

MEETING : LOCAL PENSION BOARD (LPB)

DATE : 19 January 2021

VENUE : Teams

PRESENT: Steve Beaton (SB)(Chair), Michaela Moore (MM), John Tyrell (JT), Rob Allport (RA), Tracey Stradling (TS), Chris Parker (CP), Caz Lee (CL)(Notes)**1.0 APOLOGIES :** Ann Read (AR)

Ref	Item	Decision/Outcome	Action By
2.0	Agree minutes of last meeting held on 04/11/20 Minutes were reviewed and agreed as a true record.	CL publish and add to internet page.	Done 20.01.21
	Updates on Actions Arising		
2.1	<u>Steve to put comms out to staff regarding update on LGSS pension administration in January 2021.</u> Steve confirmed this was done following the last meeting, and will do another one next week with further update.	Action complete	
2.2	<u>Steve to follow up with Gary McClelland regarding session on annual/lifetime allowance.</u> Steve advised that LGSS will not be doing any additional training between now and the end of the contract (30/06/21). Will be something provided by the new provider.	Action closed	
2.3	<u>Chris and Rob to complete online training and update spreadsheet for next meeting (carried over).</u> Rob confirmed now completed online learning and training record has been updated. Training remains in progress for Chris.	Carried over.	CP

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2.4	<p><u>Once everyone confirmed happy with the intranet content sent out this morning, John to liaise with M&C Team to have it embedded onto the intranet.</u></p> <p>John advised waiting for confirmation from everyone happy with the content circulated before proceeding.</p>	John to resend the intranet content, all to review and go back ASAP.	All
2.5	<p><u>Michaela to check data score with Sue Merritt.</u></p> <p>Data score details circulated with the papers. Will passed on to the new provider to give a good base for comparison.</p>	Action complete.	
2.6	<p><u>Steve to set up extra LPB meeting to review secondary contracts and agree pensionable pay matrix. Steve will set up meeting with Payroll in next few weeks and then will circulate to all. Will be completed and updated ready for ratification at next meeting.</u></p>	Carried over.	SB
2.7	<p><u>Requested data return to be completed and sent by 30 Nov 2020 deadline.</u></p>	Action complete.	
2.8	<p><u>Steve to find out who nominated contact at LGSS is for the Sargeant investigation at meeting on 09 Nov.</u></p> <p>Steve advised CFRS has an internal point of contact for the Sargeant case which is Matthew Warren. Due to transition period with LGSS will have a new one for new provider following end of contract and will ensure have those contact details.</p>	Action superseded.	
2.9	<p><u>Caz to circulate Eastern Region Fire Pension Officers Group notes to LPB.</u></p>	Action complete.	
2.10	<p><u>Steve to liaise with Claire Hey for an LPB update/training session re Sargeant case.</u></p> <p>Steven advised he, John and Rob attended a Joint Fire and Police CIPFA stakeholder engagement webinar regarding the Sargeant/ McCloud case (see point 8 for update).</p>	Action closed.	

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2.11	<p><u>Steve to ask Claire for contact details of any FRS that have started recruitment for support to Payroll in relation to Sargeant case.</u></p> <p>Steve advised not had any feedback from Claire – will chase this up.</p>	Carried over.	SB
2.12	<u>Michaela advised received the TPR request on 03 November and have until 15 Dec to do return – this will be completed by the next meeting.</u>	See point 14.	
2.13	<u>John to produce draft End of Year report for ratification at next meeting.</u>	Completed – see point 9.	
2.14	<p><u>Update on AOB Item from last meeting (i.e. if it was proven the staff member contracted Covid-19 whilst undertaking work duties for CFRS, would this be classed as Service related?)</u></p> <p>Steve confirmed this came up at the Management Seminar today and has been further clarified by the following Workplace posts:</p> <p>‘I can confirm again that all such activities will be undertaken under the auspices of our statutory duties, The Fire & Rescue Services Act; The Civil Contingencies Act and our duty to collaborate under The Policing and Crime Act, so all legal and financial safeguards will be maintained for those staff volunteering - equally given the statutory duties as described and the way we will deploy you - you will be covered under the conditions of your contract of employment.’ – posted by CFO Strickland on 18/01/21.</p> <p>‘Further to Chris’s message yesterday evening. I thought it might be useful to provide further clarity. Members have asked about pension cover should they get Covid and become incapacitated and can’t work. Whilst we all hope that this never happens, if we ask you to volunteer with the on-going pandemic in your primary role, then all pension and contractual benefits will be retained should you choose to help. I hope this provides further re-assurance.’ – posted by Matthew Warren on 19/01/21.</p>		

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3.	Declarations of Interest None on this occasion.		
4.	Feedback from Training No training since last meeting. Rob advised there appears to be a new element on the online training that may be worth members completing.	Caz to find the link to the new module & circulate.	Done 25.01.21
5.	Regional Pensions Group Update Next meeting 18 th February 2021 – no update for today.		
6.	Review of Risk Register CFRS-#584734-2020 CFRS Pension Board Risk Register Board reviewed the risk register and agreed no changes required. Risk 10 in relation to sourcing a new pension provider to remain high as originally scored until direct award has officially gone through with West Yorkshire.		
7.	Review of Issues Log CFRS-#570052-Local Pension Board - Issues Log Group reviewed the Issues log – Steve to update with information regarding intention to direct award West Yorkshire as new pension provider.	Steve to amend issues log.	Done 19.01.21

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8.	<p>Recent Case Law affecting pension scheme</p> <p>Steve provided an update in relation to pension provider:</p> <ul style="list-style-type: none"> • LGSS' current contract is due to expire on 30th June 2021, CFRS are planning to direct award the contract to the West Yorkshire Pension Fund (WYPF). They currently work with 18 other FRS' including Leicestershire, Norfolk, Lincolnshire, Buckinghamshire, Milton Keynes, Devon and Somerset and Hereford and Worcester. WYPF have an excellent website with lots of information and guidance; • WYPF have an online self-service section for scheme members where can gain instant access to individual statements, run an estimate and update pension information; • Had a look through the KPI's and pretty much the same as LGSS e.g. respond to request for estimates within 10 working days, respond to general queries within 10 working days, notification and payment within 5 working days of receipt of notification of lump sum option. • Have requested what they will provide to ensure a smooth transition and WYPF have offered a dedicated Project Team, parallel payroll run and minimum 6 month transition period; • WYPF provide online training, newsletters twice a year and CFRS will have a specific Clint Relationship Manager who is on the Scheme Advisory Board; • WYPF are Public Sector and therefore a non-profit making organisation, therefore providing value for money. Implementation will be £20 per person for the first year and £18 thereafter. One off project start-up cost will be no greater than £20k. <p>Michaela advised as part of the new provision CFRS will no longer be processing pension payments, WYPF will be taking over doing that. CFRS Payroll won't have any involvement in paying pensions.</p> <p>Board requested that once new pension provider is in place would it be possible for them to attend one of these meetings and do a presentation and any questions case be asked.</p> <p>Steve provided background and an update on current position in relation to the McCloud/Sergeant case:</p> <ul style="list-style-type: none"> • Remedy period is from 1st April 2015 to 31st March 2022; 	<p>Steve to liaise with WYPF once in place and see if willing to attend LPB meeting.</p>	<p>SB</p>

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	<ul style="list-style-type: none"> • Only applies to members who were in service on or before 31st March 2012 and on or after 1st April 2015; • Immediate detriment applies to those above who did not benefit from full protection and were moved into the 2015 scheme on 1st April 2015 and were eligible to retire on ordinary pension and want to have all benefits paid on legacy scheme or those who don't qualify for lower/higher tier ill health pension under single pot/ill health but would qualify under the legacy scheme. It does not apply to those already retired. • Outstanding issues: <ol style="list-style-type: none"> 1. Any who take full pension benefits under legacy scheme may be entitled to a refund of contributions but any owed would need to be paid before legacy scheme can be paid as contributions on legacy scheme may vary from 2015 scheme; 2. Members can pay from lump sum; 3. Any refunds paid from employers local pension fund; 4. Tax relief - owed employer contributions are paid before any leave; 5. Any already gone have to wait on the Court's final approach which is likely to be after April 2022. • Additional employer contributions – Service to recalculate relevant contributions based on legacy scheme and pay any shortfalls into pension fund account; • Transfer or cash equivalent transfer value (CETV) in 2015 scheme; • If member takes legacy scheme, need to recalculate the amount of pensionable service that should be purchased under legacy scheme. This will be done by Pension Authority; • The advice from Government is informal guidance and not legislation. Treasury has not set any policy/policies. Hopefully should be an outcome in February; • Leaves the Service open to potential discrimination claim against CFRS is use legacy scheme for the new retirees and not ones who have left; • Pensions administrators will not operation on guidance as required to follow Pension Law; • At the moment only West Midlands FRS are doing the legacy option as they do their own pension administration and are willing to accept potential liability issues. • Will be looking to set up a training/information day mid-end of February for those due to retire in the next 12 months to give them clearer picture and advise of the process at that point. Pension Board members will also be invited for information. • From CFRS perspective there is no change as has been no change in guidance or policy 		

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	<p>from Government.</p> <p>John asked if there are any more updates in relation to the Kent/Medway case relating to On Call. Steve advised nothing coming through that he's aware of but will follow up and come back. Michaela will also advised if it is mentioned at the Regional Pension Group Meeting on 18th Feb.</p>	Steve to check on updates for the Kent/Medway case.	SB
9.	<p>Review of Pension Board Annual Report</p> <p>CFRS-#605313-Local Pension Board Annual Report 2020 2021</p> <p>Board reviewed the draft report prepared by John. No changes required.</p>	LPB Annual Report 2020/21 ratified.	
10.	<p>Review of Terms of Reference</p> <p>CFRS-#430380-LPB - TERMS OF REFERENCE</p> <p>Board reviewed the ToR and agreed no changes required.</p>	Terms of Reference reviewed, no changes required.	
11.	<p>Review of skills gap on pension board</p> <p>Covered under item 4. Steve advised WYPF have good training online training available on their website, will have a look at what training LPB members have currently done and compare this with what is available from WYPF and produce a list of what would be useful for everyone to do.</p>	Steve to review WYPF online training options & provide list of modules would be useful for LPB members to complete.	SB

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12.	Review of Conflicts of Interest Register CFRS-#419937-LPB - CONFLICTS OF INTEREST REGISTER Board review the Conflicts of Interest Register and agreed no changes required.	Conflicts of Interest Register reviewed, no changes required.	
13.	Review of Upcoming Yearly Agenda (#580942) CFRS-#580942-LPB - Yearly Agenda Item Calendar Board reviewed the Upcoming Yearly Calendar and agreed 'Review of Pension Provider' (i.e. performance/feedback from staff to ensure delivery as per requirements) be added to Q2.	Caz to add Review of Pension Provider as Q2 item to Yearly Agenda.	Done 22.01.21
14.	TPR Scheme Return Michaela confirmed this was done and sent in December. Michaela to send copy to Caz for circulation with notes.	Michaela to send copy of TPR return to Caz for circulation with notes.	Done 19.01.21
15.	Any Other Business		
15.1	John asked when the LPB will see the final proposal for the new administrator. Tracey advised an initial document was sent to WYPF who confirmed they could cover everything the Service would be going out for plus additional things. Next step is for meeting (set up for next week) to agree the timetable of what is needed to stay on track for everything to be in place for 1 st July. No concerns have been raised, so from CFRS perspective as long as hit the ground running now, should be fine. Need to get it all drafted into a formal contract, Tracey will circulate the draft contract to LPB following meeting next week for information.	Tracey to forward copy of formal contract with WYPF to LPB members for information.	TS
15.2	Michaela highlighted it would be easier from a payroll perspective to go with WYPF from 1 st April rather than 1 st July and asked if that would be possible. Steve assured that once formal		

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	<p>contracts have been signed will be working closely together, shadowing, running dual pension run with LGSS so that when their contract ends on 30th June WYPF are happy everything is in place. Once have timeline will know how achievable the cross over will be. Agreed would be useful for Payroll to be involved in the meet with WYPF next week availability allowing.</p> <p>Agreement to call an extraordinary LPB if required following the meeting next week.</p>		
15.3	<p>In relation to the Sergeant/McCloud case, Rob sought reassurance that Service will be ready to pass information to members as soon as new information comes through. Steve confirmed don't have any new information to pass until advised on way forward, at the moment hands are tied. Suggested that might be an idea to tie in with WYPF, as they deal with a number of FRS' might be worth doing a collaboration and following best practice rather than doing our own thing. Likely to be a project team within CFRS to manage whatever the outcome is.</p> <p>Chris agreed that early engagement with staff would be best – whether via presentation/zoom/teams session. Also suggested how WYPF introduce themselves to the organisation will be important and something this Board should be supporting. Tracey will follow the suggestion of an introductory session with scheme members with WYPF.</p> <p>Steve advised the Service has David Evans on a zero hours contract, providing consultations as/when required. Specific pension calculations meetings can be set up with David, done on a need basis with Steve coordinating.</p>	Tracey to follow up idea of an introductory presentation/session to members by WYPF as new provider.	TS
16.	<p>Date of Next Meeting</p> <p>29 April 2021</p>		