

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

Monday 7 November 2022

Minutes

Attendance

Committee Members

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

Officers

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

Others Present

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

1. General

(1) Apologies

Apologies were received from Sian Marsh.

(2) Board Members' Disclosures of Interest

Barnaby Briggs declared an interest in the event the Board discussed immediate detriment, as he was an immediate detriment case himself.

(3) Public Minutes of the Previous Meeting

The minutes of the meeting held on 10 October 2022 were agreed as an accurate record, save for a small amendment to Item 6 to say “retirement pathway process” instead of recruitment.

2. Risk Monitoring

The item was introduced by Vicky Jenks (Pensions Admin Delivery Lead). There had been no major changes to the risk monitoring report, although some small typos had been corrected. It was highlighted that risks relating to cyber security remained high because of the significance of any potential impact.

Responding to the Chair, Vicky Jenks said the risk register scores were reviewed by officers on a monthly basis and any changes would be highlighted at the following meeting. Helen Scargill suggested pension dashboards should be added to the register. This was agreed by members.

3. Pensions Administration Activity and Performance update

Vicky Jenks said work was ongoing between the Warwickshire and West Yorkshire Funds to ensure the correct processes were in place and full understanding of roles and responsibilities had been confirmed. Work on the retirement pathway process was nearing completion after what had been a lengthy process out of necessity. It was hoped the results could be shared with members soon. Helen Scargill said the West Yorkshire Pension Fund (WYPF) would soon be sending out letters to members who were now in scope for remedy, following further clarification from LGA. Helen Scargill informed the Board that an update on the requirements for Pensions Dashboard was included in the latest monthly report sent by West Yorkshire. WYPF would be working on the connectivity to the Dashboard on behalf of the Fire Authorities they administer, but Authorities would need to ensure they were aware of what they would be responsible for.

Helen Scargill confirmed that she had attended the LGA annual conference held on 25 and 26 October. She also reminded members that a full disaster recovery had been undertaken by WYPF, and full notes on the lessons learned would be available soon.

Members’ attention was drawn to the most recent key performance indicator statistics.

Members were reminded of the possible industrial action to take place and advised how this could impact on pension contributions. Helen Scargill advised that if a scheme member were to strike for one hour on a particular day, then the whole day would not count towards their pension. It was felt it was important to communicate this fact to scheme members.

Members’ attention was also drawn to the explanation of how abatement, where members may have more than one firefighter pension in payment and are re-employed within a Fire Authority and may have more than one new employment, would be calculated, after WYPF had received information from the Local Government Association. Helen Scargill said that going forward the WYPF would implement the same policy as the LGA.

Paul Morley said he had received an enquiry from a member Union that had transferred in from a different service and was not able to see it on the member online portal. He asked if this was an issue that had been raised and if there was anything in place to resolve it. Helen Scargill said she was not aware of any global issue. Paul Morley said he would ask some of the individuals affected for more information so the matter could be investigated.

Regarding the potential strike action, Paul Morley asked for clarification regarding how lost pension/service could be made up following a period of strike action. Helen Scargill said they would be given the opportunity to pay pension contributions for the missing period. The payments would be based on the period of time the members had been on strike for, rather than a whole day's worth of contributions if they had only been on strike for one hour. The Chair clarified that if a member went on strike during a night shift, this would result in two lost days of pension payments. If a member decided not to pay contributions to cover lost pension/service they could work additional days in order to make sure they achieved maximum service for pension purposes.

The Chair stated the Council was able to use its discretion to not pay employer pension contributions, as the member could have to cover both employee and employer contributions, but it was unable to have a blanket policy not to pay.

Vicky Jenks said discussions had been taking place at monthly meetings with the WYPF regarding the reconciliation between the pensioner payroll and the administration systems.

Some communications had been made available to members via the LGA regarding Matthews (2nd modified retained exercise), and responses were starting to be received. Although this was taking place, clarification was still being sought on who would be responsible for the management of the project. Helen Scargill said WYPF would not get involved until a member chose to become a modified member and a new record was needed.

Following a suggestion made by the Chair, it was agreed that the Board would consider only the most recent monthly report at each Board meeting. It was agreed that if issues arose from previous month's reports then the matter could be revisited.

4. Governance and Policy Update

The item was introduced by Vicky Jenks. Members' attention was drawn to the fact that around 9,000 firefighters, who were claimants for age discrimination, were due to receive a compensatory payment due to uncertainty around proposed changes to their pensions, which had been found to be discriminatory. Some of these claimants were from Warwickshire.

Vicky Jenks reminded members the Pensions Dashboard was due to go live in September 2024, and that it had been agreed to add the topic to the risk register. Work on data quality and reconciliation with payroll was ongoing to ensure data made available to members via the Dashboard would be accurate. Additionally a project working group at WCC would be established in relation to Matthews project,

Helen Scargill said the required information in relation to deferred pensioners and beneficiary pensioners had been submitted to the National Fraud Initiative. This was to check nobody was receiving pension payments they weren't entitled to.

Responding to a question from the Chair, Vicky Jenks said there had been around 25 members who had taken up the option to purchase service as part of the first modified retained exercise. Information was now being gathered to identify members in scope for the second exercise and a letter and form would be sent out to those. Vicky Jenks said information would be sent to a member's last known address, but other ways of contacting people were being explored. These would need to comply with GDPR. Barnaby Briggs said there was a retired members association who might be able to assist with finding members. He said he would be happy to pass on information to those involved with the association if it would assist. Vicky Jenks said information that was sent out would be generic, as individuals' personal data could not be shared. She also said the Fund may need to rely on essential guidance on what to do where pay information was not held. Vicky Jenks confirmed WCC held information going back to 2006.

5. Forward Plan

Vicky Jenks told members it had not been possible to bring an update on the abatement policy to the Board before now, but it would be discussed at December's Staff and Pensions Committee meeting. The Board would have the opportunity to discuss it at the next meeting in February. It was hoped an update on the discretions policy would also be available for February. The other items due to come to the next meeting were outlined. Vicky Jenks said training would need to be arranged for the Board's new member, Councillor Brian Hammersley, and this could be coordinated with other authorities if they also needed to take part in training.

Responding to a point raised by the Chair, Vicky Jenks said attempts were being made to consolidate codes of practice and good governance so there were fewer of them. Matt Mott told members that Code of Practice 14 was due to be withdrawn as part of the consolidation process. The new process was due to be announced in the spring. Matt Mott said a meeting or training session could be arranged on the new code and how it would benefit Fire and Rescue Services, pension scheme members and administrators.

6. Chair's annual report

The Chair introduced the item and explained the key areas the Board had considered during the 2021/22 municipal year, including the transfer of administration and the memorandum of understanding for immediate detriment cases.

Jan Cumming (Senior Solicitor and Team Leader) noted that one sentence of the report contained the content of legally privileged advice that would need to be exempt under Schedule 12A, Part 1, para 5 of the Local Government Act 1972. The Chair understood that the sentence had been published in last year's report, but indicated that if it had not been published, he would remove it from the report so the report could remain in the public domain.

7. Any Other Business

The Chair said he had attended the recent LGA Pensions Conference. He did not feel there were any new issues raised that had not been discussed previously in relation to pensions. However, he stated his belief that some Boards appeared to have exceeded their remit and turned themselves into decision making Boards. He did not believe this was an issue in Warwickshire.

Regarding the proposed industrial action, Barnaby Briggs said the Fire Brigades Union was currently balloting on whether or not to accept the pay offer. The results on this were likely to be known in a week's time. After this, the possibility of strike action would be discussed and contingency plans would be put in place. Barnaby Briggs said a meeting with pensions staff would be needed to clarify that information being sent out to scheme members in relation to strike action was correct.

Responding to the Chair, Vicky Jenks confirmed there were no new IDRPCs or breaches to report.

8. Future Meeting Dates

Members noted the future meeting dates.

The meeting rose at 2.54pm

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Chair