

Due to the current heightened security level at all our premises, Members are reminded to wear their identity badges whilst attending meetings. Any visitors must produce photographic identification at Reception.

## **FIRE & RESCUE AUTHORITY SUMMONS**

### **SOUTH WALES FIRE & RESCUE AUTHORITY**

You are required to attend a meeting of the Local Pension Board Committee to be held on:

**Monday, 17 October 2022 at 1000 hours**

**In person at South Wales Fire & Rescue Service Headquarters,  
Forest View Business Park, Llantrisant, CF72 8LX**

**or**

**Remotely via MS Teams - <https://bit.ly/Local-Pension-Board-Committee-17-10-22>**

**Please ensure you join the meeting 15 minutes prior to meeting time**

**Any issues please contact  
01443 232000 and ask for Member Services**

### **A G E N D A**

1. Apologies for Absence
2. Declarations of Interest

Members of the Fire & Rescue Authority are reminded of their personal responsibility to declare both orally and in writing any personal and/or prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Fire & Rescue Authority's Standing Orders and the Members Code of Conduct.

3. Chairperson's Announcements

- |    |   |   |
|----|---|---|
| 4. | To receive the minutes of:  |   |
|    | <ul style="list-style-type: none"> <li>• Local Pension Board Committee, Monday 4 July 2022</li> </ul> | 5 |

### **REPORT FOR DECISION**

- |    |   |   |
|----|---|---|
| 5. | Report to Review Key Performance Indicators & Update Report on Publication of Annual Benefits Statement | 9 |
|----|---|---|

### **REPORTS FOR INFORMATION**

- |     |   |     |
|-----|---|-----|
| 6.  | Firefighter Pensions – Remedying Age Discrimination                               | 19  |
| 7.  | Update Report from Scheme Advisory Board – to be presented verbally on the day    | 29  |
| 8.  | Publications, Updates, Information (Standard Item)                                | 31  |
| 9.  | Training Session for Members – to be presented verbally on the day                | 109 |
| 10. | Forward Work Programme for Local Pension Board 2022/2023                          | 111 |
| 11. | To consider any items of business that the Chairperson deems urgent (Part 1 or 2) | 117 |

Signature of Monitoring Officer:



## MEMBERSHIP

### Councillors:

J	Morgan	Blaenau Gwent
C	Elsbury	Caerphilly
D	Naughton	Cardiff
P	Drake	Vale of Glamorgan
R	Prendergast	Association of Principal Fire Officers
S	Saunders	Fire Brigades' Union
D	King	FRSA

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## SOUTH WALES FIRE & RESCUE AUTHORITY

### MINUTES OF THE LOCAL PENSION BOARD COMMITTEE HELD ON MONDAY, 4 JULY 2022 VIA STARLEAF

#### 1. PRESENT

##### Councillor

P Drake (Chair)	Vale of Glamorgan
J Morgan	Blaenau Gwent
D Naughton	Cardiff
C Elsbury	Caerphilly
D King	Fire & Rescue Service Association
G Tovey	Fire Brigades' Union
Mr I Traylor	Pensions Service Director, Rhondda Cynon Taff BC

##### Apologies:

R Prendergast	Association of Principal Fire Officers
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##### No Attendance:

**OFFICERS PRESENT:-** ACO A Reed – Director of People Services, Mr C Barton – Treasurer, Mr G Thomas – T/ACO – Corporate Support; Ms K Jeal - Accountant

#### 2. DECLARATIONS OF INTEREST

Each Member declared a personal non-prejudicial interest in each agenda item which affected their Authority.

#### 3. CHAIR'S ANNOUNCEMENTS

There were no Chair's announcements.

#### 4. MINUTES OF PREVIOUS MEETINGS

The minutes of the Local Pension Board Committee held on 31 January 2022 were read and accepted as a true record of proceedings.

## **5. SCHEME PAYS REVIEW**

The Director of People Services introduced the report which was a review of the current “Scheme Pays” arrangements and invited Local Pension Board Members to undertake a review of the current procedure and make recommendations to the Fire Authority, as Scheme Manager.

It was confirmed that if the tax charge was £2,000 or less, this will be paid by the fund and the individual’s annual pension will be reduced, upon retirement. Following a question and answer session in relation to the changes the Board agreed with the recommendation.

Ms Jeal also confirmed by making changes to the procedures it will provide individuals with more streamlined access to the system, without a charge.

### **RESOLVED THAT**

Members reviewed the current procedure and agreed to the changes as noted within the report.

## **6. REVIEW OF KEY PERFORMANCE INDICATORS & SCHEME DATA FOR THE FIREFIGHTERS PENSION SCHEME**

The Pension Service Director reported on the Service Level Agreement (SLA) between South Wales Fire & Rescue Service and Rhondda Cynon Taf County Borough Council which sets out the manner in which certain duties and responsibilities are expected to be carried out. A key element of the SLA is the reporting on actual performance activity against the agreed key delivery Service Standards. The report is intended to provide Members with an update on key activity undertaken during the reporting period and shares the performance data for the period 01 April 2021 to 31 March 2022 and 01 April 2022 to 30 May 2022.

### **RESOLVED THAT**

Members noted the performance data included at Appendix 1 attached to the report and the key activity at Appendix 2.

## **7. INTERNAL DISPUTE RESOLUTION PROCEDURES (IDRP)**

The Director of People Services presented the procedures for resolving internal disputes in relation to pension matters. It also updates Members on the cases that were considered under this procedure during 01 April 2021 to 31 March 2022.

## **RESOLVED THAT**

- 7.1 Members noted the procedures for resolving internal disputes.
- 7.2 Members noted the cases considered under the IDRP procedure during the period 01 April 2021 to 31 March 2022.

## **8. MCCLOUD - TAPERING**

The Director of People Services reported that, in July 2021, the Fire & Rescue Authority, as Scheme Manager, agreed to provide pension benefit options for those individuals who were considered to be in scope for Immediate Detriment (ID), i.e. those who are currently in service but intending to retire and have provided notice of their intention to do so. This policy decision came into effect from October 2021. The report provides an update on the number of ID cases that have been processed since October 2021. It also confirms next steps in relation to remedying all cases of age discrimination cases.

## **RESOLVED THAT**

Members noted the content of the report.

## **9. PUBLICATIONS, UPDATES, INFORMATION (STANDARD ITEM)**

The Director of People Services shared a number of publications, updates and information relating to pensions matters with the Board, advising this will form part of the agenda as standard.

## **RESOLVED THAT**

Members reviewed and noted the publications which were shared for information and awareness purposes, as attached at Appendix 1.

## **10. NEW MEMBER TRAINING SESSION: MEMBERS' HANDBOOK, TERMS OF REFERENCE AND TOOLKIT**

Ms Jeal provided a training session on the Members' Handbook, terms of reference and toolkit

## **RESOLVED THAT**

Members noted the contents of the training session and thanked Ms Jeal for her informative update.

**11. FORWARD WORK PROGRAMME FOR LOCAL PENSION BOARD  
2022/2023**

The Director of People Services presented the Forward work Programme for 2022/2023.

**RESOLVED THAT**

Members noted the content of the Forward Work Programme for 2022/2023.

**12. TO CONSIDER ANY ITEMS OF BUSINESS THAT THE  
CHAIRPERSON DEEMS URGENT (PART 1 OR 2)**

There were no items of business that the Chair deemed urgent.



**THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN**

**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO 5  
17 OCTOBER 2022

LOCAL PENSION BOARD COMMITTEE

REPORT OF THE REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

**REPORT TO REVIEW KEY PERFORMANCE INDICATORS & UPDATE  
REPORT ON PUBLICATION OF ANNUAL BENEFITS STATEMENT**

**THIS REPORT IS FOR DECISION**

REPORT APPROVED BY THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

REPORT PRESENTED BY CATHERINE BLACK, PENSIONS SERVICE MANAGER, RHONDDA CYNON TAF CBC (SCHEME ADMINISTRATOR)

**SUMMARY**

The Service Level Agreement (SLA) between South Wales Fire & Rescue Service and Rhondda Cynon Taf Country Borough Council sets out the manner in which certain duties and responsibilities are expected to be carried out. A key element of the SLA is the reporting on actual performance activity against the agreed key delivery Service Standards. The following report is intended to provide Members with an update on key activity undertaken during the reporting period and shares the performance data for the period 01 April 2022 to 31 August 2022

**RECOMMENDATIONS**

That Members of the Local Pension Board note the performance data included at Appendix 1 attached to the report.

**1. BACKGROUND**

- 1.1 The ongoing monitoring of the key performance indicators / service standards and activity, is indented as a measurement to help evaluate the success or otherwise of the service provided to the South Wales Fire & Rescue Authority on behalf of its scheme members, by the RCT Pension Service.

**2. ISSUES**

- 2.1 There are no issues to report.

### 3. IMPLICATIONS

#### 3.1 Community and Environment

Equality, Diversity and Inclusion	No
Welsh Language	No
Wellbeing of Future Generations (Wales) Act 2015	No
Socio Economic Duty	No
Sustainability/Environment/Carbon Reduction	No
Safeguarding	No
Consultation and Communications	No
Consultation with Representative Bodies	No
Impact Assessment	No

#### 3.2 Regulatory, Strategy and Policy

Legal	No	Data Protection / Privacy	Yes
Financial	Yes	Health, Safety and Wellbeing	No
Procurement	No	Governance & Audit	Yes
Corporate Risk	No	Service Policy	Yes
Information Management	Yes	National Policy	No

#### 3.3 Resources, Assets and Delivery

Human Resource and People Development	No
Assets and Resources (Property/Fleet/ICT/Equipment)	No
Service Delivery	Yes
Procurement	No
Budget Revenue/Capital	Yes

### 4. EVALUATION & CONCLUSIONS

- 4.1 Members are asked to review the outturns in the Appendices attached to the report with a view of discussing them at the meeting.

### 5. RECOMMENDATIONS

- 5.1 That Members of the Local Pension Board note the performance data included at Appendix 1 attached to the report.
- 5.2 That Members note the relevant pension administrative overview and update included at Appendix 2 attached to the report.

<b>Contact Officers:</b>	<p>ACO Alison Reed Director of People Services</p> <p>Ian Traylor Service Director Pensions, Procurement &amp; Transactional Services, Rhondda Cynon Taf CBC (Scheme Administrator)</p>
<b>Background Papers</b>	<p>Appendix 1 – Current Year Key Performance</p> <p>Appendix 2 – Annual Benefits Statement</p>

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## Current Year Key Performance

## APPENDIX 1

MONTHLY SERVICE STANDARDS																Relates to last Month Completed	
Scheme 090 (Protected 92 Scheme and Transitioned members)																	
STANDARD MEASURED		TARGET	INTER' VENTION	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	Comments	2022/2023 Year to Date Actual %
% Refund of contributions processed within 10 days	Payment	100%	95%	-	-	-	-	-								No cases completed	—
% Divorce Estimates processed within 10 days	Statement	100	95%	-	-	100%	-	-								No cases completed	100%
% Preserved Benefits processed within 10 days	Statement	100	90%	-	50%	-	100%	-								No cases completed	66.67%
% Employer requests for retirement estimates processed within 5 days	Statement	100	95%	-	-	-	100%	-								No cases completed	100%

## Current Year Key Performance

## APPENDIX 1

% Retirements from Active membership processed within 5 days	Payment	100	95%	100%	100%	100%	100%	100%								One case completed. On time	100.00%
% Preserved Benefits into payment on retirement processed within 5 days	Payment	100	95%	-	-	-	-	-								No cases completed	—
% Transfers In processed within 10 days	Statement	100	90%	-	-	-	--	-								No cases completed	—
% Transfers Out processed within 10 days (Monthly)	Payment	100	95%	-	-	-	-	-								No cases completed	—
% death grant for active members within 5 days (Monthly)	Payment	100	95%	-	-	-	-	-								No cases completed	—

## Current Year Key Performance

## APPENDIX 1

MONTHLY SERVICE STANDARDS																Relates to last Month Completed	
Scheme FIR (2006 Scheme and Transitioned members)																	
STANDARD MEASURED		TARGET	INTER' VENTION	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	Comments	2022/2023 Year to Date Actual %
% Refund of contributions processed within 10 days	Payment	100%	95%	-	-	-	-	-								No cases completed	-
% Divorce Estimates processed withi n 10 days	Statement	100%	95%	-	-	-	100%	100%								3 cases completed , all on time	100%
% Preserved Benefits processed within 10 days	Statement	100%	90%	100%	100%	100%	100%	-								No cases completed	100%
% Employer requests for retirement estimates processed within 5 days	Statement	100%	95%	-	-	-	-	-								No cases completed	-
% Retirements from Active membership processed within 5 days	Payment	100%	95%	100%	100%	100%	-	-								No cases completed	100.00%

## Current Year Key Performance

## APPENDIX 1

% Preserved Benefits into payment on retirement processed within 5 days	Payment	100%	95%	0%	100%	-	100%	100%								2 cases completed , both on time	80.00%
% Transfers In processed within 10 days	Statement	100%	90%	-	100%	100%	100%	100%								1 case complete, on time.	100.00%
% Transfers Out processed within 10 days (Monthly)	Payment	100%	95%	-	-	-	-	-								No cases completed	—
% death grant for active members within 5 days (Monthly)	Payment	100%	95%	-	-	-	-	-								No cases completed	—
% death grant for pensioner members within 5 days (Monthly)	Payment	100%	95%	-	-	-	-	-								No cases completed	—



The following information is intended to provide Members of Pensions Board with an overview and update on key administrative activity:

### **Member Self-Serve Statistics**

Member Self-Serve (MSS) take-up as 06<sup>th</sup> September 2022

	Status 1 (Actives)	Status 2 (Pending leavers)	Status 4 (Deferred)	Status 5 (Pensioners)	Status 6 (Dependants)
<b>Scheme 090</b>	<b>85.41%</b>	<b>75.00%</b>	<b>64.81%</b>	<b>39.53%</b>	<b>4.57%</b>
<i>Total Membership</i>	329	4	108	1156	175
<b>Scheme FIR</b>	<b>46.24%</b>	<b>41.45%</b>	<b>35.37%</b>	<b>54.47%</b>	<b>0.00%</b>
<i>Total Membership</i>	932	41	950	123	13

### **Scheme Member Complaints**

- There are no formal complaints to report this period.

### **Key Administration Activities**

- Deferred Member Annual Benefit Statements published 22<sup>nd</sup> August, prior to the statutory deadline
- Active Member Annual Benefit Statements published 23<sup>rd</sup> August, prior to the statutory deadline
- Annual Allowance exercise commenced, Pension Savings Statements to be issued by 6<sup>th</sup> October 2022.
- Immediate Detriment cases continue to be processed
- Continue to work closely with SWFRA, and other forums, software provider with regard to McCloud remedy requirements

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## **THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN**

**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO 6  
17 OCTOBER 2022

LOCAL PENSION BOARD COMMITTEE

REPORT OF THE ACO PEOPLE SERVICES

### **FIREFIGHTER PENSIONS – REMEDYING AGE DISCRIMINATION**

**THIS REPORT IS FOR INFORMATION**

REPORT APPROVED BY THE ACO PEOPLE SERVICES

REPORT PRESENTED BY ALISON REED, ACO PEOPLE SERVICES

#### **SUMMARY**

In July 2021, the Fire & Rescue Authority, as Scheme Manager, agreed to provide pension benefit options for those individuals who were considered to be in scope for Immediate Detriment (ID), ie those who are currently in service but intending to retire and have provided notice of their intention to do so. This policy decision came into effect from October 2021. This report provides an update on the number of ID cases that have been processed since October 2021. It also confirms next steps in relation to remedying all cases of age discrimination cases.

#### **RECOMMENDATIONS**

That Members note the content of the report.

## **1. BACKGROUND**

- 1.1 Following Lord Hutton's 2011 review of public sector pensions, the Public Service Pensions Act (2013) provided the legal framework to reform public sector pension schemes. Reforms included restricting existing final salary schemes, extending retirement ages, and introducing career average schemes. In 2015 all main public service pension schemes were reformed to provide defined benefits on a career average basis and extend the normal retirement age of members. The pension scheme regulations were amended to introduce these changes. The amended regulations also provided protection for members of existing final salary schemes. This protection was age related and members reaching the normal pension age of 55 by 31 March, 2022, were afforded full protection with other members receiving protection on a tapered basis depending on their age. This protection was known as transitional protection and members who did not qualify for protection were moved

out of their legacy schemes directly onto the new 2015 Firefighters Pension Scheme.

- 1.2 In 2018 the Court of Appeal ruled that the transitional protection element of the 2015 public service pension reforms constituted unlawful age discrimination in the Firefighters' Pension Schemes. This is referred to as the McCloud/Sargeant case. On the back of this decision the Government confirmed that it would remove the difference in treatment across all main public service pension schemes. Since then there have been further challenges in the courts in relation to the powers of Fire & Rescue Authorities and their ability to implement the outcome of the McCloud/Sargeant judgement.
- 1.3 In October 2020 the UK Government undertook to consult the public on the way forward in relation to public service pension schemes and in particular how it should respond to the detail outlined in the judgement. The outcomes of the consultation were published on 4 February, 2021, with an option called 'the Deferred Choice Underpin' being adopted. This will mean that members will make their decision between scheme benefit options shortly before their benefits are paid from the scheme, at the point of retirement. In the meantime, members will be deemed to have accrued benefits in their legacy schemes rather than reformed schemes, for the remedy period until they make that choice. The remedy period has been determined as 1 April, 2015 to 31 March, 2022. The UK Government response to the consultation can be accessed via this link:-  
<https://www.gov.uk/government/consultations/public-service-pension-schemes-consultation-changes-to-the-transitional-arrangements-to-the-2015-schemes>
- 1.4 On 12 February, 2021, the Employment Appeal Tribunal (EAT) gave its judgement on an appeal by the Fire & Rescue Authorities based on Schedule 22 of the Equality Act. The appeal was based on the argument that the Fire & Rescue Authorities did not make the legislation which was found by the Court of Appeal to be discriminatory on the grounds of age, but were bound to follow it because it was the law. Schedule 22 can give a defence where an employer is required by legislation to act towards its employees in a way which is discriminatory. The Employment Appeal Tribunal's judgement was that Fire & Rescue Authorities cannot rely on the Schedule 22 defence. Effectively the Employee Appeal Tribunal held that the Fire & Rescue Authorities in their capacity as the scheme manager could have decided not to follow discriminatory legislation and, in fact, should have done so by refusing to treat firefighters as having transferred into the Firefighters Pension Scheme 2015. This is because it held that Section 61 of the Equality Act 2010 prohibits Fire & Rescue Authorities from acting in a manner which discriminates on the grounds of age and it prioritises that obligation over the other provisions in the

pension scheme which would oblige the Fire & Rescue Authorities to act in that way. In addition, it held that under Section 62 of the Equality Act 2010, as scheme managers the Fire & Rescue Authorities have vested in them the power to pass a resolution making alterations to the scheme, which would have the effect of removing such discrimination.

- 1.5 On 10 June, 2021, the Home Office and Local Government Association issued informal guidance on processing Immediate Detriment cases. Whilst this guidance applied to Fire & Rescue Services in England, communication from Welsh Government did confirm that although they do not have the power to issue statutory guidance or directions to scheme managers on such matters, the English and Welsh schemes are substantively identical, as are the issues surrounding the processing of immediate detriment claims, and it was accepted that the Home Office/LGA guidance contains useful information for scheme managers in handling such claims.
- 1.6 Immediate Detriment is the term used to refer to firefighters who will retire from the scheme before the secondary regulations are amended to bring in the age discrimination remedies. There are two main categories of immediate detriment:-
  1. Those who have retired since April 2015 – Category 2 cases
  2. Those who will retire before the legislation is amended to bring in the Deferred Choice Underpin (DCU) remedy. So those that retire before October 2023 – Category 1 cases
- 1.7 The guidance from Government at this point, was the members who have already retired should not be processed under immediate detriment guidance due to complex issues that have not yet been resolved. Therefore, it was cases described in point 2 above that were the focus of our initial work. The Home Office/LGA guidance was described as providing informal guidance to support Fire & Rescue Authorities to process immediate detriment cases. The wider piece of work to implement full remedy will need to be concluded by October 2023. Ahead of that date both primary and secondary legislation will be required, as well as administration work to implement the changes. Under the remedy proposals the Deferred Choice Underpin will need to be implemented by October 2023.
- 1.8 On 8 October, 2021, the Local Government Association and Fire Brigades Union, published a joint statement, including a Memorandum of Understanding, the principles of which are intended to be consistent with those set out in the Public Service Pensions and Judicial Officers Bill. Fire & Rescue Authorities have been encouraged to consider adoption of

the MOU Framework, with a view to ensuring a consistent approach to Immediate Detriment cases across Fire & Rescue Services going forward.

- 1.9 The Public Service Pensions and Judicial Offices Bill has been laid before Parliament, and will make secondary legislation pursuant to the Bill (namely the 'Remedying Legislation') to provide the affected pension scheme members with a remedy for the discrimination found in the McCloud/Sargeant claims.
- 1.10 On 29 November 2021 HM Treasury issued a statement in relation to the complexities of processing ID cases without formal legislation in place. The issues centre around the complexities of tax and tax relief. It is HMT's view at this point, based on the analysis as it currently stands, that cases cannot be smoothly and predictably processed until new legislation is in place and that there are risks and uncertainties for schemes and for individuals if cases are processed ahead of that. The note stated that for cases that have already been dealt with, or are in the process of being dealt with, the new legislation will give powers intended to allow schemes to put these individuals into the correct position, drawing on the provisions of the McCloud Bill. It pointed out that this could entail significant second or third corrections and so HMT would not advise that schemes continue to process cases on the assumption these provisions will mean a smooth and predictable experience for themselves and for members. The note confirms that the Home Office guidance that was issued in June 2021 has been withdrawn. It also confirms that it is up to schemes to choose to process cases or not based on their own assessment of the competing legal risks, but at this stage it is not possible to give any guarantees that the remedy and its tax consequences will work as intended for everyone, before the legislation is in place.
- 1.11 In April 2022, the Local Government Association wrote to HM Treasury with the aim of obtaining an understanding of the issues raised by HMT. There is currently no further update to report.
- 1.12 The FBU has also issued a statement confirming that the latest information does not alter the FBU position in relation to immediate detriment cases. It is their firm view that cases must be resolved as previously directed by the courts and if necessary, the union will take legal action if FRAs do not proceed.

## 2. IMPLICATIONS

### 2.1 Community and Environment

Equality, Diversity and Inclusion	No
Welsh Language	No
Wellbeing of Future Generations (Wales) Act 2015	No
Socio Economic Duty	No
Sustainability/Environment/Carbon Reduction	No
Safeguarding	No
Consultation and Communications	No
Consultation with Representative Bodies	Yes
Impact Assessment	Yes

- 2.2 Regular dialogue with the Representative Bodies has commenced and will continue on a regular basis going forward.

### 2.3 Regulatory, Strategy and Policy

Legal	Yes	Data Protection / Privacy	No
Financial	Yes	Health, Safety and Wellbeing	No
Procurement	No	Governance & Audit	Yes
Corporate Risk	Yes	Service Policy	No
Information Management	No	National Policy	Yes

- 2.4 Proceeding to implement Immediate Detriment cases without the relevant legislative processes in place presents an element of risk. However, this is partly mitigated by utilising the technical expertise of Service personnel as well as RCT Pensions and the Local Government Association.

### 2.5 Resources, Assets and Delivery

Human Resource and People Development	Yes
Assets and Resources (Property/Fleet/ICT/Equipment)	No
Service Delivery	No
Procurement	No
Budget Revenue/Capital	Yes

- 2.6 Given the scale of the piece of work to implement this remedy, including the initial focus on implementing Immediate Detriment cases, we have assessed our internal resources and the project can be managed from within existing resources, although in order to release existing staff to undertake this project, roles and responsibilities have been transferred to other individuals across the Service.

- 2.7 Following audit of the 2021/22 accounts by the Wales Audit Office, no concerns were expressed regarding the legality or accounting methodology adopted by the Service in respect of the Category 1 ID cases processed to date and accordingly, the Service intends to continue processing cases in the same manner. The Service and Authority has acknowledged the risks involved in processing ID cases prior to the full legislation being put in place however, there are also significant financial risks involved in not progressing the outcome of the various court hearings. Officers are maintaining close dialogue with all parties involved in the resolution of this matter and expect further detailed guidance to emerge. The long-term financial liabilities of implementing the remedy have been estimated by the Government Actuary Department (GAD) and included in the Authority's Balance Sheet. It is impossible to accurately assess the final impact until the remedy is agreed and all employees have individually made their choice as to which scheme they wish to be part of for the remedy period. As a result, the future revenue implications for the Service cannot yet be determined.
- 2.8 There is also the possibility of us incurring administrative and software costs that our Administrator may pass on to us.

### **3. EVALUATION & CONCLUSIONS**

- 3.1 Whilst the document from HM Treasury (November 2021) placed uncertainty on existing powers to correct the tax positions for individuals, the question in relation to powers has been tested previously at ET. The Authority therefore has the powers to process cases under Section 61 of the Equality Act.
- 3.2 At its February 2022 meeting, the Fire Authority confirmed its approach to processing cases, this was to continue to process category 1 cases and in parallel to continue the work already underway to understand the implications of processing category 2 cases. Only if there are further concerns identified in relation to legal, taxation or funding issues, will a further report be generated to the Fire & Rescue Authority.
- 3.3 That work continues to progress category 1 cases as described in this report.
- 3.4 It is important to note that all cases processed as ID will need to be revisited once the full details of the Government's approach is finalised and legislation is in place. The legislation is expected to be in place by October 2023.



#### 4. RECOMMENDATIONS

4.1 That Members note the content of the report.

<b>Contact Officer:</b>	ACO Alison Reed
<b>Background Papers</b>	Appendix 1 – Number of cases processed

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## APPENDIX 1

**McCLOUD TAPERING REPORT**  
**NUMBER OF CATEGORY 1 CASES**

Between October 2021 to March 2022	<b>8</b>
From April 2022 to November 2022	<b>18</b>

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## AGENDA ITEM NO 7

### **Update Report from Scheme Advisory Board**

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To be presented verbally on the day

Presenting Officer: Alison Reed, ACO People Services

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**THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN**

**SOUTH WALES FIRE & RESCUE AUTHORITY**

**AGENDA ITEM NO 8  
17 OCTOBER 2022**

**LOCAL PENSION BOARD COMMITTEE**

**REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES**

**PUBLICATIONS, UPDATES, INFORMATION (STANDARD ITEM)**

**THIS REPORT IS FOR INFORMATION**

**REPORT APPROVED BY THE ACO PEOPLE SERVICES**

**REPORT PRESENTED BY ACO PEOPLE SERVICES ALISON REED**

**SUMMARY**

This report shares relevant publications, updates and information relating to pension matters, with Members of the Local Pension Board

**RECOMMENDATIONS**

That Members review and note the attached publications which are shared for information and awareness purposes. (Attached to the report as Appendix 1-4).

**1. BACKGROUND**

- 1.1 To support Local Pension Board Members discharge their duties, this report shares recent relevant publications in relation to pension matters. These are not limited to fire pensions.

**2. ISSUES**

- 2.1 There are no issues to report.

**3. IMPLICATIONS**

**3.1 Community and Environment**

Equality, Diversity and Inclusion	No
Welsh Language	No
Wellbeing of Future Generations (Wales) Act 2015	No
Socio Economic Duty	No
Sustainability/Environment/Carbon Reduction	No
Safeguarding	No
Consultation and Communications	No
Consultation with Representative Bodies	No

Impact Assessment	No
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3.1.1 There are no additional financial issues arising as a result of this report.

### 3.2 Regulatory, Strategy and Policy

Legal	No	Data Protection / Privacy	No
Financial	No	Health, Safety and Wellbeing	No
Procurement	No	Governance & Audit	No
Corporate Risk	No	Service Policy	No
Information Management	No	National Policy	No

### 3.3 Resources, Assets and Delivery

Human Resource and People Development	No
Assets and Resources (Property/Fleet/ICT/Equipment)	No
Service Delivery	No
Procurement	No
Budget Revenue/Capital	No

## 4. EVALUATION & CONCLUSIONS

4.1 An Equality Risk Assessment has been undertaken to assess the potential impact of this report. The assessment concluded that there were no immediate or long term adverse impacts on any individual or group of personnel arising from this particular report.

## 5. RECOMMENDATIONS

5.1 That Members review and note the attached publications which are shared for information and awareness purposes. (Attached to the report as Appendix 1-4).

<b>Contact Officer:</b>	ACO Alison Reed Director of People Services
<b>Background Papers</b>	Appendix 1-4 – Publications





## FPS Bulletin 56 – April 2022

Welcome to issue 56 of the Firefighters' Pensions Schemes bulletin.

If you are looking for information on a certain topic, issue and content indexes are held on the [main bulletin page](#) of the website and are updated following each new issue.

If you have any comments on this bulletin, suggested items for future issues, or a job you would like to advertise, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

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## Calendar of events

Please see below a calendar of upcoming events relevant to the Firefighters' Pension Schemes. Only those events which are hyperlinked are currently available to book. If you have any events you would like to be included in a future bulletin, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

Table 1: Calendar of events

Event	Date
<a href="#">FPS coffee morning</a>	3, 17, and 31 May 2022
North-East regional group	18 May 2022
<a href="#">CIPFA Pension Board training event</a>	18 May 2022
South-West & Wales regional group	19 May 2022
Fire Communications Working Group	13 June 2022
SAB	23 June 2022
Midlands regional group	27 June 2022
FPS Technical Group	18 July 2022

Event	Date
SAB	8 September 2022
FPS AGM (Save the date)	25 and 26 October 2022
SAB	8 December 2022

## **Actions arising**

Readers are asked to note the following actions arising from the bulletin:

[Matthews – Second options exercise](#): FRAs to complete data request questionnaire by 30 June 2022.

[Payroll workshop](#): FRAs to register their interest by 13 May 2022.

[FRA Pension Contacts](#): FRAs to provide LGA with information on who should receive generic pension information by 31 May 2022.

## **FPS**

### **Matthews – Second options exercise**

In [FPS Bulletin 55 – March 2022](#) readers were informed on the progress of the second options exercise for retained firefighters.

An action arising was for FRAs to identify any retained firefighters who have transferred from retained to wholetime employment and maybe subject to aggregation. Since publication, we have met with colleagues from the Home Office and Government Actuary's Department (GAD), and it has become apparent through our discussions that additional data is required.

On 14 April 2022, an email was sent to lead FRA contacts asking for them to complete a short questionnaire which sets out what data is required and the purpose of the data.

As we are now asking for additional data, we feel that it is appropriate to extend the deadline from 31 May 2022 by an additional month to **30 June 2022**. We appreciate that this is a significant ask and understand that FRAs may be focused on other areas, such as age discrimination remedy, however, we would not request this information if it was not vitally important.

**ACTION: FRAs to complete data request questionnaire by 30 June 2022.**

### **Payroll workshop**

We were pleased to hear that, as we have now passed 1 April 2022, some FRAs have now shifted their attention to the data collection work needed for retrospective remedy. While this position is correct for many, we are aware that some FRAs haven't started this work yet. We have received feedback that this is primarily down to lack of confidence in the subject area.

Readers should be aware that there is a suite of tools available at their disposal to help with the data collection work. As well as providing a [remedy data collection guidance document](#), you also have access to a [blank remedy data collection template](#) and [remedy data collection template note for completion](#). These documents are freely accessible on the [FPS Regs and Guidance Website](#) and are stored under the [Implementation section of the Age discrimination remedy page](#).

While we appreciate that there is a relative amount of guidance out there, we are conscious that some people feel more comfortable discussing things as a group, rather than tackling them alone. We are therefore proposing to host a workshop which will be aimed at individuals within FRAs who have some form of responsibility over the data collection extract. We are labelling this as a payroll workshop; however, it will be your opportunity to raise any questions you may have in relation to the data extraction.

If this is something that you feel you and your FRA would benefit from, then please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk) confirming the name of your FRA and who should be included on the invite.

In addition to the above, we are seeking volunteers from FRAs to give the group some feedback on their initial experiences with the data collection work. If this is something you would feel comfortable doing, then again please drop an email to [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk). Any help and support from the sector is much appreciated.

Although we don't have a fixed date yet, we would ideally like to do this before the end of May. Please can we therefore request that all expressions of interest are submitted by Friday 13 May.

**ACTION: FRAs to register interest in workshop event by 13 May 2022.**

### **FRA pension contacts**

Following feedback we have received from colleagues, we understand that not all of our messages are shared as intended within an organisation. We would therefore like to know who at your FRA needs to be sent information on generic pension related matters.

As a minimum we would like to include the Scheme Manager and at least one person who has day to day responsibility for pensions.

Please can you therefore provide the name and email address for your FRA's Scheme Manager and confirm names and email addresses for anyone else who needs to be included in our communications. We are happy to send communications to generic pension inboxes if this is your preferred method of communication.

Please send this information no later than **31 May 2022** by email to [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

**ACTION: FRAs to provide LGA with information on who should receive generic pension information by 31 May 2022.**

## Technical query log

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website. The queries have been anonymised and divided into topics. The log is updated monthly in line with the bulletin release dates.

No new queries have been added this month.

## FPS England SAB updates

### Member benefit illustrations

Friday 1 April 2022 saw the first major milestone in age discrimination remedy (McCloud/ Sargeant or the 2015 Remedy) for the Firefighters' Pension Schemes, with the two final salary schemes being closed to future pension build-up and all members building up benefits in the reformed CARE scheme from that point.

To coincide with this and to provide members with a better understanding of the implications of remedy on their benefits, the Firefighters' Pensions (England) Scheme Advisory Board (SAB) worked with Barnett Waddingham to produce a [suite of illustrative member scenarios](#).

The illustrations are based on different scheme memberships, scenarios and salary profiles, with benefits shown at a range of key retirement milestones.

The member benefit illustrations follow the ["Your questions answered" fact checker](#) produced in February 2022 which aims to answer some recurring questions that members have about the 2015 Remedy.

### SAB respond to Home Office consultation response on prospective remedy

On 20 April 2022, the SAB submitted a letter to the Home Office acknowledging the consultation response on regulation amendments to deliver prospective remedy for the FPS.

The SAB noted the response and welcomed the opportunity to engage further with the Home Office on issues falling outside the scope of the consultation, such as the ill-health process and early retirement factors for the FPS 2006. A full summary of

[Click here to return to Contents](#)

the Board's discussion will be available in the meeting minutes of 24 March 2022, when published.

The SAB registered concern about the significant workload that implementation of Sargeant and Matthews within the required timescales will place on the Fire sector. The SAB felt that some smaller FRAs may be disproportionately impacted due to limited resource. The SAB also expressed concern about the likely requirement to comply with pensions dashboard regulations within a similar timeframe.

## **Other News and Updates**

### **Appointment to the Bluelight Team**

Following a successful recruitment campaign, we are delighted to announce that Elena Johnson has been appointed to the Bluelight Team in the role of Firefighters' Pensions Adviser (Governance) and will join the LGA on 16 May 2022.

Elena has 22 years' public service pension experience, in the LGPS and Firefighters' Pension Schemes. Elena commenced Local Government employment in January 2000 at Leicestershire County Council and currently works as a Pensions Team Manager there.

Elena's role will involve providing high-quality support to the Scheme Advisory Board (SAB) and FRA Local Pension Boards. Additionally, she will assist with priority developments in scheme governance.

### **Vacancy at Mid and West Wales Fire and Rescue Service**

Please find below details of a current vacancy for Pensions Officer which is open to existing Mid and West Wales FRS employees and external applicants. The closing date for receipt of application forms is 16:30 on 9 May 2022.

The full details of the role and application form can be found on the [Current Vacancies](#) page of the Mid and West Wales FRS website.

### **TPO – Early resolution factsheet updated**

On 30 March 2022, The Pensions Ombudsman (TPO) published an updated version of its [factsheet on the Early Resolution Service](#).

The factsheet provides guidance to members on the Early Resolution Service. This includes explaining what it is, how it operates and what options parties to a complaint have.

### **TPO News – March 2022**

On 31 March 2022, [the Pensions Ombudsman \(TPO\) published its March news](#). The news includes articles on:

- webinars taking place in May and June
- the recently updated factsheet on the Early Resolution Service
- new legal determinations

### **Combatting pension scams**

Too few pension scheme trustees are protecting savers by reporting suspected scams, says The Pensions Regulator (TPR).

In November 2020, TPR launched its [Pledge to Combat Pension Scams](#), which encourages schemes to do more to protect savers from scammers, including reporting suspected scams to the authorities – Action Fraud or by calling 101 in Scotland.

So far, over 400 schemes have pledged or self-certified they meet the campaign’s saver-protecting principles covering an estimated 16 million pension pots.

But TPR says more must be done on reporting and every administrator, trustee and provider should take responsibility for protecting savers and join the Pledge.

Nicola Parish, TPR’s Executive Director of Frontline Regulation said: “Scammers screw up lives and industry must stand up and do all it can to protect savers from these life-shattering crimes by joining our pledge campaign and reporting any suspected scams.



“New regulations have already introduced new duties on due diligence and warning members where a transfer shows features of a scam, so there’s no excuse for failing to report suspicions to the authorities”

TPR recently hosted a webinar giving:

- details of the evolving pension scams landscape
- information to support new duties to look for red and amber flags
- details about the pledge to combat pension scams
- updates from the Pension Scams Industry Group.

TPR has published [a recording of the pension scams webinar](#) on their website.

### Annual allowance changes

The Government has changed the annual allowance rules. This has been done by section 9 of the [Finance Act 2022](#) and the [Registered Pension Schemes \(Miscellaneous Amendments\) Regulations 2022](#).

The changes apply in certain situations where annual allowance calculations for previous years are retrospectively amended.

The following is the LGA's interpretation of the changes, which we emailed to lead FRA contacts on 5 April 2022. We thank our colleagues on the LGPS team for sharing this information with us.

### **Step 1: An employer becomes aware that information previously given was insufficient**

The new regulations require employers to provide further information to administrators. This will apply where an employer becomes aware that information they provided previously, for a Pension Input Period (PIP) falling within the ‘relevant time’, was insufficient to enable the authority to correctly calculate the annual allowance.

The 'relevant time' begins with the start of the tax year six years before the 'current tax year' and ends with the end of the 'current tax year'. The 'current tax year' means the tax year in which the employer became so aware. So, if this happens in tax year 2022/23, the following PIPs will fall within the relevant time:

- 6 April 2022 to 5 April 2023
- 6 April 2021 to 5 April 2022
- 6 April 2020 to 5 April 2021
- 6 April 2019 to 5 April 2020
- 6 April 2018 to 5 April 2019
- 6 April 2017 to 5 April 2018
- 6 April 2016 to 5 April 2017

The employer must provide the further information within three months of becoming aware the information was insufficient or, if later, on or before 6 July following the end of the relevant PIP. The further information must enable the administrators to correctly recalculate the annual allowance.

**Note:** Employers must continue to provide administrators with any other changes that arise either outside of the relevant time or that do not affect the calculation of the annual allowance.

## **Step 2: The administrator must recalculate the annual allowance for the relevant PIP**

If the administrator receives the further information from the employer for a PIP falling within the 'relevant time', it must recalculate the annual allowance. The 'relevant time' for this begins with the start of the tax year six years before the 'current tax year' and ends with the end of the 'current tax year'. The 'current tax year' for this purpose means the tax year in which the authority received the further information.

Administrators must also recalculate annual allowance amounts where there has been a change to the scheme rules. This will apply if the change results in a change to an annual allowance calculation for a PIP falling within the 'relevant time'. The 'relevant time' begins with the start of the tax year six years before the 'current tax year' and ends with the end of the 'current tax year'. The 'current tax year' for this purpose means the tax year in which the rule change is made.

After recalculating the annual allowance, if the member:

- exceeds the annual allowance for the relevant tax year - the administrator must send a pension savings statement to the member. It must send this within three months of receiving the further information/the rule change being made or, if later, by the 6 October following the end of the relevant tax year. They must also send an event report telling HMRC within three months of the date they sent the statement to the member, or if later, by 31 January following the tax year to which the report relates. It is not relevant whether the administrator had previously sent a pension saving statement for this period.
- does not exceed the annual allowance for the relevant tax year and the administrator has previously sent a pension savings statement for that period, it must send an updated statement. It must send this within three months of receiving the further information/the rule change being made, or, if later, by the 6 October following the end of the relevant tax year.

### **Deadline to make or amend mandatory scheme pay elections extended**

Members must give mandatory scheme pays elections by no later than 31 July in the year following that in which the 'relevant tax year' ends. 'Relevant tax year' means the tax year the member exceeded the annual allowance.

However, for members who received a pension savings statement as a result of a recalculation under step 2, this deadline will likely have expired. For these cases, section 9 of the Finance Act 2022 extends the deadline if:

- the administrator gave the statement within the 'relevant time', and
- as a result of that statement, the member qualifies to elect for mandatory scheme pays.

'Relevant time' means a time falling:

- on or after 2 May in the year following the end of the relevant tax year, and
- before the end of the six-year period beginning with the end of the relevant tax year.

Where this applies, the member must instead give their election for mandatory scheme pays before:

- the end of the three-month period beginning with the day on which the administering authority gave the pension savings statement, or if earlier
- the end of the six-year period beginning with the end of the relevant tax year.

Though the 31 July deadline is extended in these cases, members remain unable to give a mandatory scheme pays election once they are entitled to payment of all their benefits under the scheme or, if earlier, once they have reached age 75.

The mandatory scheme pays deadline is not extended for members who previously qualified to elect for mandatory scheme pays in respect of the relevant tax year but chose not to. If the member did elect for mandatory scheme pays, the member will need to amend their initial election based on the recalculated amounts.

The new regulations have also changed the time limit for amending mandatory scheme pays elections. The time limit is set out in Regulation 4 of the Registered Pension Schemes (Notice of Joint Liability for the Annual Allowance Charge) Regulations 2011. Before, members had until the 31 July following the end of the four-year period beginning with the last day of the relevant tax year to amend an

election. With effect from 6 April 2022, this has been extended by two years. So, if a member exceeded the annual allowance in tax year 2019/20, the new deadline for giving the amended notice is 31 July 2026. The deadline was previously 31 July 2024.

### **Deadline for administrators to pay annual allowance charge to HMRC extended**

Administrators must report and pay annual allowance charges to HMRC using Accounting for Tax (AFT) returns. Administrators must use the return for October to December in the year following that in which the tax year ends. Though, it can choose to use a return for an earlier period.

However, where the member makes a mandatory scheme pays election by the extended deadline, the deadline will likely have expired.

For these cases, section 9 of the Finance Act 2022 extends the deadline. Where members elect for mandatory scheme pays after 30 September in the year following that in which the relevant tax year ends, the administrator must report and pay the tax using the AFT return for the three-month period following the three-month period in which it receives the mandatory scheme pays election. Though it can choose to use the return for the period in which it received the election.

### **PASA publishes fraud guidance on pre-employment vetting**

On 19 April 2022, the Pensions Administration Standards Association (PASA) published [fraud guidance on vetting new employees](#).

PASA has been made aware of cases of fraud undertaken or assisted by pension administration employees. In some cases, individuals deliberately gained employment with the intention of committing fraud. The guidance aims to counter this risk.

### **PDP progress update report published**

On 27 April 2022, the Pensions Dashboards Programme (PDP) published a video introducing the [April 2022 progress update report](#). The video outlines the programme activity over the past six months. This is the fifth progress update report and provides a summary of what PDP has achieved since October 2021.

## **HMRC**

### **Managing pension schemes service newsletter – April 2022**

On 11 April 2022, HMRC published [Managing pension schemes service newsletter – April 2022](#).

The newsletter sets out that a new feature has been added to the Managing pension schemes service. The new feature allows administrators to migrate their schemes from the Pension schemes online service. The newsletter gives information on how to do this as well as links to guidance.

The newsletter also includes information on:

- recreating existing relationships on the Managing pension schemes service
- adding new scheme administrators
- authorising new practitioners
- submitting Accounting for Tax (AFT) returns, pension scheme returns, and event reports on the Pension schemes online service
- making payments for charges using the pension scheme tax reference number
- updating information
- future features that are expected shortly, such as bulk AFT reporting and updated financial information.

## **Guaranteed Minimum Pension (GMP) equalisation newsletter – April 2022**

On 6 April 2022, HMRC published [Guaranteed Minimum Pension \(GMP\) equalisation newsletter – April 2022](#).

This newsletter supplements previous guidance in Guaranteed Minimum Pension (GMP) equalisation newsletters [February 2020](#) and [July 2020](#) relating to benefit adjustments that registered pension schemes may have to make to remove inequalities arising from GMPs.

## **Events**

### **FPS coffee mornings**

Our MS Teams coffee mornings are continuing every second Tuesday. The informal sessions lasting up to an hour allow practitioners to catch up with colleagues and hear a brief update on FPS issues from the LGA Bluelight team.

The next session is due to take place on 3 May 2022.

We are pleased to include the presentations from recent sessions below:

[5 April 2022 – Public Service Pensions and Judicial Offices Act](#)

[19 April 2022 – Remedy project management update](#)

If you do not already receive the meeting invitations and would like to join us, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk). Please note that attendance at the coffee mornings is generally restricted to FPS practitioners and managers.

### **FPS AGM – London – 25 and 26 October 2022 (save the date(s))**

Our popular Fire Pensions Annual Conference is back for 2022! The two-day programme allows delegates to network with fellow colleagues and hear the latest news on the Firefighters' Pension Scheme (FPS) from the scheme's key stakeholders.

You will hear important updates, including:

- Chair of the Scheme Advisory Board
- The Home Office
- The Pensions Regulator
- Legal Updates

As well as providing the opportunity to network with other FPS stakeholders, there will be interactive and thought-provoking workshops to take part in during the day. The topics of such are yet to be determined, however, we will be seeking views from the sector as to what topics they would like to be covered.

Day 1 – Tuesday 25 October 2022 16:30 – 18:30 Primarily for Scheme Managers and Local Pension Board chairs, day 1 of the conference will provide practical guidance on the role of the scheme manager and will offer the opportunity to network with counterparts in other FRAs. Following this session there will be a drinks reception on the terrace from 18:45.

Day 2 – Wednesday 26 October 2022 09:30 – 15:30 Day 2 of the conference provides delegates with an annual update on the Firefighters' Pension Scheme from key stakeholders.

The full programme and booking link will be available shortly.

### **CIPFA annual conference for Pension Board members**

Please see below details of a training event for board members which is being run by CIPFA. As the training is primarily aimed at LGPS local pension boards, but there is some cross-over with the uniformed public service schemes, CIPFA has offered a reduced rate for those involved in the governance of Fire pensions.

Event details: 09:30 - 16:00 Wednesday 18 May 2022

The Presentation Suite KPMG, 15 Canada Square, London E14 5GL



#### Key speakers:

The event will be chaired by Mark Wynn from Cheshire Pension Fund. You will hear from key speakers such as Roger Phillips and Bob Holloway from the LGPS SAB, as well as Nick Gannon from TPR.

#### Themes:

The event will cover a number of key topics impacting Pension Boards. Of particular interest to Fire Board members include: TPR's New Single Code of Practice, Cyber Security and Good Governance. The event will also feature breakout sessions, where you will be able to discuss and share your views and experiences with other Board Members on the current issues impacting your role. The full agenda will be released before the conference.

#### Cost:

Discounted rate of £125 + VAT per delegate for Fire Pension Board Members. To take advantage of this special rate, please email CIPFA's Customer Service team via the link below.

#### Other info:

This event may have a Hybrid attendance option, for delegates who do not wish to attend in person. This will be confirmed later.

You can book onto the event at [customerservices@cipfa.org.uk](mailto:customerservices@cipfa.org.uk).

## Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khub Firefighters Pensions Discussion Forum](#)
- [FPS1992 guidance and commentary](#)
- [The Pensions Regulator Public Service Schemes](#)
- [The Pensions Ombudsman](#)
- [HMRC Pensions Tax Manual](#)
- [LGA pensions website](#)
- [LGPS Regulations and Guidance](#)
- [LGPC Bulletins](#)
- [LGPS member site](#)
- [Scottish Public Pensions Agency - Firefighters](#)
- [Welsh Government Fire circulars](#)

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While every attempt is made to ensure the accuracy of the bulletin, it would be helpful if readers could bring any perceived errors or omissions to the attention of the Bluelight team by emailing [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

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## FPS Bulletin 57 – May 2022

Welcome to issue 57 of the Firefighters' Pensions Schemes bulletin.

If you are looking for information on a certain topic, issue and content indexes are held on the [main bulletin page](#) of the website and are updated following each new issue.

If you have any comments on this bulletin, suggested items for future issues, or a job you would like to advertise, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

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## Calendar of events

Please see below a calendar of upcoming events relevant to the Firefighters' Pension Schemes. Only those events which are hyperlinked are currently available to book. If you have any events you would like to be included in a future bulletin, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

Table 1: Calendar of events

Event	Date
Fire Communications Working Group	13 June 2022
<a href="#">FPS coffee morning</a>	14 and 28 June
SAB	23 June 2022
Midlands regional group	27 June 2022
FPS Technical Group	18 July 2022
North-East regional group	17 August 2022
SAB	8 September 2022

Event	Date
FPS Technical Group	25 October 2022
FPS AGM (Save the date)	25 and 26 October 2022
SAB	8 December 2022

## Actions arising

Readers are asked to note the following actions arising from the bulletin:

[Matthews – Second options exercise](#): FRAs to complete data request questionnaire by 30 June 2022.

[FRA Pension Contacts](#): FRAs to provide LGA with information on who should receive generic pension information ASAP.

## FPS

### Matthews – Second options exercise

As mentioned in [FPS bulletin 56 – April 2022](#), the Home Office and GAD have asked for additional data on individuals who will be in scope for the second options exercise. On 14 April 2022, we sent an email to lead FRA contacts asking them to complete a short questionnaire which sets out what data is required and the purpose of the data.

This is just a gentle reminder that this request is still outstanding for some FRAs and the deadline for completion is 30 June 2022. If any FRA has identified an issue with this deadline, we ask that they bring it to our attention at the earliest opportunity.

**ACTION: FRAs to complete Matthews data request questionnaire by 30 June 2022.**

### Ill health “underpin”

At a recent coffee morning an FRA raised a question as to how the ill health underpin should be applied to a case. The policy intent is to ensure that a protected member who applies for IHR before 31 March 2022, where the application is determined in their favour after that date, is treated no less favourably than if the application had been determined on that date.

To avoid any such members being placed in a worse position, changes have been made to the reformed scheme rules. [Regulations 65\(2A\) and \(2B\)](#) have been inserted into the FPS 2015 regulations with effect from 1 April 2022. This means that for members where the ill-health assessment process began on or before 31 March 2022, the member is assessed for ill-health retirement against an NPA of 55. This will mean that there should be no cases where an affected member would have qualified for ill-health retirement under the legacy 1992 scheme but does not qualify under the reformed scheme.

The members benefit entitlement should be calculated in the same manner as set out in the FPS 2015 regulations.

Further information on this provision can be found in the Home Office’s [consultation response on prospective remedy](#) and their [frequently asked questions document](#). We will look to provide a consolidated version of Regulation 65 in a future bulletin.

### Abatement guidance

HM Treasury (HMT) policy requires public sector pensions to be abated in certain circumstances when a public sector employee is re-employed following retirement. The general principle behind abatement is to protect the public purse from paying a pension and a salary to the same individual i.e. the income from the public purse should not be increased by the addition of a pension.

FRAs must consider the application of abatement when it occurs in accordance with the regulations of the Firefighters’ Pension Schemes.



Readers may be aware that there is currently no prescribed guidance on how abatement should be applied or calculated, as previous guidance issued by the relevant Secretary of State at the time is now out of date. The Home Office is also unable to provide formal direction on the application of abatement, as it is the legal responsibility of each FRA to interpret and apply the rules of the scheme.

In order to support a consistent national approach, we are pleased to let you know that we have now published [informal abatement guidance for FRAs](#) in the “Guides and sample documents” section of [www.fpsregs.org](http://www.fpsregs.org).

The guidance has been collated following the [2019 AGM abatement workshop](#) and using examples of accepted good practice at FRAs. We have consulted with FRA FPS practitioners and administration colleagues as well as the Scheme Advisory Board and Home Office ahead of publication.

The guidance will be kept under review and updated in line with any scheme changes. We also hope to add an example abatement policy in due course. We recommend that FRAs take the guidance into account when considering future cases.

### **Software workshop**

Attendees at the coffee morning held on 17 May will be aware that concerns were raised about the readiness of pension administration software in anticipation of retrospective remedy.

As highlighted in the meeting, the legislation needed to facilitate retrospective remedy will not come into force until 1 October 2023, at which point this will signify the start of the implementation phase. FRAs and administrators will have a period of up to 18 months to provide members with options on their scheme benefits. This means that anyone who has retired and has an entitlement to the remedy should be contacted and presented with their options.

Our software providers, Heywood and Civica, are currently working on updating their administration systems to ensure that they are fully functioning to provide the calculations needed for the retrospective legislation. Unfortunately, some modifications cannot be made without clear direction on certain policy decisions. This may mean that elements of the payroll software cannot be updated until the regulations have been made available.

Although for administrators, who have a direct relationship and are in regular contact with their software supplier, this may not come as a surprise, we suspect that it could arouse concern for an FRA. With this in mind, we have contacted the software suppliers and asked whether they would be prepared to present their implementation timeline to FRAs, which should enable FRAs to become more familiar with the overall time frame and highlight any problem areas.

We will contact FRAs once a date has been agreed with your relevant software supplier.

### **Annual Benefit Statements 2022**

At the [Fire Technical Working Group \(FTWG\) meeting on 7 March 2022](#) we discussed annual benefit statement production (ABS) for 2022. As ABS's in 2022 will be based on current scheme regulations up to 31 March 2022, it was proposed that the same process as last year is followed, and the statements caveated in a similar way. [FPS Bulletin 44 – April 2021](#) provides more information.

However, while the recommendation last year was to suppress projections for fully protected members which would have incorrectly forecast final salary benefits beyond 31 March 2022, administrators were asked to consider that projections for former protected members could be included this year on a fully CARE basis.

The group failed to reach a consensus on this matter, it was therefore agreed that administrators will make the final call on whether to include projections or not. It is the expectation that administrators will notify the FRAs they administer on their decision.

The standard ABS template and notes have been updated with the new scheme year and the revised caveat and [published on the FPS Regulations and Guidance website](#). Examples in the annexes have been brought up to date.

We will continue to review requirements for ABS over the coming years in line with HM Treasury (HMT) policy decisions on remedy.

### **FRA pension contacts**

As mentioned in [FPS bulletin 56 – April 2022](#), we would like to know who at your FRA needs to be sent information on generic pension related matters. We originally asked for this information to be provided by 31 May 2022, however, we have only received a fraction of replies. Please can you give this matter your urgent attention and provide us with the name and email address for your FRA's Scheme Manager. In addition please also confirm names and email addresses for anyone else who needs to be included in our communications.

Please send this information ASAP by email to [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

**ACTION: FRAs to provide LGA with information on who should receive generic pension information ASAP.**

### **Technical query log**

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website. The queries have been anonymised and divided into topics. The log is updated monthly in line with the bulletin release dates.

No new queries have been added this month.

## **FPS England SAB updates**

### **TPR factsheet**

We advised readers in [FPS Bulletin 47 – July 2021](#) that the results of the [2020-21 Governance and Administration survey](#) had been published by the Pensions Regulator (TPR).

As part of the annual survey, TPR measures six processes as key indicators of public service pension scheme performance.

The six processes are:

1. Documented policy to manage board members conflicts of interest
2. Access to knowledge, understanding and skills needed to properly run the scheme
3. Documented procedures for assessing and managing risks
4. Process to monitor records for accuracy / completeness
5. Process for resolving contribution payment issues
6. Procedures to identify, assess and report breaches of the law

In 2020-21, 74 per cent of Firefighters' schemes across the UK reported having all six processes in place. This had increased from 55 per cent in 2019.

We have refreshed [six key processes factsheet](#) to reflect the most recent results and give guidance to FRAs and their Local Pension Boards (LPBs) to improve understanding and compliance in the next survey.

### **SAB remedy engagement sessions**

The Scheme Advisory Board (SAB) has been invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme-specific versions of the Provision Definition Documents (PDDs) which define the provisions of the [Public Service Pensions and Judicial Offices Act \(PSPJOA\) 2022](#) for each area of the 2015 Remedy.

The first meeting is due to take place on 24 June 2022 where the SAB will be discussing the interest and eligibility PDDs.

## Other News and Updates

### Vacancy at West Yorkshire Fire and Rescue Service

Please find below details of a current vacancy for Pensions Officer which is open to existing West Yorkshire FRS employees and external applicants. The closing date for receipt of application forms is 5 June 2022.

The full details of the role and application form can be found on the [Current Vacancies](#) page of the West Yorkshire FRS website.

### Vacancy at London Fire Brigade

An opportunity is coming up shortly to join the LFB as a Pension Analyst. The role is to ensure they fulfil all statutory requirements and deal effectively with pension related issues as they impact on the London Fire Commissioner.

The job will be advertised in the next few weeks on the [LFB Website](#). A [job description has been provided for information](#), if anyone is interested in this upcoming role and would like an informal chat please feel free to contact [rory.murphy@london-fire.gov.uk](mailto:rory.murphy@london-fire.gov.uk).

### TPO – New online application launched

TPO has recently launched an enhanced [online application form](#). The more user-friendly form is also smarter, with customers only required to answer relevant questions.

### TPO webinars

Booking is now open for the following webinars:

[Volunteering at TPO](#) – Tuesday 7 June, 1pm

[How to avoid the Ombudsman](#) – Tuesday 19 July, 10am

[How to avoid the Ombudsman](#) – Tuesday 19 July, 2pm

### **TPR – Enforcement and prosecution policies consultation**

On 4 May 2022, TPR launched a consultation on its new consolidated and simpler draft enforcement policy and an updated prosecution policy. The [Enforcement and prosecution policies consultation](#) will close on 24 June 2022.

The [Draft scheme management enforcement policy](#) will replace existing policies for defined benefit, defined contribution and public service pension schemes. The Draft prosecution policy explains how TPR will approach the prosecution of workplace pension criminal offences or are otherwise related to TPR functions.

### **PASA releases cybercrime protection checklist**

The PASA Cybercrime and Fraud Working Group has published a [Cybercrime protection checklist](#) for pension administrators. The checklist builds on cybercrime guidance published by the group in November 2020. It provides examples of steps administrators can take to assess their defences against cybercrime.

### **DLUHC publishes statutory guidance on special severance payments**

On 12 May 2022, the Department for Levelling Up Housing and Communities (DLUHC) published [statutory guidance on special severance payments](#). Best Value authorities in England must have regard to the guidance in circumstances in which it may be appropriate to make Special Severance Payments. The guidance also covers approval, disclosure and reporting requirements. The guidance does not apply to authorities in Wales. You can find a list of the bodies the guidance applies to at the end of the guidance.

The guidance confirms that:

- strain cost related to the early payment of LGPS benefits under regulation 30(6) or (7) (flexible retirement, redundancy, or efficiency retirement over age 55) does not constitute a special severance payment
- strain cost of awarding additional pension under regulation 31 of the LGPS Regulations 2013 may constitute a Special Severance Payment, depending on the terms of the individual's contract

- strain cost related to waiving an actuarial reduction when a member retires under regulation 30(5) may constitute a Special Severance Payment, depending on the terms of the individual's contract.

DLUHC consulted on a draft version of this guidance in 2021.

Considering the above, we contacted the Home Office to establish whether any consideration needs to be taken of the strain costs for releasing benefits early under Authority/Employer initiated early retirement or waiving restricted commutation under the FPS. The Home Office confirmed that, although this policy sits outside of its pensions remit, it has contacted the policy lead at DLUHC, who has confirmed that both instances (i.e. fitness assurances and commutation uplift) would not fall within the scope of special severance payments.

## HMRC

### HMRC publishes Pension Schemes Newsletter 139

On 31 May 2022, HMRC published [Pension schemes newsletter 139](#), which contains articles on:

- relief at source — annual return of information for 2021 to 2022
- digitisation of relief at source
- managing Pension schemes service
- Accounting for Tax (AFT) returns

### HMRC publishes Pension Schemes Newsletter 138

On 29 April 2022, HMRC published [Pension schemes newsletter 138](#), which contains articles on:

- HMRC has updated its annual allowance calculator to include the 2022 to 2023 tax year

- changes to Scheme Pays reporting deadlines in some cases following the introduction of the Registered Pension Schemes (Miscellaneous Amendments) Regulations 2022 (see [FPS Bulletin 56 – April 2022](#) for more information)
- a reminder to take action now to [migrate your pension scheme to the Managing Pension Schemes service](#)
- accounting for tax returns for the quarter ending 31 March 2022 must be submitted through the Managing Pension Schemes service.

## Events

### FPS coffee mornings

Our MS Teams coffee mornings are continuing every second Tuesday. The informal sessions lasting up to an hour allow practitioners to catch up with colleagues and hear a brief update on FPS issues from the LGA Bluelight team.

The next session is due to take place on 14 June 2022.

We are pleased to include the presentations from recent sessions below:

[3 May 2022 – Contingent decisions](#)

[17 May 2022 – Transitional benefits post 1 April 2022](#)

[31 May 2022 – ABS and RSS](#)

If you do not already receive the meeting invitations and would like to join us, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk). Please note that attendance at the coffee mornings is generally restricted to FPS practitioners and managers.

### Payroll workshop

On 24 May 2022 we hosted a payroll workshop. The workshop was intended to bring the industry together and give colleagues an opportunity to share feedback and best practices on the data collection exercise needed for age discrimination remedy.

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We are pleased to note that the session was well attended with over 50 delegates dialling in and participating in the discussion.

Slides covering the event have been made available and can be found on the [age discrimination implementation page of the FPS Regs and Guidance Website](#). The slides were updated to reflect the comments and suggestions made in the meeting. We will also be updating the [remedy data collection guidance](#) in the coming weeks.

## Legislation

SI	Reference title
2022/509	<a href="#">The Financial Guidance and Claims Act 2018 (Commencement No 9) Regulations 2022</a>

## Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khub Firefighters Pensions Discussion Forum](#)
- [FPS1992 guidance and commentary](#)
- [The Pensions Regulator Public Service Schemes](#)
- [The Pensions Ombudsman](#)
- [HMRC Pensions Tax Manual](#)
- [LGA pensions website](#)
- [LGPS Regulations and Guidance](#)
- [LGPC Bulletins](#)
- [LGPS member site](#)
- [Scottish Public Pensions Agency - Firefighters](#)
- [Welsh Government Fire circulars](#)

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While every attempt is made to ensure the accuracy of the bulletin, it would be helpful if readers could bring any perceived errors or omissions to the attention of the Bluelight team by emailing [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

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## FPS Bulletin 58 – June 2022

Welcome to issue 58 of the Firefighters' Pensions Schemes bulletin.

If you are looking for information on a certain topic, issue and content indexes are held on the [main bulletin page](#) of the website and are updated following each new issue.

If you have any comments on this bulletin, suggested items for future issues, or a job you would like to advertise, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

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## Calendar of events

Please see below a calendar of upcoming events relevant to the Firefighters' Pension Schemes. Only those events which are hyperlinked are currently available to book. If you have any events you would like to be included in a future bulletin, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

Table 1: Calendar of events

Event	Date
<a href="#">FPS coffee morning</a>	12 and 26 July
FPS Technical Group	18 July 2022
North-East regional group	17 August 2022
SAB	8 September 2022
North-West regional group	14 September 2022
FPS Communications Working Group	16 September 2022
FPS Technical Group	25 October 2022
FPS AGM (Save the date)	25 and 26 October 2022
SAB	8 December 2022

## Actions arising

Readers are asked to note the following actions arising from the bulletin:

[Home Office collection of FPS forecasts](#): FRAs to submit pension income/expenditure forecasts by 19 August 2022.

[Bluelight inbox and query form](#): FRAs and administrators to use the Bluelight inbox for email correspondence with the Bluelight team.

FRAs and administrators to complete query form when submitting a technical query.

[Annual Benefit Statement 2022 – Information factsheet](#): Administrators to include ABS factsheet with 2021/22 benefit statement distribution.

[TPR dashboard guidance](#): FRAs to read dashboard guidance and book onto webinar.

## FPS

### Home Office collection of FPS forecasts for 2022-23 to 2027-28

On 21 June 2022, the Home Office emailed all FRAs in England to request submission of their pension income/expenditure forecasts for the period 2022-23 to 2027-28.

The formal commissioning letter at [Appendix 1](#) sets out the centrally prescribed assumptions that must be applied when calculating pension income and expenditure forecasts. The forms can be accessed on DELTA from 1 July 2022. The deadline for submissions is Friday 19 August 2022.

FRAs are also required to complete the Excel table at [Appendix 2](#) in order to declare the local assumptions that they have applied to calculate their pension estimates. The prescribed assumptions that FRAs should use for CPI percentage increases, pay increases and employer contribution rates for the forecasting period have already been pre-populated on the table.

Please note that payment of the 2022 Top Up grant will be conditional on its completion and incomplete tables will be returned to FRAs.

For the avoidance of any confusion, there are **two returns required by 19 August 2022**:

1. The online DELTA returns setting out the 6-year forecast of pension income and expenditure.
2. Assumptions returns (email direct to [anthony.mooney@homeoffice.gov.uk](mailto:anthony.mooney@homeoffice.gov.uk) attaching the completed table above).

FRAs are reminded that forecast pension accounting data is being subjected to an ever-increasing scrutiny and, as such, they should ensure that processes are in place to ensure that they have a robust methodology to calculate these. [Best practice forecasting guidance](#) was published by the Pension Forecasting Working Group in July 2019.

### **Matthews – Lessons learned**

The Home Office has recently shared with us a [draft document which outlines the lessons learned](#) from the first special members' options exercise.

This high-level paper has been produced for stakeholders involved in Matthews Remedy work. The purpose of this paper is to identify the areas of improvement from the previous remedy project and how to implement the lessons identified. The lessons referenced are drawn from the experience and reflections of the Home Office, Government Actuary Department and Local Government Association on Matthews Remedy options exercise which took place between April 2014 and September 2015.

Stakeholders had opportunity to discuss the key points from the paper at our latest [coffee afternoon session on 28 June 2022](#).

Feedback is welcomed from the sector as to whether anything is missing from the document which should have been captured. Please send any thoughts and suggestions through to the Bluelight inbox ([bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk)).

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### **Immediate Detriment Framework costing and assumption guidance**

On 26 May 2022, the LGA in collaboration with Ian Hayton, Cleveland FRS CFO and NFCC pensions lead, hosted a session via MS Teams relating to the Financial Assessment for Immediate Detriment. The session was open to all FRAs, and the invite was shared with CFOs.

The LGA has been working closely with Cleveland FRS to establish a calculator which should enable FRAs to estimate their financial liabilities when considering adoption of the Framework.

The session was designed to provide participants with an overview of the financial assumption spreadsheets. The LGA provided attendees with an explanation of the spreadsheets which included how each column interacts with the final data as well as a demonstration on how to complete the spreadsheet.

It was agreed at this meeting that the LGA would prepare some guidance for FRAs on how they can effectively use the spreadsheet. We are pleased to confirm that the guidance, along with template spreadsheets, has now been published and is available to access via the [age discrimination page in the member protected area](#) of the FPS Regulations and Guidance website.

Before using the spreadsheet, it is worth noting that it has been designed to provide FRAs with a basic estimate of their financial exposure; it does not cover every eventuality and it is based on the LGA's current understanding of what the main financial liabilities are.

### **Bluelight inbox and query form**

Now that the Bluelight team is up to full strength please can we ask that all queries are sent to the generic Bluelight inbox ([bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk)). This will enable the most appropriate team member to respond as well as ensuring that queries can be dealt with when someone is on leave.

In addition, please can we remind readers of the process to follow when submitting a technical query. [FPS Bulletin 9](#) confirmed that a query form had been developed which asks for information in the following areas:

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- Details of your query
- Area of uncertainty / challenge
- Proposed solution
- Research undertaken: Relevant legislation, HMRC guidance, relevant websites, historical background (circulars or technical meeting minutes), legal advice [Include links]
- Indication of amounts (£) involved
- Timescales involved
- Other supporting evidence

Receiving queries in this way allows us to build up a picture of frequently asked questions and ensure greater consistency in our responses. We can build up a knowledge bank of resources and be able to more easily identify common areas of uncertainty, where dedicated training or workshops could be offered.

The form and notes for completion are available on the [technical queries page](#) of the FPS Regulations and Guidance website. Once completed, the form should be submitted to [bluelight.pensions@local.gov.uk](mailto:bluelight.pensions@local.gov.uk). Your query will be acknowledged upon receipt, and we will aim to reply to your query within 28 days. If we cannot reply with a full response within 28 days, we will let you know and tell you when you can expect to receive a full reply from us.

Please note that we have taken the opportunity to move the technical queries page to the password-protected area of the website, as it intended as a dedicated resource for practitioners. Therefore, you will now need to log in to access the form and the log of previous queries.

**ACTION: FRAs and administrators to use the Bluelight inbox for email correspondence with the Bluelight team.**

**FRAs and administrators to complete query form when submitting a technical query.**

## Annual Benefit Statements 2022 – Information factsheet

At the Fire Communications Working Group (FCWG) meeting on 13 June 2022 we discussed whether it would be beneficial to provide members who are affected by age discrimination remedy with any additional information alongside their annual benefit statement.

Although the notes clearly indicate that benefit statements cannot at this stage reflect remedy, the group thought that it would be prudent to provide members with an additional information note which outlines the timeframes associated with remedy.

The factsheet is available to access via the [guides and sample documents page](#) of the FPS Regulations and Guidance website, under the heading Annual Benefit Statements (ABS). All administrators are encouraged to send the document to members impacted by remedy, with the 2021/22 benefit statements.

**Action: Administrators to include ABS factsheet with 2021/22 annual benefit statement distribution.**

## Technical query log

The [current log of queries and responses](#) can be accessed by practitioners in the member-restricted area of the FPS Regulations and Guidance website. The queries have been anonymised and divided into topics. The log is updated monthly in line with the bulletin release dates.

Queries have been answered this month in the following categories: Commutation (page 19).

## FPS England SAB updates

### SAB respond to HM Treasury's letter

We reported in [FPS Bulletin 52](#) that the chair of the SAB had written an [open letter to HM Treasury \(HMT\) on the withdrawal of the Home Office informal guidance](#) on immediate detriment. The letter, dated 17 December 2021, asked for more information on the risks and uncertainties which HMT said arose as a result of processing cases ahead of legislation.

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On 23 March 2022, [HMT provided a response outlining the factors behind the withdrawal](#) in more detail. The response highlighted that Section 61 of the Equality Act 2010 did not, in HMT's opinion, allow for amendment of a member's tax position. The response detailed several tax complexities which had been identified and will be dealt with through legislation.

On 20 June 2022, the chair of the SAB wrote an [open letter in response to HMT's reply](#) which seeks further clarity on the extent of Sections 61/ 62 and the tax implications detailed.

## Other News and Updates

### **DWP call for evidence – helping savers understand their pension choices**

On 14 June 2022, the Department for Work and Pensions (DWP) launched a [Call for Evidence entitled: 'Helping savers understand their pension choices'](#).

The call for evidence explores what support pension scheme members need to help them make informed decisions about how to use their savings.

DWP welcomes views from pension scheme members, consumer organisations, trustees, and scheme managers.

The consultation closes on 25 July 2022.

### **Further consultation on Pensions Dashboards launched**

On 28 June 2022, DWP launched a further consultation on Pensions Dashboards: [Pensions dashboards: further consultation - GOV.UK \(www.gov.uk\)](#)

This further consultation supplements the consultation on the draft dashboard regulations which ran from 31 January 2022 to 13 March 2022. More information, including the LGA FPS response to that consultation, can be found on the [consultations page](#) of [www.fpsregs.org](http://www.fpsregs.org).

The further consultation sets out two proposals. The first proposal provides clarity on the 'Dashboard Available Point' (DAP). The second proposal allows the Money and Pensions Service and the Pensions Regulator to share information about dashboards with each other.

The DAP is the point at which dashboards will be available to all members of the public. The consultation proposes that the DWP will decide on the DAP and then give pension schemes 90 days' notice. It is hoped that this will give schemes sufficient time to make final preparations.

The consultation is scheduled to run for 3 weeks and closes on 19 July 2022.

### **PDP update**

Speaking at the Pensions Age Northern Conference and the PLSA Local Authority Conference Chris Curry, Principle of the Pensions Dashboards Programme (PDP), confirmed that:

- DWP is expected to respond to the consultation on the draft regulations for pensions dashboards before summer recess, with the regulations likely to be laid in parliament later this year.
- Dashboards are still on track for 2023, with less than 12 months until some schemes begin onboarding.
- Later in the year PDP will be running a further consultation on the specific standards for dashboards, which they will look to work with the industry through webinars and events.
- PDP has successfully tested an end-to-end version of the dashboards ecosystem and that the alpha phase of the project was complete.

### **TPR Deadline Campaign for Pensions Dashboards**

The Pensions Regulator (TPR) has launched its new "Deadline" campaign urging trustees and scheme managers to start preparing for pensions dashboards.

It is expected that occupational pension schemes with 100 or more relevant members will connect to the pensions dashboards through a phased approach according to size and type of pension scheme. The first schemes will connect to the dashboards system by June next year and TPR will begin writing to them at least twelve months ahead of their connection deadline to alert them to what they need to do.

To help trustees and scheme managers get ready, TPR has published [Pensions dashboards: initial guidance](#) which outlines their legal duties, based on draft regulations, including a checklist to help track progress. TPR are urging the following:

- All schemes need to prepare, so it is vital that all schemes start to prioritise their duties and not leave them until the last minute-your pensions dashboard deadline is coming.
- Include pension dashboards as an agenda item at trustee board meetings.
- Decide how you will connect-i.e., using your current pensions administrator, an integrated service provider, or building your own connection solution.
- Check that the data you will use to match people with their pensions and return to the dashboard is available, accurate and assessable.

[Check your connection deadline and download a checklist](#)

TPR is hosting a webinar and Q&A on 28 July 2022 to take you through the steps you need to take to prepare for connection. [Register to save your place.](#)

### **TPR corporate plan 2022 to 2024**

On 13 June 2022, [TPR published its corporate plan](#) for the next two years. Their [press release](#), confirms they will continue to:

- call on schemes to take its pledge to combat pension scams
- work closely with DWP and the Financial Conduct Authority (FCA) on a future consultation for a Value for Money Framework

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- assess how smaller defined contribution schemes offer value for money
- help schemes become dashboard ready
- develop its organisational capability with the creation of a Digital, Data and Technology directorate
- launch its second consultation on a new defined benefit funding code this autumn, with the code operational from September 2023.

### **TPR blog on pensions scammers**

On 15 June 2022, [TPR published a blog on pension scammers](#). The blog highlighted that tough prison sentences alone are not enough to dissuade all scammers and secure savers' pension pots.

TPR needs the pensions industry to make use of the new powers to block transfers they suspect are scams and, to report any suspected scams to the appropriate authorities.

TPR know scammers' methods will continue to evolve and are working with the National Fraud Intelligence Bureau to jointly [review the threat of pension scams](#).

Most importantly, schemes should [report concerns about scams to the authorities](#). To help do this effectively TPR and their partners have published [a guide to reporting pension scams](#).

The guide looks at:

- Why concerns about a scam should be reported
- What should be reported
- When report should be made
- Who a report should be made to
- What happens once a report has been submitted

### **State pension triple lock reinstated**

Chancellor Rishi Sunak has confirmed that the [state pension triple lock will be reinstated next April](#) after it was put on hold last April. It is likely to be based on the September 2022 consumer price index, which is expected to be around 10 per cent.

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## Job vacancies

### Vacancy at Nottinghamshire Fire and Rescue Service

Please find below details of a current vacancy for a Pensions Officer which is open to existing Nottinghamshire FRS employees and external applicants. The closing date for receipt of application forms is 17 July 2022.

“We are looking for a Pensions Officer, working part-time 3 days a week. This is an exciting opportunity for an experienced pension expert. You will provide advice and guidance to the Service on the Fire Pension Scheme (FPS) and Local Government Pension Scheme (LGPS). You will act as a technical expert and advise on pension regulations overseeing the implementation of legislative changes.

Further information and an online application form are available via our Recruitment Website at <https://jobs.notts-fire.gov.uk>”

### Vacancy at West Midlands Fire Service

Please find attached below details of a current vacancy for a Pensions Practitioner at West Midlands Fire Service. The closing date for receipt of application forms is 12.00 on 7 July 2022:

[West Midlands Fire Service Pensions Practitioner Vacancy](#)

### Vacancy at London Fire Brigade

As detailed in [FPS Bulletin 57](#), an opportunity has arisen to join the LFB as a Pensions Analyst. The role is to ensure they fulfil all statutory requirements and deal effectively with pension related issues as they impact on the London Fire Commissioner. The closing date for receipt of application forms is 7 July 2022:

[Finance Pensions Analyst \(london-fire.gov.uk\)](#)



## Vacancy at West Sussex County Council

Please find attached below details of a current vacancy for a Pensions Adviser at West Sussex County Council. The closing date for receipt of application forms is 13 July 2022:

[Pensions Adviser West Sussex County Council](#)

## Events

### FPS coffee mornings

Our MS Teams coffee mornings are continuing every second Tuesday. The informal sessions lasting up to an hour allow practitioners to catch up with colleagues and hear a brief update on FPS issues from the LGA Bluelight team.

The next session is due to take place on 12 July 2022.

We are pleased to include the presentations from recent sessions below:

[14 June 2022 – TPR Governance and Administration survey results 2020-21](#)

[28 June 2022 – Matthews - lessons learned](#)

If you do not already receive the meeting invitations and would like to join us, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk). Please note that attendance at the coffee mornings is generally restricted to FPS practitioners and managers.

## Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khub Firefighters Pensions Discussion Forum](#)
- [FPS1992 guidance and commentary](#)
- [The Pensions Regulator Public Service Schemes](#)
- [The Pensions Ombudsman](#)

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- [HMRC Pensions Tax Manual](#)
- [LGA pensions website](#)
- [LGPS Regulations and Guidance](#)
- [LGPC Bulletins](#)
- [LGPS member site](#)
- [Scottish Public Pensions Agency - Firefighters](#)
- [Welsh Government Fire circulars](#)

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## Disclaimer

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While every attempt is made to ensure the accuracy of the bulletin, it would be helpful if readers could bring any perceived errors or omissions to the attention of the Bluelight team by emailing [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

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## FPS Bulletin 59 – July 2022

Welcome to issue 59 of the Firefighters' Pensions Schemes bulletin.

If you are looking for information on a certain topic, issue and content indexes are held on the [main bulletin page](#) of the website and are updated following each new issue.

If you have any comments on this bulletin, suggested items for future issues, or a job you would like to advertise, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

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## Calendar of events

Please see below a calendar of upcoming events relevant to the Firefighters' Pension Schemes. Only those events which are hyperlinked are currently available to book. If you have any events you would like to be included in a future bulletin, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

Table 1: Calendar of events

Event	Date
North-East regional group	17 August 2022
SAB	8 September 2022
North-West regional group	14 September 2022
FPS Communications Working Group	16 September 2022
FPS Technical Group	25 October 2022
FPS AGM	<a href="#">25 October 2022</a> <a href="#">26 October 2022</a>
SAB	8 December 2022

## Actions arising

Readers are asked to note the following actions arising from the bulletin:

[Administrator survey results](#): Administrators to consider the recommendations set out in section 5 of the report.

[Special members - Corrective action](#): FRAs to revisit all special members leavers and opt outs to ensure that correct options have been given at deferment.

[Service history data for transitional FPS 2015 members](#): FRAs to have a process in place to ensure that their administrator is informed of any unpaid breaks in service for transitional FPS 2015 members.

[Age discrimination remedy - Data sharing](#): FRAs to share pensionable data for members who are subject to age discrimination remedy and have had an inter-brigade transfer during the remedy period with the current FRA's administrator.

[TPO McCloud factsheet published](#): FRAs to review the information in the factsheet to ensure they do not fall short of TPO's expectations.

## FPS

### Administrator self-assessment survey results

We are pleased to be able to share with you the results of the survey undertaken by the Scheme Advisory Board secretariat in order to provide us with insights into the current administration arrangements and the challenges being faced by administrators, in light of both business as usual and remedy.

The administrator self-assessment survey was launched in [FPS Bulletin 54 – February 2022](#) and ran between 24 February and 18 March. It comprised of 57 questions which focused on variety of topics including Sargeant, Matthews, and pensions dashboards.

The aim of the survey was to understand more about arrangements for administering the Firefighters' Pension Scheme and specifically for implementing the age discrimination remedy.

The survey received a 100 per cent response rate which will allow an accurate assessment of the sector and a better understanding of the challenges that administrators face.

The [full results of the survey and recommendations](#) can be found on the protected area of the [FPS Regulations and Guidance website](#).

**ACTION:** Administrators to consider the recommendations set out in section 5 of the report.



### FPS 2006 special members – Corrective action

We have been alerted to an issue on which FRAs will need to take immediate remedial action.

The issue relates to members who have elected for special membership under the first options exercise and to repay their contributions by way of periodic contributions, however, leave part way through their contract and therefore have a number of instalments still outstanding.

The regulations support the fact that the member's decision to leave should not impact their ability to continue to pay for the cost of past service. If the member leaves, or opts out, they have the option to pay all remaining contributions within three months of the leaving date in order to count all of the service ([Rule 6A, Part 11, paragraph 9](#)). Alternatively, the member can continue to pay periodical contributions as a deferred member ([Rule 6A, Part 11, paragraphs 3 and 7](#)). These regulations were covered in detail at a [special members workshop the LGA hosted in 2018 \(slides 99 and 100\)](#).

We would expect the options above to be offered to a member as a matter of course, however, as we understand it, some FRAs have not offered their members these options.

In preparation for the second options exercise, our view is that corrective action should be taken to address this issue. FRAs should use the time between now and the 2023 options exercise to rectify any such issues where there are regulations in place to do so. This will help keep the 2023 options exercise as straightforward as possible. We therefore recommend that **all** FRAs follow the steps set out below.

1. FRAs to revisit past deferred cases to determine what options were offered:
  - a. If the member has been offered the options as set out above, then no further action is needed.
  - b. If the member **has not** been offered the options as set out above, then progress to step 2.

2. Confirm which regulatory option applies to the member:
  - a. If the member has left within the last 3 months, then they can be offered:
    - i. The option to repay the outstanding contributions by lump sum
    - ii. The option to continue with \*periodic contributions
    - iii. The option of a pro-rated pension based on the contributions already paid
  - b. If the member has left more than 3 months ago, then they can be offered:
    - i. The option to continue with \*periodic contributions
    - ii. The option of a pro-rated pension based on the contributions already paid

\*Periodic contributions would need to be reviewed and possibly altered to take account of any gaps in the repayment schedule. We believe that the correct regulatory option available is to recalculate the instalments so that the remaining balance is repaid at the original 10 year point – in line with [Rule 6A\(8\)](#). The calculator has been specifically designed to ensure that the correct proportion of interest is applied for the 10-year period.

3. FRAs should take immediate steps to contact affected members and notify them of the options available to them.
  - a. If the member elects for periodic contributions, as they are no longer employed and instalments cannot be taken from their salary, they will have the option of paying by standing order.
4. FRAs to notify administrator of the member's decision and update their record accordingly.

**ACTION:** FRAs to revisit all special member leavers and opt outs to ensure that correct options have been given at deferment.

### **Service history data for transitional FPS 2015 members**

As of 1 April 2022, all members who remain active members of the Firefighters' Pension Scheme do so as members of FPS 2015. The FPS 2015 is a statutory, defined benefit, career average, public service pension scheme.

Unlike the final salary schemes (FPS 1992 and FPS 2006), where pension entitlement is based on scheme membership and pay on leaving the scheme, career average scheme benefits are worked out based on a proportion of pay for each year of membership.

As qualifying service in the FPS 2015 is added to qualifying service in the FPS 1992 or 2006 to determine whether a member with continuity of service qualifies for retirement benefits, any reduction in pensionable service due to an unpaid service break such as maternity/paternity/adoption leave, industrial action, and career breaks will affect that date by the relevant number of days (for example a member needs a minimum of 25 years across the FPS 1992/ 2015 combined to retire before age 55). Therefore, FRAs should continue to record and report any days lost to unpaid service to their pension scheme administrator.

**ACTION:** FRAs to have a process in place to ensure that their administrator is informed of any unpaid breaks in service for transitional FPS 2015 members.

### **Age discrimination remedy - Data sharing**

As part of the data collection exercise for age discrimination remedy FRAs may identify a proportion of cases whereby information such as pensionable pay and contributions are required from another FRA. This is because the member has been subject to an inter-brigade transfer during the remedy period.

We understand, from speaking to stakeholders, that concerns have been raised over sharing this data, particularly when it comes to General Data Protection Regulation (GDPR).

[The Public Service Pension and Judicial Offices Act 2022](#) states that with effect from 1 October 2023 all in scope members must be rolled back into their relevant legacy scheme and reformed service, for the remedy period, should be kept as an underpin.

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This corrective action cannot be taken unless the current administrator has access to the data they need to perform this function.

This issue was discussed in detail at the Fire Technical Working Group (FTWG) on Monday 25 July. It was decided that, to remove any GDPR issues, the information should be shared with the current administrator instead of the current FRA. This is because the administrator has a legitimate reason for needing the data.

To assist FRAs in determining which administrator to contact a comprehensive [list of FRAs and their administrators](#) can be found on the [FPS Member website](#).

**ACTION:** FRAs to share pensionable data for members who are subject to age discrimination remedy and have had an inter-brigade transfer during the remedy period with the current FRA's administrator on request.

### **Duradiamond - Contract extension**

The Home Office has received several queries regarding the status of the medical appeals board framework contract currently supplied by Duradiamond (trading as Health Partners).

The contract with Duradiamond/Health Partners was due to expire on 30 September 2022. The Home Office has agreed to extend this contract by a further 12 months to reduce the backlog of cases that accrued because of the pandemic and to avoid any further disruptions to the service. The terms of the contract remain the same and the extension will begin on 1st October 2022.

If you have any queries regarding the Fire Medical Appeals Board (FMAB) contract with Duradiamond/Health Partners, please use the following contact details:

### **PFMAB Administration Team**

Cathy Golson – Team Leader

Lorna Nyajeka – Appeals Coordinator

**Email:** [pfmab@healthpartners.uk.com](mailto:pfmab@healthpartners.uk.com)

**Tel:** 01273 963729

Carole Scott – Relationship Manager

**Email:** [carole.scott@healthpartners.uk.com](mailto:carole.scott@healthpartners.uk.com)

**Tel:** 01273 023042

The Home Office has set up an email address that can be used if a matter needs further escalation once all other points of contact have been exhausted. This email address should not be used to enquire about appeal updates or process related queries. When using this email, please copy in Carole Scott as listed above.

**Email:** [pfmabcontract@homeoffice.gov.uk](mailto:pfmabcontract@homeoffice.gov.uk)

### Technical query log

The [current log of queries and responses](#) can be accessed by practitioners in the member-restricted area of the FPS Regulations and Guidance website. The queries have been anonymised and divided into topics. The log is updated monthly in line with the bulletin release dates.

Queries have been answered this month in the following categories: Annual Allowance (page 15), IHR for deferred Special Members (page 84), Payroll (page 95), Two Pensions (page 122).

## FPS England SAB updates

### FPS 1992 Scotland – commutation provisions

We reported in [FPS Bulletin 55 – March 2022](#) that the commutation provisions have been amended for FPS 1992 Scotland from 1 April 2022. At the SAB meeting on 23 June 2022, SPPA gave an update to the Board on the impact that the change in the provisions has had on retirement numbers. SPPA reported that there had been a significant rise in expected retirements in the first quarter of 2022-2023. Due to timing, it is not clear whether this is because of the change in provision or due to the move of all members back into the FPS 2015 from 1 April 2022. It is also not clear how this will impact on workforce planning.

The SAB has decided to monitor the impact of this over a longer time period so that more data is available to be considered. If the SAB wanted to pursue a change to the commutation provisions in England, then a business case would have to be prepared for the Government to take this forward.

### **2020 Valuation assumptions**

At the last SAB meeting GAD provided the Board with a presentation on four of the key demographic assumptions which are proposed to be used in the 2020 valuation. These are: withdrawal from the scheme, promotional pay, age retirement and commutation.

GAD confirmed that there had been an improvement in the data provided by FRAs for the 2020 valuation.

The Board agreed that a discussion on the key assumptions should be taken forward to the Cost-Effectiveness committee to ascertain if these assumptions are reasonable. The Cost-Effectiveness committee met accordingly on 5 July 2022 and these GAD will now consider the assumptions to be presented to the Home Office for incorporation into the valuation exercise.

### **Contingent decisions**

At SAB meeting on 23 June 2022, a [paper on contingent decisions](#) was discussed which introduced the topic to the board and highlighted the instances where a contingent decision may apply.

Police and Fire SABs are involved in joint engagement sessions with the Home Office to discuss the policy definition documents (PDDs) in relation to remedy.

A joint engagement session on contingent decisions is due to take place on 9 November 2022 with Home Office and the SABs.

PDDs on interest and eligibility were discussed on 24 June 2022 and any actions arising from the feedback of Police and Fire SABs will be taken forward and responded to by the Home Office.

### **Membership, committees, and training**

SAB members have been asked to complete a training needs analysis form for the secretariat so that any training needs can be identified with a view to performing training sessions before the end of the year which will include SAB induction training and Local Pension Board Wrap-up training sessions.

Work is also ongoing to fill existing vacancies in the committees which are there to support the SAB with its work.

### **Software suppliers**

Representatives from Heywood Pension Technologies and Civica attended the SAB meeting on 23 June 2022 to provide the Board with a useful update on their progress on remedy over the last 12 months. They also provided an update on the phases of development going forward which the Board felt was useful.

## **Other News and Updates**

### **Public Sector unions granted judicial review over McCloud cost remedy**

As previously referred to in [FPS Bulletin 51 – November 2021](#), unions across the public sector sought a judicial review against the UK Government about McCloud/ Sargeant remedy costs in the cost control mechanism. The FBU, GMB, and British Medical Association (BMA) argued that the cost of rectifying the discrimination should not be met by scheme members.

On 4 July 2022, the FBU and the BMA were given permission to judicially review the Government's decision. A judicial review is a type of court proceeding in which a judge reviews the lawfulness of a decision or action made by a public body. In other words, judicial reviews are a challenge to the way in which a decision has been made, rather than the rights and wrongs of the conclusion reached.

It is not really concerned with the conclusions of that process and whether those were 'right', as long as the right procedures have been followed.

The judicial review is expected to be heard towards the latter part of 2022.

### **TPO Annual Report and Accounts for 2021/22**

On 14 July 2022, The Pensions Ombudsman (TPO) published its Annual Report and Accounts for 2021/22.

For more information, see [the press release announcing the publication](#).

### **TPO McCloud factsheet published**

On 20 July 2022, TPO published [a factsheet on McCloud](#).

The factsheet sets out TPO's views on what affected members and schemes can do now and TPO's present approach to dealing with McCloud complaints.

TPO's current general starting position is that it would not investigate McCloud complaints. This is because it acknowledges that the Government is taking steps to address the discrimination with retrospective effect. TPO will, however, carefully look at the facts of each case before deciding whether to investigate.

Examples of where TPO may investigate include, allegations of maladministration, like, failure to explain what is going on and/or engage properly with the member; or investigate where a member is suffering severe financial hardship or other serious injustice and the scheme is not putting in place any interim arrangements to address the injustice within a reasonable period.

ACTION: FRAs to review the information in the factsheet to ensure they do not fall short of TPO's expectations.

### **TPR Annual Report and Accounts for 2021/22**

On 14 July 2022, the TPR published its Annual Report and Accounts for 2021/22.

For more information, see [the press release announcing the publication](#).

### **Dashboard Accuracy Data Guidance**

On 4 July 2022, the Pensions Administration Standards Association published [the Dashboard Accuracy Data Guidance](#).

The guidance highlights the importance of regularly testing data for accuracy. This is particularly important for data that pension schemes will use when matching requests from the dashboards.

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The guidance provides information on how schemes could test their data and what data sources they could use.

We have previously provided [data scoring guidance](#) which includes a matrix for adjusting scores for accuracy. We are in the process of updating our guidance to take account of age discrimination and value data for pensions dashboards.

### **DWP responds to consultation on the draft pensions dashboards regulations**

On 14 July 2022, the Department for Work and Pensions (DWP) [responded to the consultation on the draft Pensions Dashboards Regulations](#).

The DWP has also published [a summary of the key policies](#). The summary reflects the response to the consultation.

The DWP consulted on the regulations between 31 January 2022 and 13 March 2022, which we covered in [FPS Bulletin 54 – February 2022](#).

Readers may recall that the LGA made a [robust response to the consultation](#), expressing concern over the proposed staging date for the FPS of 30 April 2024 given the conflicting pressures faced by employers and administrators, and the requirement to hold value data which at that point would not reflect remediable benefits. We also noted the difficulty in presenting data to scheme members based on different sets of benefits with different retirement ages.

The LGA was directly quoted within the response at paragraphs 5.14 and 5.16:

*5.14. The Local Government Association (LGA) on behalf of the firefighter schemes strongly disagreed with the amount of time proposed. They felt their deadline would not give Fire and Rescue Authorities or their administrators sufficient time to implement McCloud.*

*5.16. ... The LGA (on behalf of the firefighter schemes) suggested an extended staging window for PSPS. They said that this would allow schemes with the capability to connect earlier to do so, with more time allowed for those with greater challenges.*

We are therefore pleased to note that the staging deadline for all public service schemes has been extended by five months from 30 April 2024 to 30 September 2024 and, that the requirement to provide value data has been pushed back to 1 April 2025 at the latest and will only be earlier where a Remediable Service Statement has been issued – paragraphs 5.35-5.36.

In relation to members with different tranches of benefits, the regulations will be amended to allow scheme flexibility to provide “a separate set of values for different combinations of tranches of benefits, along with a retirement date in relation to each.” – paragraph 2.39.

The DWP will amend the draft regulations (‘the Regulations’) to reflect the response. We expect the DWP to lay the Regulations before Parliament in autumn.

### **LGA response to further consultation on pensions dashboards**

On 19 July 2022, we responded to the further consultation on pensions dashboards.

DWP launched the further consultation on 28 June 2022. We covered this in [FPS Bulletin 58 – June 2022](#). The consultation included proposals on the ‘Dashboard Available Point’ (DAP).

You can find a copy of our response on the [consultations page](#) of the [FPS Regs and Guidance website](#). Our response expressed broad support for the proposals, providing that schemes received enough advance notice of the expected DAP.

### **PDP launches consultation and call for input on standards and guidance**

On 19 July 2022, the Pensions Dashboards Programme (PDP) launched a [consultation on dashboard standards and guidance](#), and [a call for input on the design standards](#). Both the consultation and the call for input will close on 30 August 2022.

### Standards and guidance

The standards detail how pension schemes and dashboard providers operationally, technically or in practice must meet their dashboard duties. The following six standards are published for consultation:

- data standards
- operational standards
- reporting standards
- security standards
- service standards
- technical standards (this comprises of the technical standards, the API standards and technical overview guidance).

The guidance provides further requirements to which pension schemes must have regard when complying with their dashboard duties. The following three sets of statutory guidance have been published for consultation:

- connection guidance
- data usage guide
- early connection guidance

### Call for Input on design standards

The PDP also launched [a call for input on design standards](#).

The design standards will provide information to dashboard providers, as well as data providers, about required layouts, content elements, messaging, and user journeys, to ensure a consistently positive experience for users, regardless of which dashboard an individual chooses. The PDP is running the call for input to get feedback and thoughts on their developing ideas for Qualifying Pensions Dashboards design standards from the pensions industry and consumer groups.

Following this call for input, a consultation on the final design standards will run for six weeks.

### Support webinars

To support respondents, the PDP hosted three webinars:

- Introduction to standards and the consultation – 21 July 2022
- Connecting to the pensions dashboards ecosystem – 25 July 2022
- Operating within the pensions dashboards ecosystem – 26 July 2022.

Recordings of the webinars can be viewed on the [standards page](#) of the PDP website.

### Webinar for potential dashboard providers

Chris Curry, PDP's Principal, recently hosted a webinar providing updates for those interested in becoming a dashboard provider.

The PDP also published [a summary of the main topics relevant for dashboard providers](#). The summary included a link to the webinar recording.

### Cyber Risk Made Simple Guide

The Pensions and Lifetime Savings Association (PLSA) has recently published '[Cyber Risk Made Simple Guide](#)'. PLSA produced the guide in partnership with Aon and Crowe.

The guide explains the nature of the cyber threat to pension schemes. It also outlines 15 actions pension schemes may wish to take in response.

## HMRC

### HMRC publishes Pension Schemes Newsletter 140 and 141

On 30 June 2022, HMRC published [pension schemes newsletter 140](#).

The newsletter includes articles:

- clarifying the rules on paying interest and arrears when equalising for guaranteed minimum pensions
- reminding schemes to migrate from the Pension schemes online service to the Managing Pension Schemes service

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- on the expected release in spring 2023 of the event report for tax year 2023/24 on the Managing Pension Schemes service
- on a new reportable event from April 2023 for certain public service schemes. This will relate to issuing annual allowance statements. HMRC will consult on legislation introducing this new reportable event later this year
- reminding schemes that they can no longer compile and submit accounting for tax returns for any quarter from 1 April 2020 using the Pension schemes online service.

On 21 July 2022, HMRC published [pension schemes newsletter 141](#).

The newsletter includes articles:

- covering the technical consultation on resolving the low earners tax relief anomaly
- clarifying how to migrate schemes from the Pension Schemes Online service to the Managing Pension Schemes service
- reminding schemes that they cannot compile and submit new Accounting for Tax returns for any quarter from 1 April 2020 onwards on the Pension Schemes Online service
- reminding schemes who need to submit an Accounting for Tax return for the quarter 1 April 2022 to 30 June 2022 that they will need to have migrated the scheme and submitted the return on the Managing Pension Schemes service by 14 August 2022 to avoid interest and penalties.

### **Clarification received on annual allowance changes**

The LGA recently received clarification from HMRC on the changes to annual allowance rules.

We covered these changes in [FPS Bulletin 56 – April 2022](#). These include new requirements on administrators to recalculate annual allowance amounts for previous years in certain situations. Where the recalculation shows an annual allowance excess, the administrator must issue a pension savings statement to the member. They must also tell HMRC about this on an event report.

In [FPS Bulletin 56 – April 2022](#), we set out that the administrator must tell “HMRC within three months of the date they sent the statement to the member, or if later, by 31 January following the tax year to which the [event] report relates.” This reflects regulation 3(9) of the Registered Pension Schemes (Provision of Information) Regulations 2006:

*an event report in respect of reportable event 22, in a case where regulation 14A(6A) or (6B) applies, must be delivered-*

- a. within 3 months of the date of issue of the pension savings statement, or*
- b. if later, on or before 31st January following the tax year to which the report relates.*

Our understanding is that “the tax year to which the report relates” refers to the tax year in which the administrator issues the statement to the member. For example, an administrator issues the statement on 1 October 2023 telling a member they exceeded the annual allowance in tax year 2019/20. The deadline under 3(9)(a) would be 31 December 2023. The deadline under 3(9)(b) would be 31 January 2025. Clarification was sought from HMRC as this would mean the deadline in 3(9)(a) could never apply.

HMRC confirmed that in the above example the deadline would be 31 January 2025. They included an article clarifying the deadline in [pension schemes newsletter 140](#). We understand that HMRC will consider amending the regulations to remove the redundant deadline in 3(9)(a).

## Legislation

### The Public Service Pensions (Employer Cost Cap and Specified Restricted Scheme) Regulations 2022

On 13 July 2022, HMT laid [The Public Service Pensions \(Employer Cost Cap and Specified Restricted Scheme\) Regulations 2022](#). The regulations come into force on 3 August 2022.

Regulation 3 amends The Public Service Pensions (Employer Cost Cap) Regulations 2014 and sets out the specified margins for the cost cap introduced by the Public Service Pensions Act 2013. The specified margins are the parameters in which scheme costs must remain before corrective action is taken. The margins are currently set at two percentage points above and below the employer cost cap rate. The new regulations amend this to three percentage points.

Last year, HMT reviewed the cost cap process and announced three changes. We covered the review in [FPS Bulletin 50 – October 2021](#). The new regulations implement one of those changes.

HMT intends that all three changes will be in place for the 2020 cost cap valuation.

## Events

### FPS coffee mornings

Our MS Teams coffee mornings are continuing every second Tuesday. The informal sessions lasting up to an hour allow practitioners to catch up with colleagues and hear a brief update on FPS issues from the LGA Bluelight team.

It is our intention to take a short break over the holiday period and the coffee mornings are set to resume on 6 September 2022, however, we have asked the Pension Dashboard Programme (PDP) to facilitate a session on their latest consultation. As yet we haven't had a response to our request so we therefore cannot commit to a firm date for this session. We will contact our coffee morning distribution list if we are able to arrange a session for August.

We are pleased to include the presentations from recent sessions below:

[12 July 2022 – General update: Matthews, scheme valuations and SAB remedy engagement](#)

[28 July 2022 – Remedy eligibility and administrator self-assessment survey](#)

If you do not already receive the meeting invitations and would like to join us, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk). Please note that attendance at the coffee mornings is generally restricted to FPS practitioners and managers.

### **AGM – 25 and 26 October**

We are pleased to announce that booking for the ever-popular Fire Pensions Annual Conference is now live.

The two-day programme allows delegates to network with fellow colleagues and hear the latest news on the Firefighters' Pension Scheme (FPS) from the scheme's key stakeholders. You will hear important updates, including:

- Chair of the Scheme Advisory Board
- The Home Office
- Legal updates

As well as providing the opportunity to network with other FPS stakeholders, there will be interactive and thought-provoking workshops to take part in during the day, on topics such as

- Firefighter compensation scheme
- Discretions
- Pensionable pay

Timings are provided below, and the full programme will be available shortly. Use the links to book your place now. Please note that each day must be booked separately.



### [Day 1 – Tuesday 25 October 2022 4:30pm - 6:30pm](#) followed by drinks reception

Primarily for Scheme Managers and Local Pension Board Chairs, day 1 of the conference is the AGM which will provide an update from the Pensions Regulator and will offer the opportunity to network with counterparts in other Fire Authorities.

Following this session there will be a drinks reception on the terrace from 6.45pm.

### [Day 2 – Wednesday 26 October 2022 9:30am - 3:30pm](#)

Day 2 of the conference provides delegates with an annual update on the Firefighters' Pension Scheme from key stakeholders. In addition to the main plenary sessions, delegates will have an opportunity to attend workshop sessions.

We look forward to welcoming you to the event!

## Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khub Firefighters Pensions Discussion Forum](#)
- [FPS1992 guidance and commentary](#)
- [The Pensions Regulator Public Service Schemes](#)
- [The Pensions Ombudsman](#)
- [HMRC Pensions Tax Manual](#)
- [LGA pensions website](#)
- [LGPS Regulations and Guidance](#)
- [LGPC Bulletins](#)
- [LGPS member site](#)
- [Scottish Public Pensions Agency - Firefighters](#)
- [Welsh Government Fire circulars](#)

## Contact details

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While every attempt is made to ensure the accuracy of the bulletin, it would be helpful if readers could bring any perceived errors or omissions to the attention of the Bluelight team by emailing [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

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## AGENDA ITEM NO 9

**Training Session for Members**

-

To be presented verbally on the day

Presenting Officer: K.Jeal

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**FORWARD WORK PROGRAMME FOR  
LOCAL PENSION BOARD 2022/2023**

<b>Report Name</b>	<b>Purpose of piece of work</b>	<b>Lead Director/ Contact Officer</b>	<b>Expected Date of Decision/ Submission/ Review</b>	<b>Progress</b>
To review Key Performance Indicators and Scheme Data for Firefighters Pension Scheme	To update Members	ACO People Services  Contact Officer:- Ian Traylor, RCT Pensions Officer	<b>4 July 2022</b>	Presented
Internal Dispute Resolution Procedures – Update on cases over last 12 months	To update Members	ACO People Services  Contact Officer:- ACO Alison Reed	<b>4 July 2022</b>	Presented
Report on McCloud – Tapering – No of ID cases processed	To update Members	ACO People Services  Contact Officer:- ACO Alison Reed	<b>4 July 2022</b>	Presented

<b>Report Name</b>	<b>Purpose of piece of work</b>	<b>Lead Director/ Contact Officer</b>	<b>Expected Date of Decision/ Submission/ Review</b>	<b>Progress</b>
Standard Item – Recent publications, updates, information	To update Members	ACO People Services  Contact Officer:- ACO Alison Reed	<b>4 July 2022</b>	Presented
New Members Training Session: – Members Handbook, Terms of Reference, Toolkit	To update Members	ACO People Services  Contact Officer:- Kim Jeal, HR Manager	<b>4 July 2022</b>	Presented
Scheme Pay Review	To review current policy	ACO People Services  Contact Officer:- ACO Alison Reed	<b>4 July 2022</b>	Presented
Update report on Publication of Annual Benefits Statement	To update Members	ACO People Services  Contact Officer:- Ian Traylor, RCT Pensions Officer	<b>17 October 2022</b>	On Agenda



<b>Report Name</b>	<b>Purpose of piece of work</b>	<b>Lead Director/ Contact Officer</b>	<b>Expected Date of Decision/ Submission/ Review</b>	<b>Progress</b>
Report to review Key Performance Indicators	To update Members	ACO People Services  Contact Officer:- Ian Traylor, RCT Pensions Officer	<b>17 October 2022</b>	On Agenda
Update report on Firefighter Pensions – Remedying Age Discrimination	To update Members	ACO People Services  Contact Officer:- ACO Alison Reed	<b>17 October 2022</b>	On Agenda
Update report from Scheme Advisory Board	To update Members	ACO People Services  Contact Officer – ACO Alison Reed	<b>17 October 2022</b>	On Agenda
Standard item – Recent publications, updates, information	To update Members	ACO People Services  Contact Officer:- ACO Alison Reed	<b>17 October 2022</b>	On Agenda

<b>Report Name</b>	<b>Purpose of piece of work</b>	<b>Lead Director/ Contact Officer</b>	<b>Expected Date of Decision/ Submission/ Review</b>	<b>Progress</b>
Training Session for Members	To update Members	ACO People Services  Contact Officer:- Kim Jeal, HR Manager	<b>17 October 2022</b>	On Agenda
Report to review Key Performance Indicators	To update Members	ACO People Services  Contact Officer:- Ian Traylor, RCT Pensions Officer	<b>23 January 2023</b>	
Update report on McCloud – Immediate Detriment	To update Members	ACO People Services  Contact Officer:- ACO Alison Reed	<b>23 January 2023</b>	
The Pensions Regulator Returns 2020-2021	To update Members and for awareness and discussion	ACO People Services  Contact Officer;- Kim Jeal, HR Manager	<b>23 January 2023</b>	

<b>Report Name</b>	<b>Purpose of piece of work</b>	<b>Lead Director/ Contact Officer</b>	<b>Expected Date of Decision/ Submission/ Review</b>	<b>Progress</b>
Standard Item – Recent Publications, Updates, Information	To update Members	ACO People Services  Contact Officer – ACO Alison Reed	<b>23 January 2023</b>	
Update report from Scheme Advisory Board – Verbal	To update Members	ACO People Services  Contact Officer – ACO Alison Reed	<b>23 January 2023</b>	
Training Session for Members	To update Members	ACO People Services  Contact Officer – Kim Jeal, HR Manager	<b>23 January 2023</b>	

**Dates of meetings – 4 July, 2022, 17 October, 2022, 23 January 2023**

**ACO Alison Reed – Director of People Services, Chris Barton – Treasurer, Kim Jeal – HR Manager, Ian Traylor – RCT Pensions Officer**

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## AGENDA ITEM NO 11

**To consider any items of business that the Chairperson deems urgent  
(Part 1 or 2)**

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1.	Apologies for Absence	
2.	Declarations of Interest	
	Members of the Fire & Rescue Authority are reminded of their personal responsibility to declare both orally and in writing any personal and/or prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Fire & Rescue Authority's Standing Orders and the Members Code of Conduct.	
3.	Chairperson's Announcements	
4.	To receive the minutes of:	
	<ul style="list-style-type: none"> <li>Local Pension Board Committee, Monday 4 July 2022</li> </ul>	5
	<b>REPORT FOR DECISION</b>	
5.	Report to Review Key Performance Indicators & Update Report on Publication of Annual Benefits Statement	9
	<b>REPORTS FOR INFORMATION</b>	
6.	Firefighter Pensions – Remedying Age Discrimination	19
7.	Update Report from Scheme Advisory Board – to be presented verbally on the day	29
8.	Publications, Updates, Information (Standard Item)	31
9.	Training Session for Members – to be presented verbally on the day	109
10.	Forward Work Programme for Local Pension Board 2022/2023	111
11.	To consider any items of business that the Chairperson deems urgent (Part 1 or 2)	117