions Admin Delivery Lead
Jan Cumming, Senior Solicitor and Team Leader
Lisa Eglesfield, Team Lead Benefits
Andy Carswell, Democratic Services Officer
Martin Griffiths, Technical Specialist Pensions Fund Policy and Governance

Others Present

Helen Scargill, West Yorkshire Pension Fund
Matthew Mott, West Yorkshire Pension Fund

1. General

(1) Apologies

No apologies were received.

(2) Board Members' Disclosures of Interest

Barnaby Briggs declared an interest as an immediate detriment case.

(3) Public Minutes of the Previous Meeting

The minutes of the meeting held on 7 November 2022 were approved as an accurate record.

2. Risk Monitoring

An update was provided by Vicky Jenks (Pensions Admin Delivery Lead), who advised there had been two amendments made to the risk register. The first was a pensions dashboard readiness indicator, which had been suggested by officers from the West Yorkshire Pension Fund as a way of ensuring officers were aware of their responsibilities regarding data and that it was of a sufficiently high standard that would allow pension holders to access it via the dashboard. The policy schedule had also been updated so relevant officers were aware of when the policies they were responsible for needed to be reviewed or updated. Work was taking place to identify which officers would be best placed to look at the reviews and ensuring they were on their work programmes.

Vicky Jenks told members that the Pension Fund had received some claims relating to the second modified Matthews exercise and these were in the process of being dealt with. However consideration was being given to the potential for legal challenges arising from this, and whether this needed to be included on the risk register in its own right, or by being incorporated into another entry onto the register.

Paul Morley advised the claim was a collective one consisting of eight people. He reminded members a pay dispute was ongoing and there was the potential for further disputes in the future, which could have an effect on staff morale and wellbeing. It was agreed to revise the wording on item 3 on the risk register and elaborate on how the legal challenges could arise, and how the cumulative build-up of issues could negatively affect the administration of the pensions service.

Responding to a point raised by Barnaby Briggs, Vicky Jenks said a pandemic ought to remain on the risk register but accepted that the register did not necessarily need to specifically refer to Covid. A pandemic could refer to, for example, an influenza outbreak. Members noted that the Firefighter Pensions schemes did not have a pension strain chargeable or any assets, but accepted a point raised by Jan Cumming that the effects of Covid could have a potential impact on the Fund due to the possibility of an increased number of pension holders taking early retirement on ill health grounds. Additionally it could lead to an unavailability of staff within the Council or administrator.

Responding to a question from Councillor Brian Hammersley regarding working from home, Vicky Jenks said workers had to undergo a DSE assessment and ensure they had the correct working setup, which would then be signed off by their line manager. However there was no requirement for a full risk assessment of employees' homes to be carried out.

Members noted the amendments that had been made to the risk register.

3. Governance and Policy Update

Vicky Jenks told members that the Board's terms of reference and the conflict of interest policy had both been updated with some minor amendments and included in the report pack for information. The abatement policy had also been updated and this had been formally ratified by the Staff and Pensions Committee. This had been a requirement as a Pensions Ombudsman decision had outlined that a blanket abatement policy could no longer be applied. Additionally, cases of ill health retirement from 2015 onwards had needed to be reassessed to ensure they had

been processed under the correct schemes, and the right options had been given to members who did not qualify for an ill health benefit. New legislation would take effect from 1 October 2023 in order to address age discrimination. Work was taking place with the HR advisory team to identify these individuals and check they were assessed correctly and given the right options on retirement. If they were not then a review would be needed.

Vicky Jenks advised members that since the report had been prepared the Autumn Statement had come out, which had announced a pensions increase of 10.1 per cent and a knock-on effect to annual allowances. A consultation had been released on 10 February 2023 regarding the alignment of application of pensions increases taking effect for the new tax year for the Local Government Pension Scheme, which would have a lesser impact on annual allowances for next year. However this did not relate to firefighter pension schemes. Vicky Jenks said this may be significant because firefighters were impacted by changes to annual allowances, along with possible arrears to be paid out through the pay award.

Helen Scargill said she had had verbal confirmation from Home Office that the care revaluation dates would not be moved from 1 April to 6 April for the fire scheme. No reason had been given for this beyond there being a feeling it was not felt necessary to do, although there was a belief it could be influenced by the outcome of the Matthews decision and the increased workload on pensions administrators for the late notice of the pay award scheme. Helen Scargill said the proportion of care payments would increase, but this and the pay award would have a negligible impact on annual allowance growth. Uncertainty over the date of the pay award agreement being agreed could impact on annual allowance payments. Helen Scargill said if the pay award was not implemented before 5 April then the 2022/23 annual allowance would not be recalculated. There would be higher care pension payments in 2023/24 as a result. However the CPI opening value and the AA calculation were likely to offset each other. Helen Scargill stated her belief there would be no significant shift in either direction. The Chair said it was important to have this situation explained to pension members.

Responding to a question from Paul Morley, Vicky Jenks said temporary promotions were not pensionable in the care scheme so would not have an impact on a member's annual tax allowance. Paul Morley said some scheme members nearing retirement were considering future career options based on their potential annual allowance tax charges.

Members were told a consultation had been taking place regarding changes HMRC had been planning to implement in relation to corrections in benefit payments for age discrimination. It was intended that pension members should not expect to get any additional charges to payments they were due to receive. Vicky Jenks advised that some other changes in regulations relating to waiving liabilities and correction of benefits were also taking effect.

Members noted the updates in the report.

4. Forward Plan

Members noted the items on the Forward Plan. Member training was included as being relevant following the appointment of Councillor Hammersley to the Board. Helen Scargill said LGA training sessions included updates relating to Matthews and this could be of interest to members requiring training.

5. Administration update for Firefighter Pension schemes

Vicky Jenks advised members they were looking at the update for December, as the January report had only just been received from the West Yorkshire Pension Fund. There had been some issues with getting payroll information onto the West Yorkshire portal, although this was due to a login issue rather than anything more significant. A new member of staff had taken on the role of sorting the information to be uploaded to the portal and ensure they were up to date. A payroll training event was taking place the following week involving the Warwickshire and West Yorkshire Pension Funds, and also Leicestershire and Hereford and Worcester Fire Authorities as these were also administered by Warwickshire payroll and there was a desire to ensure consistency in data sharing processes.

Vicky Jenks said there was an awareness there were some discrepancies in pension payments being either over or under what they should be, and work to correct this was taking place. She said around 220 pensioner payments were being checked, although this did not mean that all of them were incorrect. Members were told this would need to be logged as technically it counted as a breach. An overpayments policy was being worked on to set out how to deal with correcting payments that had been made incorrectly, such as identifying what had gone wrong and how an overpayment should be handled.

Helen Scargill said the KPI relating to death, retirement and dependent pensions setup wasn't quite meeting the 100 per cent KPI target. She said this probably related to one case missing the KPI and was not something to be overly concerned with. The average setup time was seven days.

Responding to a question from the Chair, Helen Scargill said the miscellaneous works captured in the graph in the report referred to telephone calls and emails that had been received but further action had not yet taken place.

Members were told the number of website hits was now being recorded, and there had been a significant increase in the number of people looking at the annual benefit statement production section. Helen Scargill said thought would be given to targeted communication on some points of information if the number of web hits stagnated, to ensure awareness of the issues remained high. A communication on the remedial service statement had been planned as this was felt to be a particularly important issue. Helen Scargill said member online registration with the Warwickshire Fire and Rescue Service numbers were similar to other clients of the West Yorkshire Fund. She drew members' attention to other key pieces of data in the report and said there were no significant issues that required attention. She said she would clarify a point the Chair raised about 15 modified scheme members in the RDS and provide an update.

The Chair said it would be worth noting for the Board's knowledge if there was any conditional data that was missing but had no significance to the payments being made. Additionally the Chair said it would be useful if the resolutions to any issues, which again did not affect payments, were recorded.

Helen Scargill said there were a number of pensioners on the system whose records were incomplete or had incorrect periods of service recorded. The biggest issue came from 2006 where a high number of pensioners did not have their home address details recorded.

Records had been created for pensioners who had taken up the first options exercise, so the system now knew if a pension holder had paid for a service via a lump sum or continued to pay by instalment. The Chair said he was happy for a verbal update on this to be given at the next meeting.

Vicky Jenks said the January report would be sent to stakeholders and a request for feedback would be made. Any issues would be raised directly with Helen Scargill and Matt Mott.

Members noted the contents of the report.

6. Any Other Business

Barnaby Briggs stated there was likely to be an acceptance of the pay award, meaning it was unlikely there would be any industrial action. He said it would be helpful if information on how this would affect pension payments could be communicated as soon as possible.

Barnaby Briggs said he would be retiring from 31 March. It was hoped a replacement for him on the Board would be announced as soon as possible, although members were advised there was a legal process that needed to be followed before an appointment could be made. Members thanked him for his service with the Board and WFRS and wished him well in his retirement.

7. Future Meeting Dates

Members noted the future meeting dates.

The meeting rose at xxx

.....
Chair

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

5 June 2023

Administration update - 1st year review

Recommendation

That the Warwickshire Fire and Rescue Local Pension Board notes and comments on the administration report provided by West Yorkshire Pension Fund (WYPF) for the work they have undertaken to administer the Firefighter Pension Schemes for Warwickshire Fire and Rescue Service (WFRS)

1. Executive Summary

- 1.1 From 1st April 2022 WYPF have provided the administration service for WFRS. As part of this service a monthly report is provided by WYPF, which give details of the work they have undertaken, key performance indicators and other relevant information regarding the membership of the Firefighter Pension schemes.
- 1.2 This report also provides a round up for the 1st year since the transfer of this service.

2. Financial Implications

- 2.1 None.

3. Environmental Implications

- 3.1 None.

4. Supporting Information

- 4.1 The last report received by WYPF is for the period up to 30th April 2023 and is attached at Appendix 1.
- 4.2 The report has been shared with stakeholders at the Council.

4.3 In relation to KPIs, the following are not being delivered to target:

Pension Estimate 0 (1 case out of 1 late)

Those with an intended retirement date within the next 3 months are treated as a priority.

Life Certificate 66.67% (1 out of 3 cases late)

For Issue of Life certificate for existence checks, any deal in this could lead to an overpayment of pension.

4.4 1st year review – A lot of work has been undertaken to improve the service provided to members of the Firefighter pension schemes in the last year, which is creating more confidence within the membership regarding the information they receive in respect of their pension benefits.

4.5 There has been a marked improvement in the transfer of pay data to West Yorkshire for active members, and the Council's payroll have now established a routine to supply a monthly e-return via the WYPF portal.

4.6 WYPF are also part way through completing the reconciliation work for pensions in payment. So far 100 cases have been reviewed with 74 underpayments identified and 24 overpayments identified. For the underpayments it has been identified that pensions increases have not been applied correctly; these pensions have been amended and all arrears paid to members. For overpayments there are a mixture of reasons why these have occurred. For cases where the overpayment relates to the GMP rectification exercise, it has been agreed that no recovery of overpayments will be made. This is in line with instruction from the Home Office that was issued in 2018. This has also been ratified by the Leader of the Council. For all other overpayments the Council will review on a case-by-case basis and seek to recover any overpayment where appropriate.

4.7 There is also a more joined up approach from Stakeholders at the Council with regard to the responsibilities relating to decision making and knowledge sharing. A stakeholder group now has monthly meetings to review information supplied by the LGA and actions are distributed accordingly. There is less of a single person reliance, and the group work together to establish key responsibilities for each team.

4.8 The communication of key messages to members is done via liaison with the Pensions Administration Delivery Lead, Fire Administration Contract Manager and Fire Service management, to ensure messaging is clear and directed to the right individuals.

5. Timescales associated with the decision and next steps

5.1 None

Appendices

Appendix 1 – April 2023 monthly report

Background Papers

None

	Name	Contact Information
Report Author	Victoria Jenks	vickyjenks@warwickshire.gov.uk
Assistant Director	Andrew Felton Assistant Director of Finance	andrewfelton@warwickshire.gov.uk
Strategic Director	Strategic Director for Resources	robpowell@warwickshire.gov.uk
Portfolio Holder	Portfolio Holder for Finance and Property	peterbutlin@warwickshire.gov.uk

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

Local Member(s):

Other members: Cllrs Jenks and Gifford

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Monthly Report

May 2023

Warwickshire Fire Authority



West Yorkshire Pension Fund

Prepared by:

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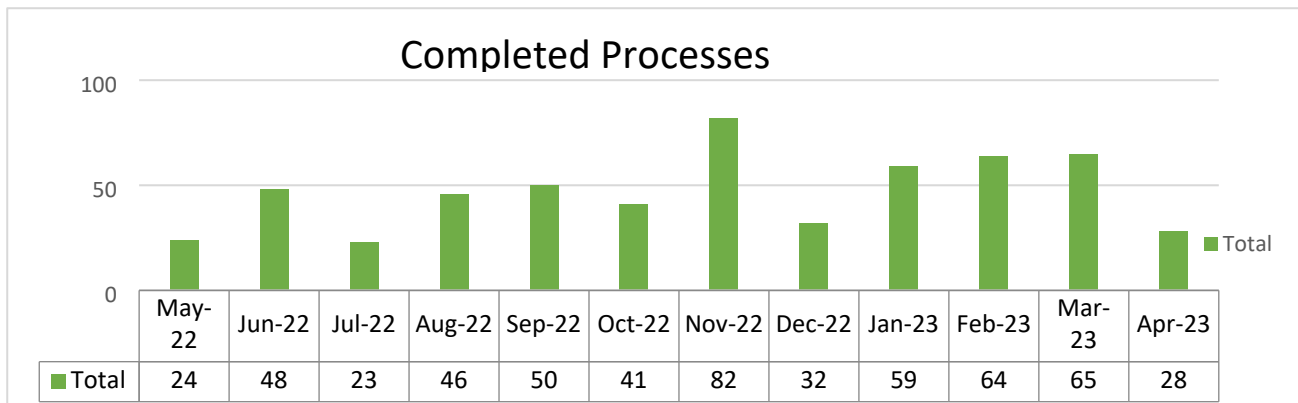


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1. Completed processes

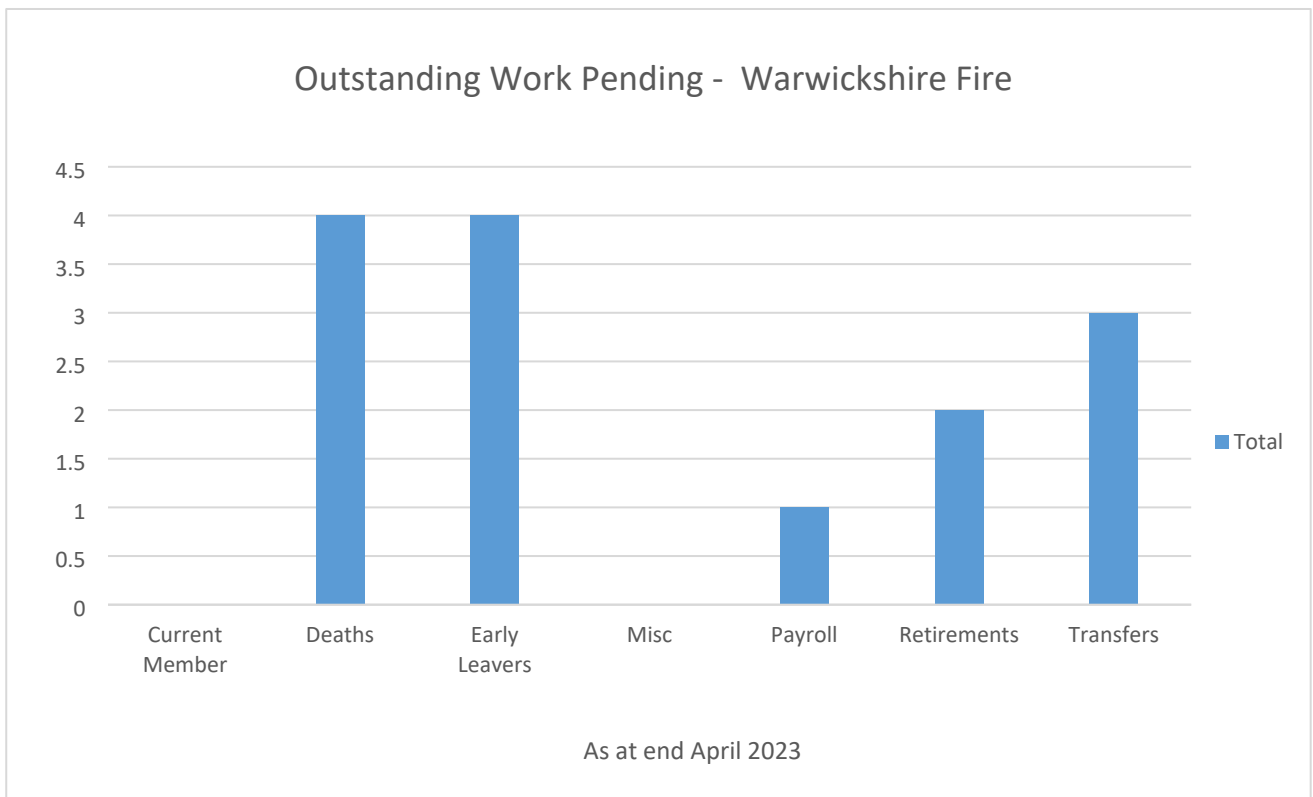
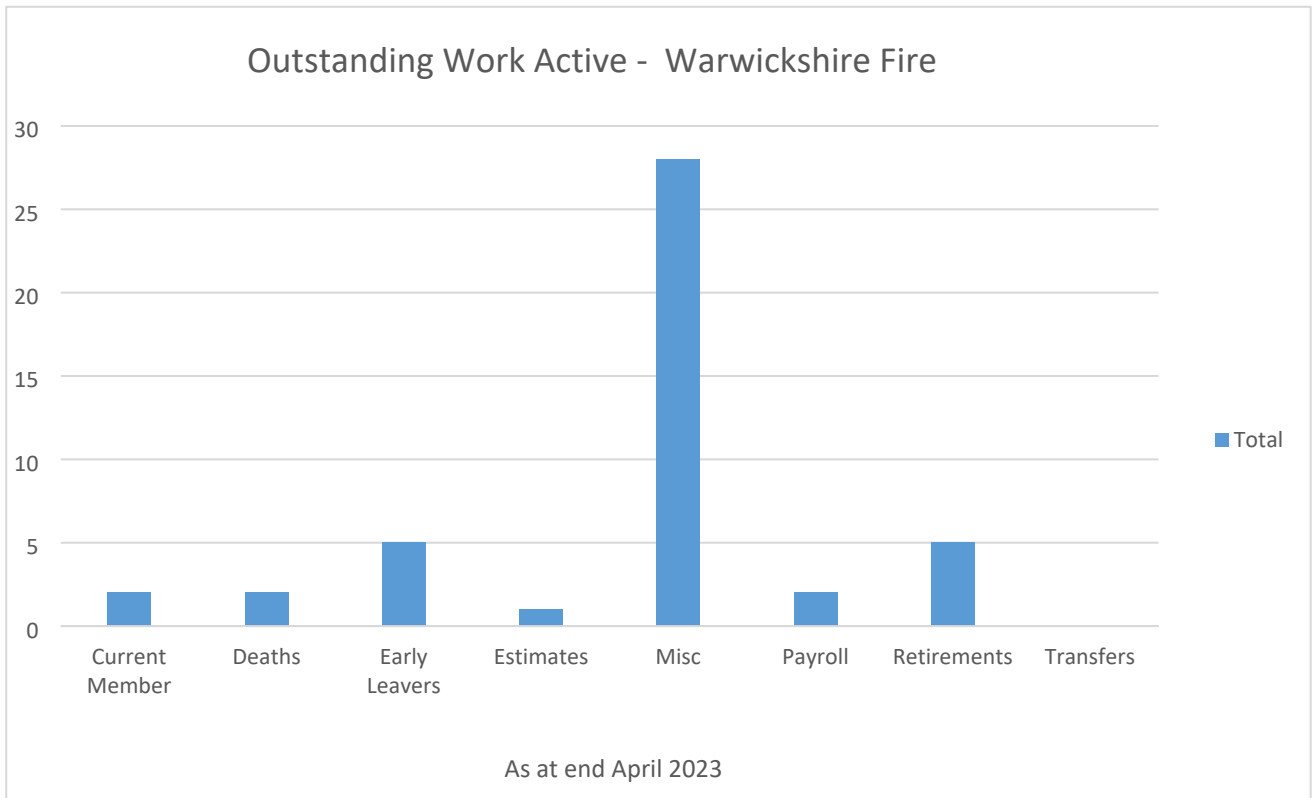
1 to 30 April 2023						
Work Type	Total Cases	Target days for each case	Target met cases	Minimum Target Met	Target met percent	Average time taken
Deferred Benefits Set Up on Leaving	2	20	2	85	100	3.5
Pension Estimate	1	10	0	90	0	36
Pension Set Up/Payment of Lump Sum	3	3	3	85	100	3
Retirement Actual	3	10	3	90	100	2.33
Change of Address	3	20	3	85	100	1.67
General Payroll Changes	9	20	9	85	100	2.56
NI adjustment to Pension at State Pension Age	1	20	1	85	100	13
Update Member Details	2	20	2	100	100	1
Injury Review	1	20	1	100	100	1
Life Certificate	3	10	2	85	66.67	6
Monthly Pension	462	Pay date	462	100	100	



Pension Estimates did not meet. This is because estimates with an intended retirement date of 3 months or more in the future are not processed until the more urgent estimates with a retirement date within 3 months have been completed

Life Certificates didn't meet due a delay in completion from the member

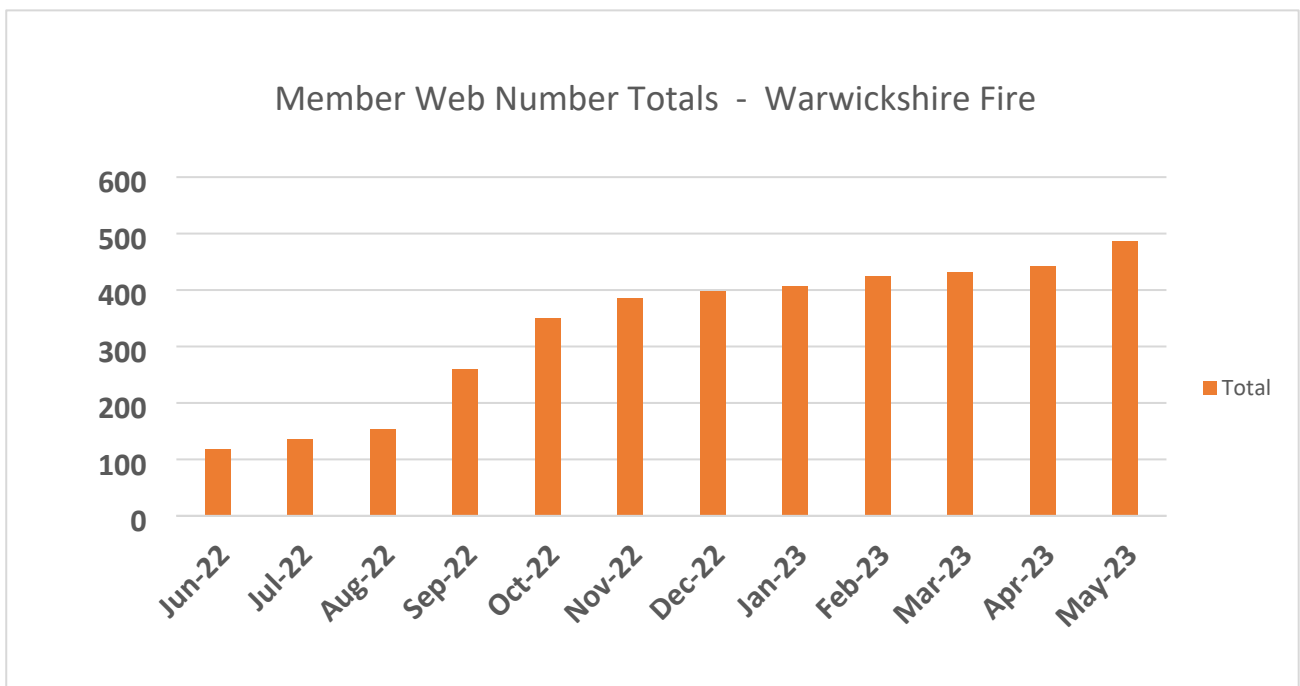
2. Work in Progress



3. Member Web Registrations

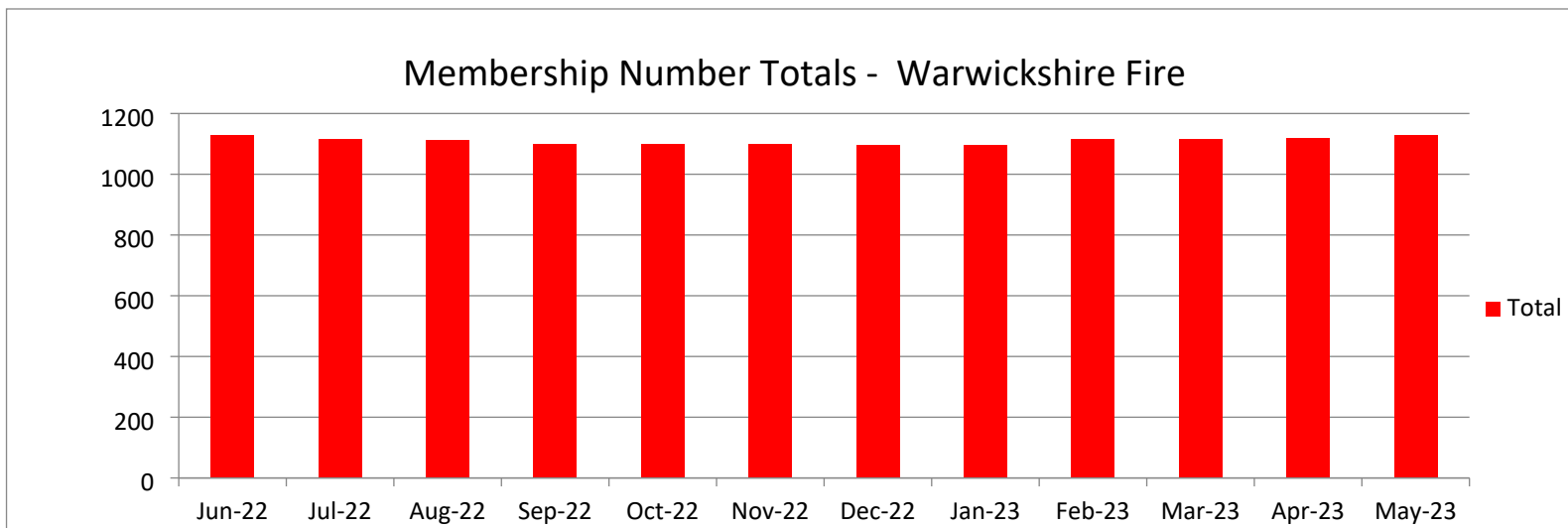
The number of members signed up to member web are:

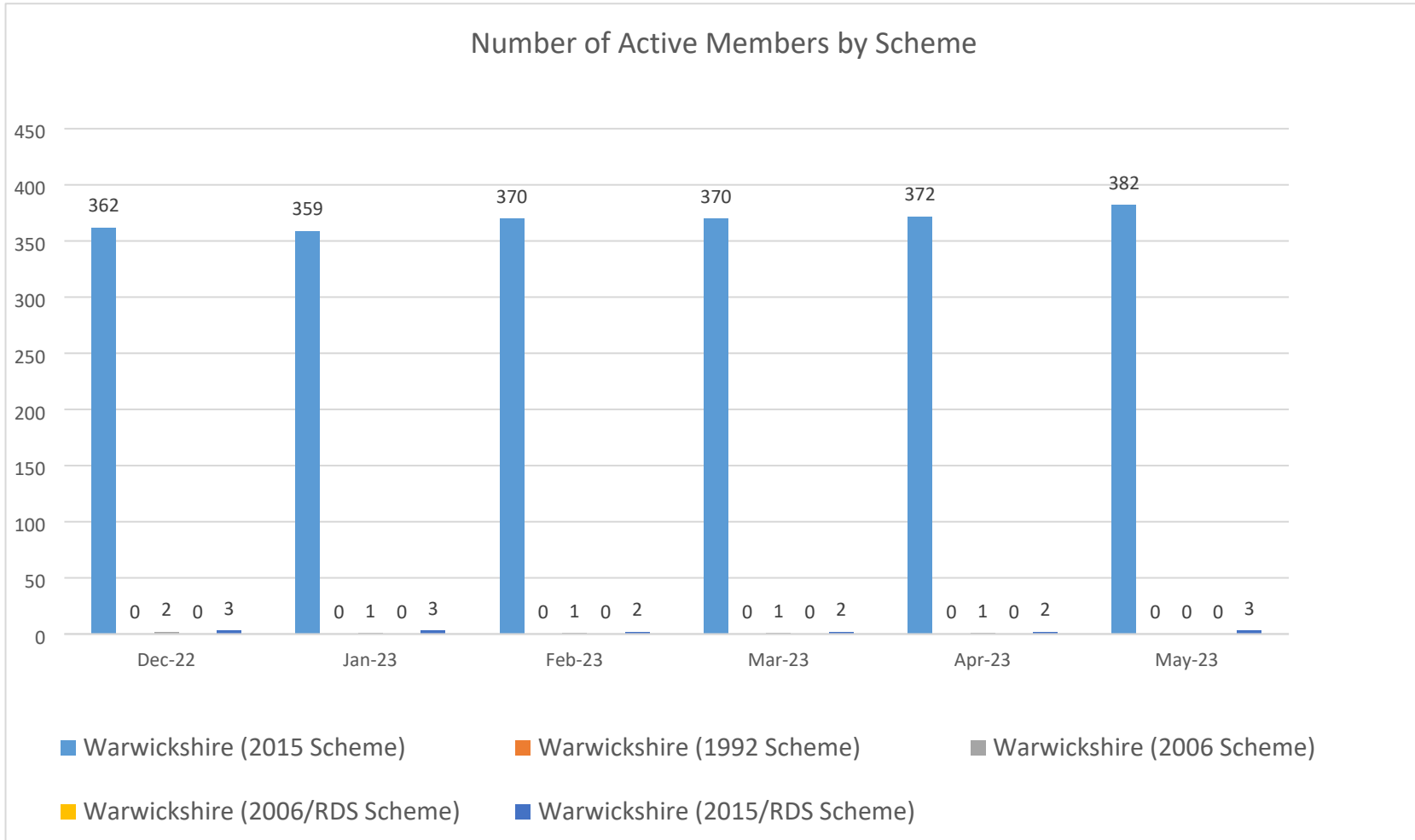
Status	Number
Active	164
Pensioner	233
Pensioner Ex-Spouse	0
Beneficiary Pensioner	18
Deferred Ex-Spouse	0
Deferred	72

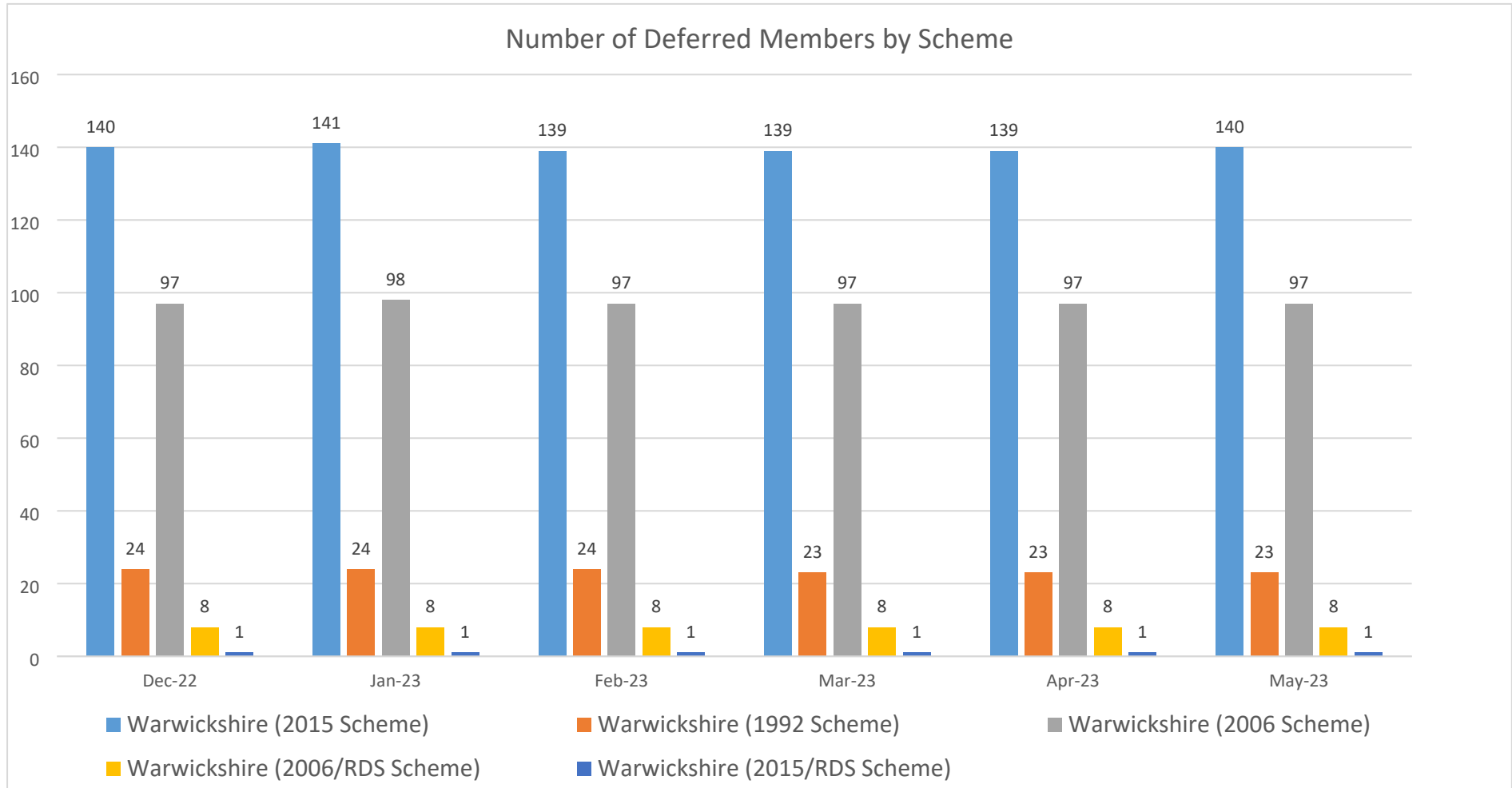


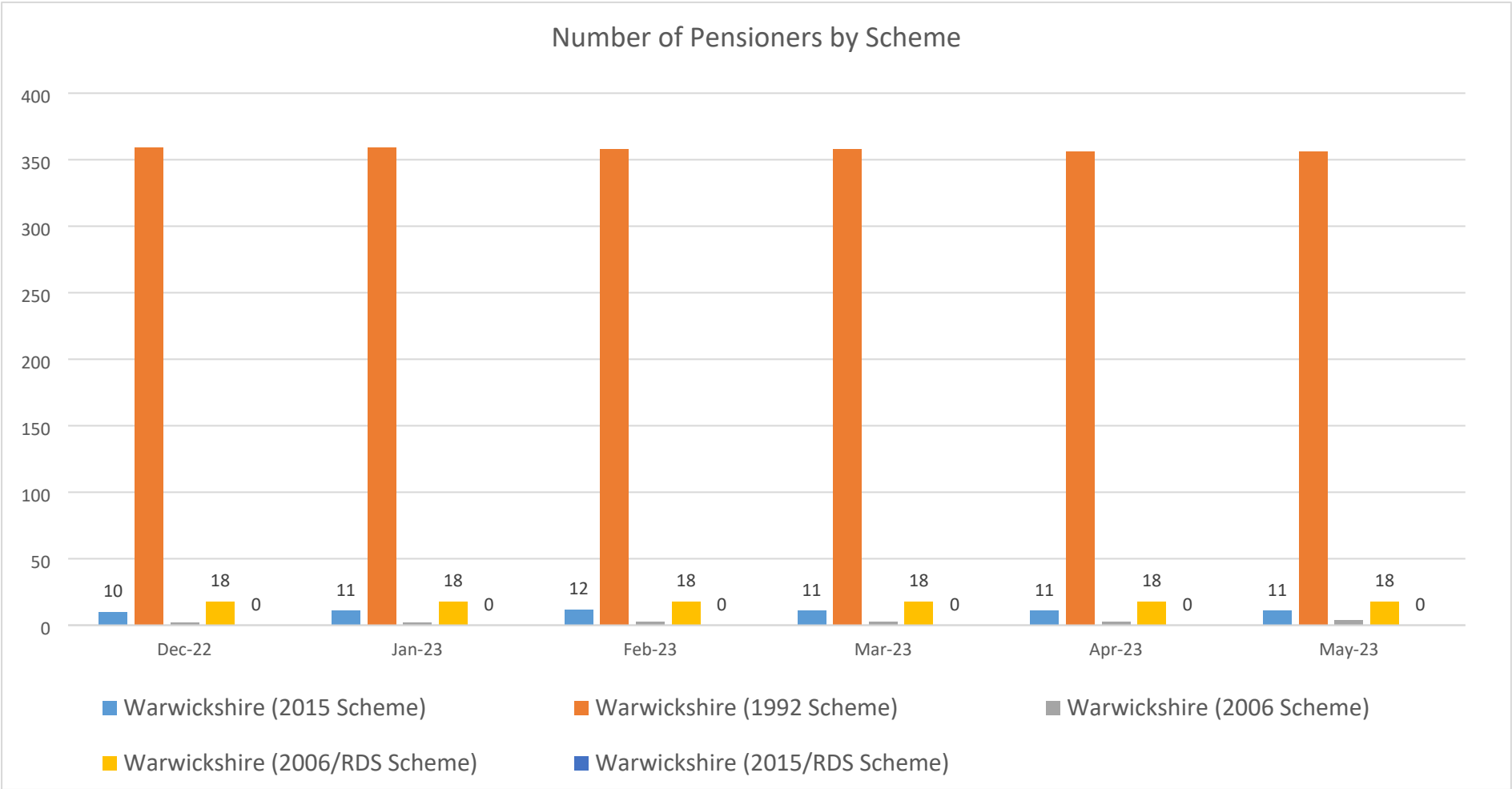
4.Membership Numbers

Scheme Name	Active Members	Deferred Members	Pensioners	Beneficiaries	Preserved Refund	Leavers Options Pending
Warwickshire (1992 Scheme)	0	23	356	63	0	0
Warwickshire (2006 Scheme)	0	97	4	1	2	0
Warwickshire (2006/RDS Scheme)	0	8	18	0	0	0
Warwickshire (2015 Scheme)	382	140	11	4	3	13
Warwickshire (2015/RDS Scheme)	3	1	0	0	0	0









5. Administration Update

SCAPE discount rate change

FRA's have already been made aware that certain work streams have been temporarily suspended following the revised SCAPE discount rate whilst we await the updated technical note.

Although LGA will inform its nominated contacts when an update has been received, WYPF will also inform all FRA's that the systems have been updated and work on these case types has resumed.

Annual Benefit Statements

The 2023 Annual Benefit Statement template has now been finalised and is ready for production. This will commence once WYPF are in receipt of month 12 returns from all FRA's.

The 2023 ABS will reiterate that Sergeant remedy measures will not be included. Members will be able to find more details on WYPF ABS section on the website. This page includes a link to the LGA notes on annual benefit statements which will assist members in understanding their statement. The website has now been updated with the [2023 information](#) ready for production of this year's statements.

Ongoing consultations

The May 2023 bulletin reminds all FRA's and administrators of the two consultations that are currently underway: the first is on the Firefighters' Pension Scheme (Remediable Service) Regulations 2023 – which has a deadline of 23 May 2023, and the second consultation relating to the Retained Firefighters' Pensions: Proposed changes to the Firefighters' Pension Scheme (England) 2006 – which has a deadline of 9 June 2023.

Whilst WYPF will be providing a response to both, FRA's are encouraged to also take part.

Re-employment

The Fire Communications Working Group has agreed template wording for FRA's to include within their estimate/retirement letters to cover re-employment and abatement. This was included in the bulletin this month.

FRA's should include the wording provided in their letters to members when they receive the notice of intention to retire, or at an earlier stage with an estimate request. This ensures the individual is made aware of the impact re-employment / abatement at the earliest opportunity.

Month 12 Postings

We remind all FRA's that month 12 postings have an extended deadline of **15th May 2023**. Please can all FRA's ensure this deadline is met, if you do have any problems or require any further details please contact Abdul.Majid@wypf.org.uk

Lost Contact

As discussed at the FRA client meeting please can we request that WYPF are notified of any change to member addresses as soon as possible. This is particularly important as it will allow WYPF to contact as many members as possible with the initial contact letters for those who are in scope for Matthews.

FRA Survey

At the recent client meeting we asked all FRAs to complete a short survey outlining progress with a number of items including Matthews preparation, Sargeant financial extracts and estimates.

If you have not completed the [survey](#), please do so as soon as possible

Data breaches

None

6. Communication & Training

Fact Cards

Member and FRA fact cards for 2023 are now available and online.

[Member fact card](#)

[FRA fact card](#)

P60s

Payroll client pensioners have now been issued with their P60s, either via a bulk email with information encouraging them to download it from My Pension, or via post where the person has opted out of electronic communications

Pension boards

- Buckinghamshire Pension Board – 5th April
- Durham & Darlington Pension Board - 12th April
- South Yorkshire Pension Board – 13th April
- East Sussex FRS Pension Board – 18th April
- Norfolk Pension Board – 25th April
- Northumberland Pension Board – 25th April
- Dorset & Wiltshire Pension Board – 27th April

National / regional meetings

- Matthews TWG – 25th April
- McCloud PDD/TWG discussions 18th April
- Fire Comms working group – 14th April
- X Whitehall TWG – 27th April

Client training delivered by WYPF

Pre-retirement seminars attended by WYPF during April:
Buckinghamshire – 25 April 2023

7. Member Update

None

8. IT Update

None

9. Five Year Audit Plan 2019 – 2024

West Yorkshire Pension Fund Five Year Audit Plan 2019 - 2024	Frequency	Last Audit	Recommendations	Days	19/20	20/21	21/22	22/23	23/24	Total
Annual Accounts Verification	Annual	Jul 18	1	10	✓	✓	✓	✓	✓	
Audits Per Year					1	1	1	1	1	5
Benefits										
Local Government Scheme Contributions	2 Yearly	Nov 18	0	20			✓		✓	
New Pensions and Lump Sums - WYPF										
- Normal and Early Retirements	5 Yearly	Mar 15	0	25	✓					
- Death in Service, Post Retirement Widow and Dependent Benefits	5 Yearly	Mar 17	0	20			✓			
- Ill Health Pensions	5 Yearly	Oct 13	2	20					✓	
- Flexible Retirements	5 Yearly	Apr 16	1	20		✓				
- Deferred Pensions	5 Yearly	Mar 18	0	20				✓		
Transfers Out	3 Yearly	Nov 17	0	20		✓				
Transfers In	3 Yearly	Sep 16	2	20	✓		✓			
Reimbursement of Agency Payments	5 Yearly	Mar 18	2	15				✓		
Life Certificates	5 Yearly	Oct 15	0	15		✓				
AVC Arrangements	5 Yearly	Sep 17	0	15				✓		
Admission of New Bodies	5 Yearly	Jan 15	0	20	✓					
Pensioners Payroll	2.5 years	Mar 16	3	20		✓			✓	
Purchase of Additional Pension	5 Yearly	Mar 17	1	15			✓			
Annual Benefits Statements	2.5 years	Oct 16	0	20	✓			✓		
New Pensions and Lump Sums - Fire Service	3 Yearly	Jul 18	1	15		✓			✓	
Audits Per Year					4	5	4	4	4	21

50. Overriding Disclosure Time Limits

Disclosure Requirement	Time Limit	Number of breaches in month
Material alterations to basic scheme information	Within 3 months of the change taking effect	0
Transfer Credits (quote)	Within 2 months	0
Annual Benefit Statements	By 31 August each year	0
Annual Benefit Statement (upon request)	Within 2 months of request, if not already provided within previous 12 months	0
Deferred Benefit Statements	By 31 August each year	0
Deferred Benefit Statement (upon request)	Within 2 months of request, if not already provided within previous 12 months	0
Pension Savings Statements	By 6 October each year	0
Cash Equivalent Transfer Value Out	Within 3 months of request	0
Accessing Benefits before Normal Pension Age	2 month of benefits becoming payable	0
Accessing Benefits on or after Normal Pension Age	1 month of benefits becoming payable	0
Notification of Deferred Benefit entitlement	2 months of being notified of leaver	0

Type of request	Time limit	Number of breaches in month
Request for divorce information only.	3 months from receipt of the request.	0
Request for divorce information where you are notified that the information is required in connection with divorce proceedings that have already commenced.	6 weeks from receipt of the request.	0
Request for divorce information where a Court Order imposes a deadline.	Within the deadline specified by the Court.	0
Request for divorce information where you are notified that a Pension Sharing Order may be issued.	Within 21 days of receiving notification that a Pension Sharing Order may be issued or a date outside 21 days as specified by the Court.	0
Where the request is for information which does not include a Cash Equivalent Transfer Value	1 month from receipt of the request.	0
Pension Sharing Order received but some information* and/or charges are still outstanding.	A letter to both parties needs to be sent out within 21 days of receiving the Order to explain the Order cannot be implemented and request the missing information and/or charges.	0
Pension Sharing Order received including all relevant information* and charges.	A letter** must be sent to both parties within 21 days of the start of the implementation period notifying them of the deadline.	0
Pension Sharing Order Received including all relevant information and charges.	4 months to implement the Order of the date of receipt of the final information which allows calculation	0
PSO has been implemented.	A letter* must be sent to both parties within 21 days of implementing the PSO to notify both parties their entitlement.	0

11. Calendar of Events

January	February	March	April
Life Certificates HMRC Event Reporting Payment of Unauthorised Lump Sum and Scheme Sanction Charge to HMRC	Life Certificates Review of DWP benefits for Injury cases GAD Data Collection Spreadsheet	Life Certificates	Apply Pensions Increase Apply Care Revaluation Issue P60's Life Certificates Pensioner Newsletter
May	June	July	August
Life Certificates	Active Newsletter Life Certificates Issue Deferred Annual Benefits Statements	Life Certificates Issue Deferred Annual Benefits Statements Issue active Annual Benefits Statements	Issue active Annual Benefits Statements Life Certificates
September	October	November	December
Pension Estimates Assumption Exercise Life Certificates Pension Savings Statement	Life Certificates Participate in NFI tPR Scheme Returns	tPR Annual Survey Life Certificates	IAS19 Data capture exercise for Actuaries Life Certificates

12 Regulations/Fire Scheme Update

Please take a few minutes to read the Firefighters' Pension (England) Scheme Advisory Board Bulletin (Link to Bulletin below) and take any action required.

[FPS Bulletin 68 - April 2023 \(fpsregs.org\)](https://www.fpsregs.org)

Some key issues to highlight:

FPS

Consultation on the Firefighters' Pension Schemes (Remediable Service)

Regulations 2023

As a reminder in [FPS Bulletin 67 – March 2023](#), we informed you that the above consultation had been launched.

The LGA will respond to the consultation and share our response before the consultation closes on 23 May 2023.

ACTION: All interested parties are encouraged to respond to the consultation by 23 May 2023.

Consultation on the retained Firefighters' Pensions: Proposed changes to the Firefighters' Pension Scheme (England) 2006

On 31 March 2023, the Home Office published [a consultation on the proposed changes to the Firefighters' Pension Scheme \(England\) 2006 in relation to retained Firefighters'](#). These regulations concentrate on providing further remedy to those individuals who were employed as retained firefighters between 7 April 2000 and 5 April 2006 inclusive providing access to the modified section of the Firefighters' Pension Scheme 2006 (referred to as 'the modified scheme').

The LGA will respond to the consultation and share our response before the consultation closes on 9 June 2023.

Ill Health process guide

An [ill health process guide](#) has been published to help FRAs navigate the ill health process, and understand their role, as employer and the content of the ill health certificates.

The process guide has been published under resources on the [ill health and injury](#) pages on the restricted Member Area of the Firefighters Regulations and Guidance website.

ACTION: All interested parties are encouraged to respond to the consultation by 9 June 2023.

SAB updates

SAB representation at Matthews Technical Working Group

In [FPS Bulletin 61-September 2022](#), we advised that a Matthews Technical Working Group had been set up to assist with the technical aspects of the implementation of the Matthews second options exercise. This group has met on a regular basis from that point with representation from the Home Office, the Government Actuary's Department, fire authorities and administrators. From April 2023, representation will include SAB members.

You can use the links below to find out about the latest updates on the work of the SAB and its committees:

- [SAB membership](#)
- [SAB meeting and agenda papers](#)
- [Committee meetings and agenda paper](#)

The Pensions Regulator Corporate plan 2023/24

On 21 April 2023, TPR published its Corporate Plan for 2023/24. The plan outlines TPR's key priorities for the year. These include:

- working with the Financial Conduct Authority and DWP to develop a value for money framework
- launching the new defined benefit funding code
- laying foundations for a significant increase in addressing quality outcomes in defined contribution schemes
- increasing its attention on tackling scammers
- supporting schemes to prepare for dashboards.

The document also includes TPR's plans beyond March 2024.

See the [press release for more information](#).

Events

Fire and Police pensions data conference – 17 May 2023

As detailed in [FPS Bulletin 67 – March 2023](#) we are holding a data conference jointly with the National Police Chiefs Council (NFCC). The event is now fully booked; however, you can email events@local.gov.uk to put your name on the waiting list, or to request dial in details.

FPS AGM – London – 19 to 20 September 2023 (save the date)

The Fire Pensions Annual Conference will take place from 19 to 20 September this year. The two-day programme will allow delegates to network with fellow colleagues and hear the latest news on the Firefighters' Pension Scheme from the scheme's key stakeholders. The full programme and booking link will be available in due course.

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khub Firefighters Pensions Discussion Forum](#)
- [FPS1992 guidance and commentary](#)
- [The Pensions Regulator Public Service Schemes](#)
- [The Pensions Ombudsman](#)
- [HMRC Pensions Tax Manual](#)
- [LGA pensions website](#)
- [LGPS Regulations and Guidance](#)
- [LGPC Bulletins](#)

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

5 June 2023

Governance and Policy Update

Recommendation

That the Warwickshire Fire and Rescue Local Pension Board notes and comments on the Regulatory updates affecting Firefighter Pension Schemes set out in this report.

1. Regulatory Update

- 1.1 On 28 February 2023, the Home Office published a consultation on the Firefighters' Pensions Schemes (Remediable Service) Regulations 2023. These regulations concentrate on the retrospective elements of the 2015 Remedy that are required to fully deliver the remedy. This includes establishing the deferred choice underpin (DCU) and the changes needed to offer pensioners and beneficiaries of deceased scheme members an immediate choice between legacy or reformed scheme benefits. All interested parties are encouraged to respond to the consultation by 23 May 2023. the Council has provided a response to the consultation questions.
- 1.2 On 10 March 2023, the High Court ruled that HM Treasury's decision to include the McCloud / Sargeant remedy in the cost cap mechanism was not unlawful. The judge ruled in favour of HM Treasury on all grounds. The judge also refused permission to appeal, but the FBU and other parties are able to apply for permission to appeal directly to the Court of Appeal.
- 1.3 On 2 March 2023, the government confirmed its intention to legislate to amend schemes' connection deadlines for the Pensions Dashboards Programme. This follows a written ministerial statement issued by DWP announcing the delays. Delays are necessary to give the Pensions Dashboards Programme (PDP) the time it needs to meet the challenges in developing the digital architecture. DWP will provide an update on dashboards to Parliament before Summer 2023 recess. It is not clear if connection deadlines for public service pension schemes will change.
- 1.4 On 15 March 2023, the Chancellor of the Exchequer delivered his Spring Budget 2023. The Finance (No.2) Bill 2022/23 was published on 23 March 2023. With effect from 6 April 2023, the Bill proposes to enact some of the changes announced at the Spring budget. This includes:
 - increasing the annual allowance from £40,000 to £60,000

- increasing the money purchase annual allowance from £4,000 to £10,000
 - increasing the adjusted income level for the tapered annual allowance from £240,000 to £260,000
 - increasing the minimum tapered annual allowance from £4,000 to £10,000
 - abolishing lifetime allowance (LTA) charges arising in relation to benefit crystallisation events occurring on or after 6 April 2023
 - allowing members to accrue new pension benefits, join new arrangements or transfer, without losing enhanced protection or fixed protection where the protection was applied for before 15 March 2023
 - changing the taxation of the LTA excess lump sum, so that it is taxed as pension income (taxable at marginal rate rather than 55 per cent)
 - notwithstanding the LTA charge being abolished, ensuring that payments of (or any part of) serious ill-health lump sums, defined benefit lump sum death benefits or an uncrystallised funds lump sum death benefits that would have incurred an LTA charge remain taxable payments, with the excess taxed as pension income (taxable at marginal rate rather than 55 per cent).
- 1.5 The Council commissioned a member communication fact sheet that has been shared with members of the Firefighter Pension Schemes who could be affected by these changes.
- 1.6 On 30 March 2023, the UK Government announced the publication of its response to the June 2021 consultation on the methodology used to set the SCAPE discount rate. This is a discount rate used in the valuation of unfunded public service pension schemes to set employer contribution rates. The Government concluded that the existing methodology best meets the balance of its objectives for the SCAPE discount rate, and therefore does not intend to modify the methodology. Based on these figures, the new SCAPE discount rate is CPI+1.7% p.a. Administrators will have to suspend CETV calculations until the factors can be amended in line with the new SCAPE rate.
- 1.7 On 3 April 2023, the Government Actuaries Department published revised Commutation on retirement factors. The revised factors only apply to the 1992 Firefighters Pension Scheme and are to be applied with immediate effect.
- 1.8 On 31 March 2023, the Home Office launched the formal consultation on Retained Firefighters' Pensions: Proposed Changes to the Firefighters' Pension Scheme (England) 2006. This consultation focuses on the government's commitment to provide further remedy to those individuals who were employed as retained firefighters between 7 April 2000 and 5 April 2006 inclusive by providing access to the modified section of Firefighters' Pension Scheme 2006 (referred to as 'the modified scheme'). It contains the proposed amendments to the Firefighters' Pension Scheme (England) Order 2006 and the Firemen's Pension Scheme Order 1992 to achieve this outcome. This consultation document seeks views on proposals for achieving this outcome, and whether the proposed amendments achieve this policy intention for all

eligible individuals. The consultation will close on 9 June 2023. The Council will be responding to the Consultation as there are some concerns over the timescales listed for the provision of information to members. This will also coincide with work required following the regulations for Sargeant/McCloud being implemented from 1 October 2023. The Council will need to consider how this work will be resourced.

2. Financial Implications

2.1 None arising directly from this report.

3. Environmental Implications

3.1 None arising directly from this report.

4. Timescales associated with the decision and next steps

4.1 None

Appendices

None

Background Papers

None

	Name	Contact Information
Report Author	Victoria Jenks	vickyjenks@warwickshire.gov.uk
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Portfolio Holder	Portfolio Holder for Finance and Property	peterbutlin@warwickshire.gov.uk

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

Local Member(s): n/a

Other members: Cllrs Jenks and Gifford

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

5 June 2023

Risk Register

Recommendation

That the Warwickshire Fire and Rescue Local Pension Board note and comment on the report and the attached risk register.

1. Executive Summary

- 1.1 The Pensions Administration Service (PAS) maintains the risk register in order to manage the risks facing the administration of the Firefighters Pension Schemes.
- 1.2 Risks are identified and responsibility is allocated to either Warwickshire County Council (WCC) as The Scheme Manager or West Yorkshire Pension Fund (WYPF) as the third-party administrator.

2. Financial Implications

None arising directly from this report.

3. Environmental Implications

None arising directly from this report.

4. Supporting Information

- 4.1 Item 10 has been added to the risk register, this relates to the 2nd modified exercise, where retained officers will be given the opportunity to purchase service in the modified section of the 2006 firefighters pension scheme.
- 4.2 WCC will need to create a project team which will identify members in scope, contact them, provide them with information regarding the service they can purchase and then arrange for the collection of contributions to buy this service. This will be within set timescales that are currently under consultation but expected to be in place from 1st October 2023.

- 4.3 Pay data and service history will need to be collated for each individual. It is already clear that not all pay data will be available; however, it is proposed to offer individuals service at 25% of a wholetime officer for each year that pay is not available, in line with Home Office guidance set within the consultation document released on 31 March 2023.

5. Timescales associated with the decision and next steps

- 5.1 Policy Schedule work is still outstanding and will need to be picked up ready for the next Board meeting.

Appendices

Appendix 1 – Risk Register

Background Papers

None

	Name	Contact Information
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The report was circulated to the following members prior to publication:

Local Member(s): n/a

Other members: Cllr Jenns and Gifford

FIRE PENSIONS ADMINISTRATION - RISK SHARING PROPOSAL															
Jun-23															
Risk Identification						Inherent Risk Scoring			Existing Risk Controls		Residual Risk Scoring			Further Risk Controls	
Risk No.	Risk Description	Outsourcing Risk Allocation	Risk appetite	Risk Causes	Risk Consequences (Effect)	Likelihood	Impact	Risk Score	Control	Responsibility	Likelihood	Impact	Risk Score	Control	Responsibility
1	Pandemic (Administration and People Related)	Shared	Averse	pandemic (financial pressure on individuals and institutions, and more)	Members do not receive a high quality service	5	5	30	Office presence for processes that require it (e.g. physical post)	Both	3	3	12	Use of extraordinary committee or board meetings where necessary	WCC
				Further restrictive lockdowns	Business interruption				IT systems supporting remote and flexible working	Provider (Pensions system) WCC (Other feeder systems)				Continue to develop flexible and remote working practices	WCC
				Staffing capacity impacted by both short and long term health implications of infection	High costs in order to maintain service resilience				Flexible working policies for staff	WCC				Review electronic signatory processes	Both
					Staff health, wellbeing and productivity				Health and safety protocols for staff	Both					
					Impairment of the financial situation of employers				Policies that account for the scenario experienced	Both (e.g. business continuity)					
					Inability to make quick decisions in an emergency				Business continuity arrangements in place	Both					
					Non-payment of pensions				Ensure provider has satisfactory business continuity arrangements in place	WCC					
2	Inability to meet demand for activity	Provider	Averse	Taking on too many new customers / too quickly	Quality of services reduces	4	3	15	Medium term forecasting of demand and planning for the capacity and resources required	Provider	3	3	12		
				Growth in complexity	Governance failures				Investing in quality and productivity of staff through training and development	Provider					
				New and complex regulations (e.g. Sargeant (Age discrimination, Matthews retained Modified cases)					Investing in systems development	Provider					
				Erosion of staff capacity/resilience due to long term remote working	Key administration performance measures not met				Use of management information to monitor and manage performance	Provider					
				Inability to recruit / retain appropriately skilled staff					Succession planning arrangements are in place	Provider					
				Inability of the officers to keep up with demand (capacity or skills)					Data quality reviewed at least annually	Provider					
				Persistently increasing customer expectations											
				Unpopular government decisions impacting on Fire Pension Schemes											

3	Lack of capacity or competence to act as intelligent client and effective Scheme Manager	WCC	Averse	Outsourcing of delivery	• Quality of services reduces	5	3	18	Medium term forecasting of demand and planning for the capacity and resources required	provider	2	3	9	Collaboration with other Fire Authorities using same provider for continuous improvement	WCC
				Growth in complexity	• Governance failures				Investing in quality and productivity of staff through training and development	provider					
				New and complex regulations (e.g. Sargeant (Age discrimination, Miller retained Modified cases)	• Key administration performance measures not met				Use of management information to monitor and manage performance	both					
				Erosion of staff capacity/resilience due to long term remote working					Succession planning	both					
				Inability to recruit / retain appropriately skilled staff					Data quality reviewed at least annually	WCC					
				Inability of the officers to keep up with demand (capacity or skills)					Maintain strong working relations with provider and other key stakeholders	WCC					
				Persistently increasing customer expectations											
				Unpopular government decisions impacting on Fire Pension Schemes											
4	Business interruption	Both	Averse	Pandemic (financial pressure on individuals and institutions, and more transactions being made online)	Delays in decisions or their implementation	3	4	16	Building resilience requirements into service contracts	Both	2	3	9		
				Industrial action	Failure to meet performance targets				Digital record keeping	Both					
				Small specialist teams with single person risks	Reputational damage				Storing data back ups off site	Both					
				Significant changes in adviser and consultant personnel	Data quality deterioration				Maintaining close links with advisers, consultants, and external organisations	Both					
				Lack of systems maintenance	Significant restoration costs				Implementation of Cyber Security policy	Both					
				Systems failure					Review and update disaster recovery plan	Both					
				Disaster event - fire, flood, etc					Use of IT systems to work remotely	Both					
				Lack of remote working facilities											
5	Cyber security	Both	Averse	Systemic cybersecurity events (e.g. taking down financial trading institutions globally)	Loss of data and/or data disruption	4	5	25	Use of scheme administrator systems and system security	Both	3	4	16		
				Local cyber security events (e.g. targeting the Council)	Reputational damage				Staff training	Both					
				Personal cyber security events (e.g. phishing emails targeting staff)	Breaches of the law				Bespoke Scheme cyber security policy	Both					
				Inadequate system security	Fines				Implementation of Cyber security policy	Both					
				Inadequate staff training and staff vigilance	Costs of fixing issues				Review and update disaster recovery plan	Both					

					Business interruption											
6	Data Quality	Both (WCC as data controller and provider as data processor)	Averse	McCloud/Sargeant impact	Incorrect benefit payments to scheme members	3	3	12	Review data quality and agree action plan to address issues highlighted	Both	3	2	9	Audit of data quality management arrangements	WCC	
				Persistently increasing customer service expectations	Complaints and disputes from scheme members				SLA with Council payroll service	WCC						
				External events impacting on member health and wellbeing - increasing the adverse impact of any problems with pensions	Negative reputational impact				Maintenance of Scheme website and sign posting to the new LGA Fire Pension scheme members website	Both						
				Member benefits paid incorrectly	Breaches resulting in fines from tPR				Staff training	Both						
				Inadequate administration systems and processes					Performance monitoring of employer data quality	Both						
				Poor data provided by employer					Performance monitoring of administration team KPIs	Both						
				Data provided by previous administrator in consistent, with data on both administration and pensioner payroll not matching	over/underpayment of pensions loss of reputation with stakeholders				reconciliation of data to be done on a regular basis to ensure consistency	WY						
				Inadequate payroll services												
7	Fraud or corruption	Both	Averse	Poor application of controls by the Employer or Provider	Members lose benefits to fraudsters	4	3	15	Application of Authority code of conduct for officers, fraud strategy, and whistleblowing policy	Both	3	3	12	Fraud risk review in 2022/23	WCC	
				Increased financial pressure on individuals due to geo political activity and its impact on the economy and jobs	Reputational risk				Application of division of duties and signatory processes for financial transactions and administration	Both						
				The passing of time since any previous targeted review of Fraud and corruption risk	Time spent unpicking the fraud				Periodic independent internal audit reviews of administration controls and activity	Both						
				Fraud or corruption instigated by any Fund stakeholders	Fraudulent members gain benefits they are not entitled to				Annual external audit reviews	Both						
					Breaches resulting in fines from tPR											
				Lack of capacity to service governance requirements	Adverse impact on service reputation				Training needs analysis and plans for Committees and Board	WCC			Audit of governance arrangements	WCC		
				Lack of training	Breaches of the Law				Training needs analysis and plans for staff	Both			Look at best practice to create training plan	Both		
				Lack of continuity in staffing, advisers, or committee / board members	Exposure to unplanned risks				Quarterly committee and Board meeting cycles	WCC						

8	Governance Failure	Both	Averse	Inadequate checking/review of standards compared to requirements and best practice	Poor Decisions that are not appropriately authorised	3	4	16	Monthly meetings between Scheme Administrator and provider (moving to quarterly after 6 months)	Both	2	3	9		
				Complacency in light of recent governance improvements	customer dissatisfaction				All training provision to be made available to all committee and Board members	WCC					
				Out of date policies and contracts	Incorrect benefit payments to scheme members				Management of a policy schedule	WCC					
				Local government elections impact on committee and Board continuity					Use of digital technology - remote working and remote meetings	Both					
				Pandemic - impact on officer, adviser, and committee/board personnel health and availability					Responding to government consultations	Both					
				Uncertainty around overall governance structure and responsibility for decision making and actions					ensure mandatory scheme police documents are reviewed and updated on a regular basis or when regulatory changes are introduced	WCC				the schedule for policy documents needs to be shared with key personnel who are responsible for decision making with an indicator for who is responsible for the review and update of each document	WCC
				Unpopular government decisions impacting on Fire Pension Schemes											
9	Dashboard readiness	Both	Adverse	Poor Data Quality	Poor Data quality leading to low number of matches for members looking for lost pensions . The Fund will need to comply with standards published by the Money and Pensions Service (MaPS) and have regards to their guidance and that of the Pension Regulator. Failure to maintain records accurately may lead to fines being imposed.	3	4	16	Monthly data extract to be provided by WCC payroll sense checking and validation will take place before data can be uploaded to member records for active members, work on data quality issues for deferred members to be identified and work plan created to correct data	Both	2	3	9	West Yorkshire and WCC payroll to work together to ensure monthly extracts are accurate and sent by 19th of following month to ensure records are kept up to date for active members	both

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

5 June 2023

Forward Plan

Recommendation

That the Warwickshire Fire and Rescue Local Pension Board of the Firefighters' Pension Scheme notes and comments on the forward plan.

1. Executive Summary

- 1.1 The report provides a plan for items that should be reviewed or discussed by the Board.
- 1.2 This is not a definitive list, and the intention is that it can be updated and amended at each meeting depending on latest developments.

2. Financial Implications

None

3. Environmental Implications

None

4. Supporting Information

- 4.1 The forward plan has been updated to include the dates for future meetings.
- 4.2 Training for new members of the board will hopefully be delivered before the next meeting. We are hoping to join a training session with another authority.
- 4.3 Training on the 2nd modified exercise will be arranged shortly again we will look to join with other authorities for this training.

Appendices

Appendix 1 – Forward Plan

Background Papers

None

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

Local Member(s): not applicable

Other members: Cllr Jenks and Gifford

Forward Plan items

Warwickshire Fire Local Pension Board

Q1 5 th June 2023 (TBC)	Q2 25 th September 2023	Q3 6 th November 2023	Q4 12 th February 2024
Monthly admin report from West Yorkshire	Monthly admin report from West Yorkshire	Monthly admin report from West Yorkshire	Monthly admin report from West Yorkshire
Governance and Regulatory update	Governance and Regulatory update	Governance and Regulatory update	Governance and Regulatory update
Risk monitoring	Risk monitoring	Risk monitoring	Risk monitoring
Review of the 1 st Year post outsourcing of Administration			Chairs Report
Forward Plan	Forward Plan	Forward Plan	Forward Plan
			Discretions Policy Terms of Reference Conflict of Interest Abatement Policy
	New member training/2 nd Modified exercise		

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