

Staff and Pensions Committee

Monday 13 June 2022

Minutes

Attendance

Committee Members

Councillor Andy Jenns (Chair)
Councillor Bill Gifford (Vice-Chair)
Councillor Brian Hammersley
Councillor Christopher Kettle
Councillor Sarah Millar
Councillor Mandy Tromans

Officers

Barnaby Briggs, Assistant Chief Fire Officer
John Cole, Democratic Services Officer
Andy Felton, Assistant Director – Finance
Liz Firmstone, Service Manager – Finance Transformation
Martin Griffiths, Technical Specialist – Pension Fund Policy and Governance
Victoria Moffett, Lead Commissioner – Pensions and Investment
Chris Norton, Strategy and Commissioning Manager – Treasury, Pension, Audit and Risk
Kate Sullivan, Lead Commissioner – Culture, Leadership and Performance
Nichola Vine, Strategy and Commissioning Manager – Legal and Democratic

1. General

The Chair acknowledged that a minute's silence had been held earlier in the day in remembrance of Councillor John Horner, who sadly passed away on 10 May 2022. On behalf of the Committee, the Chair praised the contribution made by Councillor Horner; he was a dedicated and highly respected colleague who would be missed.

The Chair welcomed two new members to the Committee, Councillor Brian Hammersley and Councillor Mandy Tromans.

(1) Apologies

There were none.

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

None.

(3) Minutes of Previous Meetings

Resolved:

That the minutes of the meetings held on 7 March 2022 and 17 May 2022 be approved as a correct record and signed by the Chair.

There were no matters arising.

2. Annual Review - Engaging with Our People

Kate Sullivan (Lead Commissioner, Culture, Leadership and Performance) introduced the report which provided a summary of 'Our People' engagement activities over the past 12 months. The report outlined key achievements and areas of development, the new approach to engaging with our people, and key priorities for the year ahead.

Councillor Gifford noted the positive responses received to staff check-in survey questions, including a rise in the number of staff members who felt trusted by their manager to do their job. He highlighted that the question that had declined most significantly on the results of the previous year was "Warwickshire County Council is a good employer". He queried whether this was attributable to the effect of rising inflation on pay.

Kate Sullivan advised that, despite the reduced number of positive responses to this statement, the 2021 check-in result was still ahead of levels recorded in 2019. She stated that the delayed resolution of the national pay settlement may have influenced the outcome of responses to this question. It had been a frequently raised issue at Corporate Broad briefings to staff throughout the year. She highlighted that the Council was part of the national framework on pay which prevented the organisation from being able to directly influence the progress of negotiations.

In response to Councillor Hammersley, Kate Sullivan advised that check-in surveys were anonymous, enabling respondents to feel confident to provide honest feedback. There had been a decline in response rates; however, it was not proposed to make it mandatory for staff to respond. Instead, steps would be taken to encourage increased engagement by demonstrating the positive impact that check-in surveys could make across the organisation. She stated that following the June 2022 survey, the 'Big Conversation' initiative would be reprised enabling staff to discuss survey results and contribute ideas. This would lead to an improved dialogue with staff, stimulating interest in future consultations. She advised that benchmarking was undertaken against the results of other local authority staff surveys. Warwickshire County Council's results scored favourably against those of other councils.

In response to Councillor Millar, Kate Sullivan outlined the proposed methodology to improve response rates. She advised that efforts would be made to highlight actions taken in response to survey results, providing assurance that check-in surveys had a meaningful impact. She stated that previously, survey data had been shared with managers upwards from Tier 3. In future, data would also be provided to team leaders, enabling improved scope for action at a local level. This would improve confidence that check-in surveys led to positive change.

In response to the Chair, Kate Sullivan advised that post-pandemic fatigue accounted for a significant proportion of concerns relating to workload. Workload would be a key focus in 2022/23;

future survey questions would seek to develop an improved understanding of the causes of workload pressure, leading to measures to provide the right support.

In response to Councillor Hammersley, Kate Sullivan advised that the Council's vision recognised the diversity of activities across the organisation and individual ways of working whilst prioritising service delivery. To enable diverse and talented people to be at their best, a set of organisational principles had been adopted, rather than a 'one size fits all' approach.

Resolved:

That the Committee notes the work on the Council's approach to engaging with our people, including the review of the previous year and the actions planned for 2022/2023.

3. Warwickshire Pension Fund - Pensions Administration Activity and Performance Report

Liz Firmstone (Service Manager, Finance Transformation) introduced the report which provided an update on the key developments affecting pensions administration and the performance of the Pensions Administration Service.

Councillor Gifford expressed support for the Council's decision not to seek to recover any past overpayments made to members of the Warwickshire Local Government Pension Scheme which had been identified by the Guaranteed Minimum Pension (GMP) reconciliation exercise. Many those affected were elderly and vulnerable, and there was no suggestion that overpayments had been made because of any fraudulent activity.

In response to Councillor Gifford, Liz Firmstone advised that overpayments had been made by employers across the Fund, not just Warwickshire County Council. Those employers had been informed of the decision not to seek to recover overpayments.

Andy Felton (Assistant Director, Finance) stated that some press coverage had implied that the reconciliation exercise involved writing-off of approximately £2m. This had not been the case. He advised that overpayments could be treated as legitimate payments arising from a change of legislation.

In response to Councillor Hammersley, Liz Firmstone advised that underpayments identified by the GMP reconciliation exercise would be rectified to ensure that members would receive their full entitlement.

The Chair expressed support for the move to Member Self Service enabling pensions statements to be accessed electronically. He commented that some elderly members of the Scheme may be unwilling to make the transition to the digital service. However, in the longer-term, it was likely that the cost-saving and environmental benefits would become increasingly apparent.

Resolved:

That the Committee endorses the report.

4. Regulatory and Policy Update

Martin Griffiths (Technical Specialist, Pension Fund Policy and Governance) introduced this report which provided a summary of recently reviewed Pension Fund policies and provided an update on regulatory developments in the pensions arena.

Martin Griffiths highlighted that, since publication of the report, the Government had issued new guidance regarding payment of Special Severance Payments. The guidance advised that careful consideration be given before these making these payments to ensure value for money and adherence to best practice. This information had been passed on to employers within the Fund.

Andy Felton (Assistant Director, Finance) reported that he had recently approved the Council's annual submission to central government for redundancies and early retirements. Unlike some other local authorities, the Council had not proposed any special arrangements in relation to Special Severance Payments. He did not anticipate any difficulties.

Martin Griffiths advised that the Fund was required to provide, maintain, and publish a Communications Policy in accordance with regulations. This Policy determined how the Fund would communicate with stakeholders and had recently been reviewed by officers who recommended minor amendments associated with the move to agile working, the launch of the Fund's new website, and details of the Member Self Service platform. These amendments were set out in appendix 1 of the report. He sought members' approval for the proposed changes.

The Chair proposed that the Committee adopt the changes to the Communications Policy outlined within the report and was seconded by Councillor Millar. Members voted unanimously to adopt the updated Communications Policy.

Resolved:

That the Committee:

1. Endorses the report.
2. Approves the revised Communications Policy outlined within the report.

5. Firefighter Pension Schemes - Immediate Detriment Update

Liz Firmstone (Service Manager, Finance Transformation) introduced the report which provided an update on information previously provided to the Committee in respect of the McCloud / Sargeant judgements and handling of immediate detriment cases.

Liz Firmstone advised that the Government had developed a new legal remedy to address the Court of Appeal ruling that the transitional provisions of the 2015 Firefighters Pension Scheme discriminated against scheme members on the grounds of age. She reported that within the Firefighters Pensions Scheme, it was acknowledged that some firefighters would experience 'immediate detriment'. This impacted upon 'Category 1' firefighters, who would retire between now and the date of the introduction of new legislation, and 'Category 2' firefighters, who retired since April 2015 and were already receiving pension benefits. In November 2021, it had been decided not to process any changes for the five 'Category 2' firefighters in Warwickshire until the new

legislation was in place. They would continue to receive a pension and adjustments would be made once the new legislation came into force.

Liz Firmstone provided a summary of changes to Home Office guidance relating to the payment of 'Category 1' immediate detriment cases. The report set out the rationale for processing of 'Category 1' payments to be paused. Formally, this decision was delegated to the Assistant Director for Finance as Deputy Section 151 Officer. However, given the sensitivities involved, it was appropriate that details be shared with the Staff and Pensions Committee.

Resolved:

That the Committee notes the position set out in the report and the decision from 1 April 2022 to pause the processing of all 'Category 1' cases.

6. Warwickshire Pension Fund - Information on Pension Scams

Martin Griffiths (Technical Specialist, Pension Fund Policy and Governance) introduced this report which outlined measures in place to secure the Fund against a rising number of pensions-related scams. These included a red and amber flag system designed to identify potential risks, enabling transfer requests to be refused, if necessary.

In response to Councillor Millar, Martin Griffiths advised that an amber flag provided a signal to the Fund to pause before taking action, prompting investigative work. A red flag signalled a complete stop to prevent the prospect of a member being scammed.

In response to Councillor Hammersley, Martin Griffiths advised that certain transfers out of the Scheme would not be permitted irrespective of whether the member wished to make the transfer or not. These measures were in place to protect members and were consistent with pension scheme practices across the public sector.

Councillor Gifford highlighted that the measures outlined would help to protect employers' contributions as well as the interests of members of the Scheme.

Resolved:

That the Committee notes the report.

7. Review of the Minutes of the Warwickshire Local Fire Pension Board Meeting of 14 February 2022

The minutes of the Warwickshire Fire and Rescue Local Pension Board Meeting of 14 February 2022 were noted.

8. 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 paragraphs 2 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

9. Exempt Minutes of the Previous Meeting

Resolved:

That the exempt minutes of the meeting held on 7 March 2022 be approved as a correct record and signed by the Chair.

There were no matters arising.

10. Next Meeting

Members noted the date of the next meeting, due to be held on Monday 12 September 2022.

The meeting rose at 14:56.

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Chair