



# Minutes

## Local Pension Board

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Date: 19 January 2024

Time: 12noon

Venue: FSHQ

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Present: Ian Dunkley, (in the chair), Ryan Binks, Jim Davies (Scheme Member representatives), John Roberts, Cllr Fozia Shaheen and Cllr Mike Pollard (Scheme Manager representatives).

In Attendance: James Clarkson, Technical Advisor

Apologies: None

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### **16 Chairs Announcements**

There were no chairs announcements.

### **17 Admission of the Public**

There were no items requiring the exclusion of the public and press.

### **18 Urgent Items**

There were no urgent items.

### **19 Declarations of Interest**

There were no declarations of disclosable pecuniary interest in any matter under consideration at the meeting.

### **20 Minutes of the last meeting held on 4 August 2023**

#### **RESOLVED**

That the Minutes of the meeting held on 4 August 2023 be signed by the Chair as a correct record.

## 21 LPB Activity Report

Members considered a report submitted by the Director of Human Resources concerning performance in key areas for the period 1 July 2023 to 31 December 2023.

Members noted that in respect of the recruitment figures it is very common for firefighters to be employed under two roles, for example Wholetime and On Call Firefighter.

### RESOLVED

That the report be noted.

## 22 Scrutiny and Review

The Director of Human Resources submitted information on the following areas for scrutiny and review:

- **Discretions** – three discretions have been exercised by the Scheme Manager during the relevant period.
- **Pensions Breaches register** – For the period from 1<sup>st</sup> July 2023 to 31<sup>st</sup> December 2023 one breach has been identified. (not reported to as still investigating addresses for missing members)
- **Pensions Risk register** – attached at appendix B to the report.
- **Compliance deadlines** – the deadlines were set out for year end, Annual Benefit Statement (ABS), Pension Saving Statement (PSS) and TPR Scheme Return and Survey. Full details attached at appendix B to the report.

It was noted that West Yorkshire Pension Fund (WYPF) have confirmed that all ABSs were issued by the deadline of 31<sup>st</sup> August 2023 and that all PSSs were issued by the deadline of 6<sup>th</sup> October 2023. They have also submitted the annual scheme return ahead of deadline.

Members noted that the missing addresses were still being investigated, with care being exercised to ensure compliance with General Data Protection Regulations (GDPR).

### RESOLVED

That the report be noted.

## 23 Legislative Update

The Director of Human Resources submitted a report which provided an update regarding the following legislation:

- Age Discrimination Remedy Regulations
- Remedy Tax Regulations No. 2
- Retained Firefighters' Pensions Settlement
- CARE Revaluation Error
- Valuation Directions from HM Treasury
- Abolition of the Lifetime Allowance
- Pension Dashboards

Members raised the following points:

- Whether the new pension dashboards would be linked to the existing WYPF portal.
- Whether the incorrect tax deductions over and above the 4 year legal limit already paid by HMRC would be covered by the Authority.

## **RESOLVED**

That the report be noted.

## **24 Age Discrimination Remedy**

The Director of Human Resources presented a report updating members on the implementation of the age discrimination remedy.

Members challenged the report author on the following;

- The decision making process and the evidence that would be required
- Whether members who had overpaid their contributions when rolled back to the 2006 scheme, could submit a reclaim
- Whether the buyback of additional years would be based on pay rates from the time of earnings
- Whether the decision to transfer out could be reversed.
- Where unpaid leave had been taken and payments stopped, could the lump sum payment requested to cover the contributions from that time be paid by monthly instalments.

## **RESOLVED**

That the report be noted.

## **25 Matthews Remedy**

The Director of Human Resources presented a report updating members on the implementation of the Matthews remedy.

Members were advised that when a statement is applied for this would not indicate a commitment and that the statement would be provided within 3 months and then the final decision would not be required for a further 6 months. Members questioned if the scheme would include staff who have transferred in from another service and if the tax relief on contributions made, would be at the standard basic rate.

## **RESOLVED**

That the report be noted.

## **26 Pension Ombudsman – Update**

Members received a report of the Director of Human Resources which confirmed that in the period 1<sup>st</sup> July 2023 to 31<sup>st</sup> December 2023 there have been two ombudsman decisions relating to the Firefighters Pension Scheme and neither were upheld.

## **RESOLVED**

That the report be noted.

## 27 West Yorkshire Pension Fund – Key Performance Indicators

Consideration was given to a report of the Director of Human Resources which advised of West Yorkshire Pension Fund (WYPF) performance in key areas for the year to date. Members were provided with clarification of the figures and the background for the areas where targets have not been met.

### RESOLVED

That the report be noted.

## 28 Firefighter Pension Scheme Bulletins 71 - 76

Consideration was given to the content of bulletins 71 - 76.  
The following issues were highlighted with current status information:

### [FPS Bulletin 71 – July 2023](#)

- **Home Office collection of FPS forecasts for 2023-24 to 2028-29**

FRAs should ensure that they are using the correct CPI rates in their forecasts and ensure that they meet the submission deadline. FRAs should also look out for the Home Office's follow up email, if you are affected and engage with them accordingly, to ensure the data submitted is accurate.

Complete

- **Age discrimination remedy – retrospective remedy**

FRAs and administrators to read the response and ensure that they are working to be ready for the regulations' implementation on 1 October 2023

Complete

- **Age discrimination remedy – Contributions Calculator inputs**

FRAs and administrators may wish to familiarise themselves with the draft inputs, so that they can ensure they are holding all the relevant data. A full data specification will be available in due course.

Complete

- **Age discrimination remedy – Interest and Tax**

FRAs and administrators should take note of this position, to ensure that they act accordingly when carrying out remedy.

Complete

- **Age discrimination remedy – Pension scams**

Administrators and/or FRAs to add the suggested wording to the pension webpages.

Complete

- **Age discrimination remedy – warm up letters**

FRAs/administrators should use these to communicate with their members ahead of October 2023.

Complete

- **Age discrimination remedy – Ill health reassessment member outcome letters**

Once the IQMP has provided their determination and FRAs have considered this and agree with the outcome, FRAs should send these using the relevant member outcome letter.  
In progress

- **Firefighters' Pension Scheme Adjustment in Respect of 2021 and 2022 Revaluation**

FRAs and administrators to make themselves aware of this issue and start scoping the work involved.  
Complete

- **Government Actuary Department (GAD) – updated factors**

FRAs and administrators to ensure that they are using the revised factors from the relevant implementation dates.  
Complete

- **Abolishing the pensions lifetime allowance**

FRAs and administrators to make themselves aware of the measures involved and consider whether they wish to respond to the consultation.  
Complete

- **Age discrimination remedy - Member tax calculator**

Scheme Managers should register on the Secure Exchange Data Service ahead of the remedy exercise and delegate access accordingly.  
Complete

#### [FPS Bulletin 72 – August 2023](#)

- **Age discrimination remedy – warm up letters**

FRAs/administrators should use these to communicate with their members ahead of October 2023.  
Complete

- **Age Discrimination Remedy – Remediable Service Statements**

Administrators are recommended to use the template covering letter, where the RSS is not yet available with existing retirement option letters offering the member a choice of legacy and reformed scheme benefits.

FRAs should have regard to the LGA's proposed approach and understand that any decision to retire a member into the legacy scheme without a choice, is a scheme manager decision, and should be by exception only. FRAs should ensure that they understand the implications of retiring members into the legacy scheme without a choice.

Complete

- **Age discrimination – Contributions Calculator**

FRAs and administrators should familiarise themselves with the draft inputs, so that they can ensure they are holding all the relevant data.  
Complete

- **The Pension Regulator (TPR) – Scheme Return**

FRAs to ensure that their scheme return contact details are up to date.  
Complete

### [FPS Bulletin 73 – September 2023](#)

- **Firefighters' Pension Schemes (England) (Amendment) Order 2023**

FRAs and administrators to familiarise themselves with the consultation response ahead of the Matthews Second Options exercise.

Complete

- **Disclosure Requirements**

FRAs to ensure they comply with disclosure requirements by ensuring they send the appropriate letter to Sargeant and Matthews eligible members no later than 31 December 2023.

Complete (where address held)

- **Age Discrimination Remedy – terminology**

FRAs and administrators to note that whilst there is different terminology it all relates to the same exercise.

Complete

- **Age Discrimination Remedy – GAD Tax and Contribution Calculator**

FRAs and administrators to familiarise themselves with the calculator and carry out testing against their data and feedback any issues to GAD and LGA.

Complete

- **Age Discrimination Remedy – Member videos**

FRAs and administrators to publicise the QR code and signpost individuals to the fps member website for information relating to remedy, in particular the member videos as part of your communications.

Complete

- **Concurrent Service – Interbrigade transfers**

FRAs to make employees aware of the pension implications, should an overlap of service occur when leaving and joining another FRA, even if only by a day.

Complete

- **Public Service Pensions (Valuations and Employer Cost Cap) Directions 2023**

FRAs and administrators should familiarise themselves with the Directions order to ensure that they are aware of the changes.

Complete

- **Public Service Pensions Remedy – Member calculator**

FRAs and administrators to familiarise themselves with the inputs that the member will need information for.

Complete

### [FPS Bulletin 74 – October 2023](#)

- **Age Discrimination Remedy - Contingent Decisions guidance**

Scheme managers to read the guidance and mutually agree any setting of target dates with their administrator before sharing the claim process with members.

Guidance read – awaiting information from administrator

- **Firefighters' Pension Scheme Adjustment in Respect of 2021 and 2022 Revaluation**

Scheme Managers are to ensure that this error is corrected retrospectively.  
In progress

### [FPS Bulletin 75 – November 2023](#)

- **Matthews – GAD calculator**

FRAs,

1. Should read the user guide.
2. Should ensure that they have the most up to date version of the calculator when they update the spreadsheet at the beginning of the month to allow for the latest interest rates.
3. Should share this information with anyone who is carrying out the Matthews second options exercise.

Complete

- **Matthews – Consequential loss claims**

FRAs are encouraged to respond to requests accordingly.

Complete (no outstanding requests)

- **Matthews – Monitoring and reporting**

FRAs to maintain robust record keeping ensuring that the data required by the Home Office and GAD is easily accessible.

In progress

- **Matthews – Deceased members**

FRAs to stockpile any cases which are currently not covered by the regulations until an amendment is in place.

Complete

- **2022/23 Event Reporting - Annual Allowance Statements & Lifetime allowance**

Scheme Managers need to submit data by 31 January 2024

In progress

### [FPS Bulletin 76 – December 2023](#)

- **Matthews – Deceased members**

FRAs to use the documents provided and can amend them where required.

To do

- **Matthews – Supporting documents**

FRAs are encouraged to use the Individual Statement of Details documents to send an individual with information on their options

To do

- **Age discrimination remedy – Immediate Choice Remediable Service Statement (IC RSS)**

- 1) FRAs are encouraged to discuss the timetabling of the RSS with their administrators.
- 2) Administrators are asked to commence testing the use of the IC RSS and provide any feedback to [bluelighpensions@local.gov.uk](mailto:bluelighpensions@local.gov.uk)

To do

- **Firefighters' Pension Scheme Contacts**

All readers to complete the contact form response by 20 January 2024.

Complete

**RESOLVED**

That the content of bulletins 71 - 76 be noted.

**29 Scheme Advisory Board Minutes of Meeting held on 8 June 2023**

**RESOLVED**

That the Minutes of the Meeting held on 8 June 2023 be noted.

Chair