

**MEETING :** LOCAL PENSION BOARD (LPB)

**DATE :** 24 May 2022

**VENUE :** Teams

**PRESENT:** Steve Beaton (Chair), Stuart Smith, Ann Read, John Tyrell, Helen Scargill (WYPF), Caz Lee (Notes)

Ref	Item	Decision/Outcome	Action By
1.	<b>Apologies</b> - Michaela Moore, Tracey Stradling, Rob Allport		
2.	<p><u>Abatement Training Session from WYPF</u></p> <p><a href="https://www.fpsregs.org/images/Events/Coffee-mornings/Coffee-morning-25-January-2022-abatement.pdf">https://www.fpsregs.org/images/Events/Coffee-mornings/Coffee-morning-25-January-2022-abatement.pdf</a></p> <p>Helen provided briefing session on abatement using LGA slides from coffee morning held on 25 Jan 2022.</p> <p>Stuart highlighted from national standpoint NFCC are currently looking at abatement to try and maintain experience within FP teams across FRS; interesting that from LGA there is no prescribed way of calculating, presume in that case costs and calculations could be different across FRS' ? Essex County FRS have shared their practice is paying costs which NFCC are subsequently sharing as best practice. Helen confirmed in standard case calculations probably wouldn't be any different, but in more complicated cases it could be. Will be some guidance produced by LGA but that will only give a steer, there is no legislation to prescribe against so won't be a definitive answer. Stuart advised raising here for info as paying abatement of staff is being considered by NFCC as best way to retain FP staff. Steve confirmed CFRS policy he is writing advises Service will apply</p>		

	<p>abatement on all cases, as calculations are straightforward and decisions will be based on that.</p> <p>Helen highlighted that CFRS can have a blanket policy/disclaimer, but needs to include 'except in exceptional circumstances'. In practice this will mean the Service will have a form/check list/process so that every person reemployed will go through a process of consideration and at the end, the Service either confirm abatement will apply or that it is an exceptional circumstances case. If chosen not to, Service need to document it has been considered exceptional circumstances and why. Steve confirmed done draft policy but will make amendments to include 'exceptional circumstances' and pull form together.</p> <p>Steve asked Helen if the Service need to share the decisions with anyone else or internal process only form? Helen confirmed don't need to share internal form but would need to advise WYPF accordingly.</p> <p>Helen highlighted that the Pension Ombudsman decision means that CFRS need to check whether there are any blanket discretions within their policies that don't mention exceptional circumstances; someone needs to do through all discretions and check.</p>	Steve to amend Abatement Policy disclaimer to include 'exceptional circumstances' and prepare a draft process form for Service to use/record decisions.	<b>Steve</b>
<b>3.</b>	<p><b>Agree notes of last meeting held on 15/02/22</b></p> <p>Notes were reviewed and agreed as a true record.</p>	Caz to publish and add to internet page.	Done 24.05.22
	<b>Updates on Actions Arising</b>		
3.1	<u>Helen to send presentation slides through to LPB Members.</u>	Action complete.	

3.2	<p><u>Steve to liaise with Recruitment &amp; request WYPF are invited to pre-retirement courses for a slot.</u></p> <p>Steve provided update, couldn't get Helen in for last course so not able to attend. Payroll will be taking over arrangements for the courses and will ensure Helen has a dedicated slot in future.</p>	Action closed.	
3.3	<p><u>LPB Members to have a think about what would like Helen to provide updates/training/feedback on at future sessions and send to Steve/Caz via email.</u></p>	Can come off.	
3.4	<p><u>Steve to liaise with M&amp;C re updating intranet page on Pensions (under Payroll area).</u></p> <p>All content ready to go, waiting for the new intranet on SharePoint to go live and then will liaise with M&amp;C about setting up dedicated Pension page/section.</p>	Ongoing	<b>Steve</b>
3.5	<p><u>Steve to produce a list of secondary contracts for next meeting; get details from HoGs. .</u></p> <p>Steve now produced list of those on secondary contracts, will make final tweaks and will circulate to LPB members.</p>	Steve to circulate list of secondary contracts to LPB members.	<b>Steve</b>
3.6	<p><u>Stuart to confirm completion of training modules to Caz.</u></p> <p>Confirmation of Stuart's completed online training received and recorded under Training tab.</p>	Action complete 16.02.22	

3.7	<p><u>John will draft End of Year report from the last template and send to Steve.</u></p> <p>John sent draft End of Year report through to Steve. Steve will share with LPB members for comments. Will then be forwarded to Matthew for the attention of the Fire Authority.</p>	Steve to circulate draft End of Year report to members for comments.	<b>Steve</b>
3.8	<p><u>Steve to forward FPS 2015 Pension Remedy Update to Helen &amp; Rob</u></p>	Action complete 15.02.22	
3.9	<p><u>Steve to review recent Ombudsman abatement decision to see if any amendments required to CFRS Policy.</u></p>	See point 2.	
3.10	<p><u>Caz to add Review of recent LGA Bulletins and WYPF monthly updates as standing agenda item and send out recent LGA bulletins</u></p>	Action complete 15.02.22	
4.	<p><b>Declarations of Interest</b></p> <p>None declared.</p>		
5.	<p><b>Feedback from Training</b></p> <p>Steve advised attends the fortnightly LGA coffee mornings/briefings which include training/topical issues. Has been attending these since May 2021.</p> <p>No other recent training.</p>	Caz to add to Steve's training record.	Done 24.05.22
6.	<p><b>Regional Pensions Group Update</b></p> <p>Ann confirmed not had a meeting recently, any updates received in meantime will have been shared. Nothing to pass here.</p>		

7.	<p><b>Review of Risk Register</b></p> <p><a href="#">Risk Register SharePoint Link</a></p> <p>Board reviewed the attached Risk Register. Steve suggested adding new risk regarding potential legal action, either collectively from FBU or from an individual as FRS' are applying remedy guidance differently. This was agreed.</p> <p>John suggested subsequently changing wording of Risk 11 to make it clear work is ongoing but not 'progressing' (as currently stated) until legislation is in place. Agreed</p> <p>Stuart asked if everyone who is in that position between now and 2023 is aware of the situation? Steve confirmed yes they are, he has personally been in touch with them. Will continue with communications as more information comes in, but at the moment situation remains unchanged. Believed software and legislation will come out in Oct 2023, then FRS' will have 18 months to implement it, taking us to March 2025. Of note that as soon as software and legislation is in place, both Payroll departments and WYPF will be swamped all at once so will be about managing expectations too.</p> <p>John asked whether new risk needs adding to the register in relation to Kent/Medway Case now this is being backdated further. Steve confirmed Service will be doing second options exercise and potentially will have some incomplete information/contact details as records weren't kept that far back. Steve will add another risk to the register. Ann advised don't have records going back to beginning of employment (April 2000), if need to go back beyond that GAD are going to work out calculations to give those people an option.</p>	Steve to amend Risk 11 and add two new risks.	<b>Steve</b>
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8.	<b>Review of Issues Log</b>  See 'Issues Log' tab for updates.		
9.	<b>Recent Case Law Affecting Pension Scheme</b>  Steve provided following updates in addition to those already discussed: <ul style="list-style-type: none"> <li>• 01 April 2 final salary schemes closed to future pension build up and all are now building up benefits in 2015 scheme;</li> <li>• In relation to Matthew's case, OC FF's employed between 01 July 2000 and 05 April 2006 to join FPS Scheme 2006 with retrospective effect from 01 July 2000;</li> <li>• Second options exercise following O'Brien vs Ministry of Justice case - upheld that can be extended back prior to part time workers directive on 07 April 2000;</li> <li>• Second options exercise underway which will allow OC FF's to purchase pension entitlement for some or all of their service between 07 April 2000 and 05 April 2006. As well as any continuous service up to 07 April 2000/continuous service from 05 April 2006;</li> <li>• Second options - Home Office has 18 months to draft, consult and introduce necessary secondary legislation. Service then have 18 months after legislation introduced. OC FF's who elect to join 2006 Scheme under second options will receive interest on their pension contributions;</li> <li>• CFRS to promise info on accreditation split by scheme in respect of their WT employment originally by 31 May 2022, now 30 June 2022;</li> <li>• FPS Bulletin 56 - request for pension contacts, sent to LGA as requested;</li> <li>• Pension regulator has pledged to combat pension scams will look to sign CFRS up.;</li> </ul>		

	<ul style="list-style-type: none"> <li>• Annual allowance rules - Section 9 Finance Act 2013 - changes to scheme administrator giving notice of allowance change no later than 31 July the year following that in which the tax year ends;</li> <li>• Outcome of cost control element of the 2016 validation FPS confirming a breach of cost cap ceiling of 14.6%. Was previously paused due to uncertainty of McCloud/Sargent case but reintroduced in 2020. Cost control element of 2016 validation will not be used to set employer contributions rate, 2020 valuations will take effect from April 2024. This means that no member will face a reduction in their benefits as a result of the 2016 valuation;</li> <li>• Pension increase of 3.1% detailed on front page of members' P60.</li> </ul>		
10.	<p><b>Review of recent LGA Bulletins and WYPF monthly updates</b></p> <p><a href="#">FPS Bulletin 54 – February 2022</a>  <a href="#">WYPF Monthly report for CFRS Pension Board Members February 2022</a>  <a href="#">Home Office Response to Prospective Remedy Consultation Published 09.03.22</a>  <a href="#">DWP consultation on draft Pensions Dashboards Regulations - LGA draft response 10.03.22</a>  <a href="#">FPS 2006 special members - second options exercise 15.03.22</a>  <a href="#">FPS 2006 special members - second options exercise - MOU &amp; factsheet 15.03.22</a>  <a href="#">Urgent Pension Notification for Operational Staff who opted out of the pension rather than transition into the FPS 2015 28.03.22</a>  <a href="#">FPS Bulletin 55 - March 2022</a>  <a href="#">FPS 2015 Remedy - MEMBER BENEFIT ILLUSTRATIONS</a>  <a href="#">Immediate Detriment Framework Letter to HM Treasury and the Home Office</a>  <a href="#">NFCC CFO's Immediate Detriment Update.msg</a>  <a href="#">FPS Bulletin 56 - April 2022.msg</a></p>		

	Above all circulated to all members since last meeting; pertinent info covered under point 9.		
<b>11.</b>	<b>Administration Review</b>  No changes required.		
<b>12.</b>	<b>Pension Provider Review</b>  Steve confirmed has had no negative feedback from members regarding WYPF; all feedback has been positive. Massive step up in service in terms of speed and quality of information. Big thanks to Helen and everyone at WYPF.		
<b>13.</b>	<b>Any Other Business</b>  None on this occasion.		
	<b>Date of Next Meeting</b>  16 August 2022		