

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.

## LOCAL PENSION BOARD COMMITTEE SUMMONS

### SOUTH WALES FIRE & RESCUE AUTHORITY

You are required to attend a meeting of the Local Pension Board Committee **To be held on StarLeaf - Access Code: 4430235231** on **Monday, 18 October 2021 at 1030 hours**

**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
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Signature of Proper Officer:



## MEMBERSHIP

### Councillors:

S	Bradwick	Rhondda Cynon Taff
L	Brown	Monmouthshire
V	Smith	Monmouthshire
D	White	Bridgend
R	Bailey	Fire Brigades' Union
D	King	FRSA
R	Prendergast	Association of Principal Fire Officers
S	Saunders	Fire Brigades' Union

## SOUTH WALES FIRE & RESCUE AUTHORITY

### MINUTES OF THE LOCAL PENSIONS BOARD MEETING HELD ON MONDAY, 28 JUNE 2021 VIA STARLEAF

#### 1. PRESENT

##### Councillor

S Bradwick (Chair)	Rhondda Cynon Taff
L Brown	Monmouthshire
V Smith	Monmouthshire
D King	Fire & Rescue Service Association
R Prendergast	Association of Principal Fire Officers
Mr I Traylor	Pensions Service Director, Rhondda Cynon Taff BC

##### Apologies:

No apologies received

##### No Attendance:

D White	Bridgend
S Saunders	Fire Brigades' Union
R Bailey	Fire Brigades' Union

**OFFICERS PRESENT:-** ACO A Reed – Director of People Services, Mr C Barton – Treasurer, Mr G Thomas – T/ACO – Corporate Support; Mrs Lisa Mullan – T/Head of Finance & Procurement

#### 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 25 January 2021 were read and accepted as a true record of proceedings.

## **5. SCHEME DATA FOR THE FIREFIGHTERS' PENSION SCHEMES**

The Director of People Services introduced the report providing factual statistics on Scheme Membership in relation to the Firefighters' Pension Schemes. She drew Members attention to Appendix A, advising that since 2019 a number of scheme members have either retired or transitioned across to the reformed 2015 scheme, the result of which there are more members in the 2015 scheme.

Mr Ian Traylor gave further detail to the report, noting that total numbers of individual's retiring has increased slightly from last year and that the largest proportion of scheme members is within the 2015 scheme as would be expected, as 1992 membership will decrease over time. He acknowledged that there are various complexities and variations involved and offered ongoing awareness training to Members should they require it.

Councillor Smith queried the use of race within the terminology in respect of the McCloud/Sargeant case, Mr R Prendergast advised that this term is used as the vast majority of individuals affect were from underrepresented groups.

### **RESOLVED THAT**

Members noted the composition of the Scheme(s) Membership as at 1 April 2021.

## **6. LOCAL PENSION BOARD TERMS OF REFERENCE (TOR)**

The Director of People Services presented the Terms of Reference to Members for their consideration. She advised that the Deputy Chief Officer, in line with recent discussions at Fire and Rescue Authority, is currently looking at quorum across committees, so quorum of this Committee may change in the future.

Councillor Smith queried whether volunteers had received training to act as substitutes. The Chair advised that this is still ongoing, it is the intention to approach certain individuals to ask if they would be willing to undertake training

### **RESOLVED THAT**

Members reviewed and agreed the Terms of Reference for the Committee, subject to the correction of some minor grammatical errors.

## **7. LOCAL PENSION BOARD - SERVICE LEVEL AGREEMENT (SLA)**

The Director of People Services presented the Service Level Agreement (SLA) of the Local Pensions Board, for Members' to review. All Members confirmed they were happy for Mr Traylor to stay.

The Director of People Services advised that there are no changes proposed to the SLA which has been in place since 2019. She advised that some of the timeframes are ambitious but there have been some very good turnaround times achieved as highlighted in the KPIs. The current SLA is working well and the level of service being received by Rhondda Cynon Taf (RCT) is excellent.

Mr Traynor added that a long standing professional relationship exists between RCT and the fire and rescue service which has grown from strength to strength over the last couple of years, with processes and good governance being put in place.

Councillor Smith gave thanks for such an excellent SLA, adding that they have never been so well informed. She further queried whether monies would be reclaimed if an individual unfortunately passed away a day after receiving payment.

Mr Traylor advised that discretion is used for every case, and both parties work closely together to consider the circumstances and value of any overpayment, but under normal circumstances an adjustment would have to be made and monies claimed back

Councillor Brown queried the option to call additional meetings, adding that there is a requirement within the Terms of Reference but not within the SLA. The Director of People Services confirmed that there are three Local Service Board meetings per year, with the option to call additional meetings to discuss certain issues that arise such as the McCloud judgement or for Members to receive training.

Councillor Smith queried whether it is a legal requirement for an individual to stay within a Scheme. Mr Traylor advised that is not a legal requirement, it is the choice of the individual whether they stay within their original scheme or transfer into a new scheme.

## **RESOLVED THAT**

- 7.1 Members approved the Service Level Agreement
- 7.2 Members resolved that the Service Level Agreement be formally reviews again in 2022, which is the third anniversary of the implementation of the current Service Level Agreement.

## **8. LOCAL PENSION BOARD: KEY PERFORMANCE INDICATORS (KPI'S) FOR FIRE PENSIONS**

The Director of People Services presented to Members an update on key activity undertaken and performance data performance data for the period 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021.

Mr Traylor advised it has been a challenging year for service delivery due to Covid-19, with all pension personnel working from home since March 2020. He was pleased to advise that, even within these difficult circumstances, the majority of standards have been met. He advised that the complexity of some cases affected the percentage due to the longer process times, adding there is some scope for improvement but overall results were pleasing.

He noted the high number of individuals using the secure self-service portal to check their pension details, which is pleasing. Scheme members are able to check their details, have access to the Annual Pension Statements and make enquires. He advised that staff are now working on the Annual Benefit Statements which have a deadline of 31<sup>st</sup> August, as well as working closely with the fire and rescue service software provider on the McCloud Remedies.

He advised that staff have been receiving training and development throughout June and RCT continue to support the apprentice and graduate schemes and confirmed that individuals will be appointed to the fire and rescue service for resilience, particularly with the upcoming McCloud remedies.

Councillor Smith acknowledged the upcoming challenges which will involve extra work for RCT and queried how costs and who are responsible for them are determined. The Director of People Services advised that the fire and rescue service are dedicating a role that will concentrate exclusively on the McCloud Remedies and this person will work closely with RCT over the next two years. Mr Traylor added that regular discussions are being held to work through the solution, and the situation will continue to be monitored.

Councillor Brown queried whether information can be made available when percentage of cases being dealt within the five day time period drops below 50, showing how long it has taken.

Mr Traylor advised that commentary has been provided throughout the year but he would be happy to include this commentary within the year end statistics if that was the requirement of the Board.

## **RESOLVED THAT**

Members noted the performance statistics as highlighted in the KPIs.

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

The Director of People Services presented the report that updates Members on the procedures for resolving internal disputes in relation to pension matters and updates Members on the cases that were completed under this procedure during 1<sup>st</sup> April 2020 to 31 March 2021.

The Director of People Services advised that Welsh Government had recently issued an update to the IDRP procedure. The IDRP stages had been discussed at the Scheme Advisory Board (Wales) where it was highlighted that there is no formal requirement for a two stage process. SAB members had discussed this and decided to retain the two step IDRP process. She also advised that the sharing of outcomes of the IDRP panel discussions has commenced to use as further learning adding that Appendix B contains information on an upcoming case. She confirmed this case has gone through the first stage of the IDRP process and will now go through the second stage for determination.

The Director of People Services commented that volunteers are required to be trained to sit on the IDRP Panel with full support from a trained lawyer.

Councillor Brown queried whether the Money and Pensions Service mentioned in the letter to Scheme members is a free service and should it be included in the letter to encourage them to use this service. It was noted that this letter is issued by Welsh Government and the fire and rescue service has no say on the content of the letter.

## **RESOLVED THAT**

Members noted the procedures for resolving internal disputes in relation to pension matters and the cases that were completed under this procedure during 1<sup>st</sup> April 2020 to 31 March 2021.

### **10. REPORT ON MCCLOUD – TAPERING**

The Director of People Services gave a presentation to Members in relation to the Authority's position in relation to the pension remedy and immediate detriment of the McCloud Remedy and how it affects the Service. The presentation covered the background, timelines, complexity of the process, information on immediate detriment cases and the member waiver form that

some fire and rescue authorities have adopted to gain agreement in advance of processing immediate detriment cases, and without legislation.

The Director of People Services advised that a report will be presented to the Fire and Rescue Authority meeting on 19<sup>th</sup> July 2021, seeking support from Members to move forward with processing immediate detriment cases. She advised that this does present challenges with no legislation in place, but not moving forward now and waiting for legislation proves a far greater risk, adding that the Home Office and Local Government Association have each issued informal guidance.

The Director of People Services advised that once agreement has been reached by Fire and Rescue Authority members, discussions will need to be held with representative bodies and pension administrators to move forward. Informal discussions were already underway. Scheme members will need to be made aware of the remedy exercise that will take place over the next two years.

Councillor Brown queried whether the authority will be notifying individuals who could retire by the deadline but have not expressed this desire. The Director of People Services advised that it would be an individual's choice to retire and those submitting their three months' notice of retirement from 19 July would be in scope for being treated in line with the immediate detriment guidance. This approach would therefore apply to individuals who can retire from 19 October.

The Director of People Services advised that she has discussed informally with the Fire Brigades Union who are comfortable that this was progressing.

## **RESOLVED THAT**

Members noted the content of the presentation given by the Director of People Services in relation to pension remedy and immediate detriment of the McCloud Remedy and how it affects the Service

## **11. 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 noted the publications, updates and for information and awareness purposes.

## **12. TRAINING SESSION FOR MEMBERS**

Mrs L Mullan, Temporary Head of Finance and Procurement gave Members a presentation on the pensions funding mechanism within the Finance Department, covering the Annual Firefighter Pension Fund which consists of one fund that includes all scheme, which is subject the annual audits through the Audit Wales regime. Members noted the FFPF Account and the detail of what funding is received by the account and what then is paid from the account. The Chair commented that it would be beneficial for all Fire and Rescue Authority members to receive the slide that contains this information.

Councillor Smith queried whether payment for injury comes from the pension fund.

Mrs Mullan confirmed that ill health and injury retirements are classed as one charge within the revenue budget which is taken as an average across three years.

### **RESOLVED THAT**

Members noted the contents of the presentation and thanked Mrs Mullan for being so informative.

## **13. FORWARD WORK PROGRAMME FOR LOCAL PENSION BOARD 2021/2022**

The Director of People Services presented the Forward work Programme for 2021/2022.

### **RESOLVED THAT**

Members noted the content of the Forward Work Programme for 2021/2022.

## **14. 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.

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

**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO 5  
18 OCTOBER 2021

LOCAL PENSION BOARD COMMITTEE

REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

**REVIEW OF LOCAL PENSION BOARD TERMS OF REFERENCE (ToR) –  
QUORATE ARRANGEMENTS**

**THIS REPORT IS FOR DECISION**

REPORT PRESENTED BY ACO A REED

**SUMMARY**

This report proposes an amendment to the Terms of Reference (ToR) for the Local Pension Board Committee.

**RECOMMENDATIONS**

That Members review and agree an amendment to the current Quorate requirements in the Terms of Reference (ToR) for the Local Pension Board. The proposed change is highlighted in Section 4, on page 4 of Appendix A attached to the report.

**1. BACKGROUND**

- 1.1 Terms of Reference (ToR) define the purpose and structures of a project, committee, meeting, negotiation, or any similar collection of people who have agreed to work together to achieve a shared goal.
- 1.2 Terms of Reference provide a documented basis for making future decisions and for confirming or developing a common understanding of the scope among stakeholders.
- 1.3 Terms of Reference should include the following:-
  - Objectives, scope and deliverables (i.e. what has to be achieved)
  - Roles and responsibilities (i.e. who will take part in it)
  - Resources (i.e. how it will be achieved)

**2. ISSUES**

- 2.1 The current Terms of Reference were last reviewed in June 2021. However, following recent discussions in relation to the quorate

arrangements, and a review of current good practice, it is proposed that Members agree to an amendment to the quorate requirements in Section 4, page 4 of the Terms of Reference.

2.2 The proposal to change the Terms of Reference will allow future meetings to proceed when there is a minimum of one employee representative, as opposed to the current arrangement of having at least half members who are employee representatives. This change reflects good practice across Local Pension Boards in the Fire Sector.

2.3 The new requirement will read:-

**‘At least four people must be present, including the Chair with at least one employee representative being present’.**

The new wording replaces the following:-

*‘At least four people must be present, including the Chair, and at least half members present are employee representatives’.*

### 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

3.1.1 There are no additional financial issues arising as a result of this report. The new arrangements reduce the risk of meetings being cancelled due to the quorate requirements.

#### 3.2 Regulatory, Strategy and Policy

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

### 3.3 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

## 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 agree an amendment to the current Quorate requirements in the Terms of Reference (ToR) for the Local Pension Board. The proposed change is highlighted in Section 4, on page 4, of Appendix A attached to the report.

<b>Contact Officer:</b>	Alison Reed Director of People Services
<b>Background Papers</b>	Appendix A – Terms of Reference

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**Appendix A****Terms of Reference**

**TERMS OF REFERENCE AND DELEGATED AUTHORITIES  
(As determined for a Sub-Committee of  
South Wales Fire & Rescue Authority)**

**1. INTRODUCTION**

The purpose of this document is to set out the Terms of Reference for the Local Pension Board of the South Wales Fire and Rescue Authority (Firefighters' Pension Fund). Appendix 'A' establishes the relationship between the Fire and Rescue Authority and the Local Pension Board.

The Local Pension Board will exercise all its powers and duties in accordance with the law and the Terms of Reference.

The Local Pension Board is providing oversight and assistance to the Scheme Manager. Accordingly, the Local Pension Board is not a decision making body in relation to scheme management and administration but merely makes recommendations to assist in such activities.

**2. ROLE OF THE LOCAL PENSION BOARD**

The role of the Local Pension Board as defined by Sections 5 (1) and (2) of the Public Service Pensions Act 2013, is to:

- Assist the South Wales Fire and Rescue Authority as Scheme Manager:
  - To secure compliance with the Firefighters' Pension Scheme(s) regulations and any other legislation relating to the governance and administration of the Firefighters' Pensions Scheme(s)
  - To secure compliance with requirements imposed in relation to the Firefighters' Pension Scheme(s) by the Pension Regulator
  - To secure effective and efficient governance and administration of the Firefighters' Pension Schemes
  - In such other matters as the Firefighters' Pension Scheme(s) regulations may specify
- Secure the effective and efficient governance and administration of the Firefighters' Pension Scheme(s) for the South Wales Fire and Rescue Authority (Firefighters' Pension Fund)

- Provide the Scheme Manager with such information as it requires to ensure that any member of the Local Pension Board or person to be appointed to the Local Pension Board does not have a conflict of interest.

The role of the Local Pension Board will be confined to these matters and not decision making.

The Local Pension Board will ensure it effectively and efficiently complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.

The Local Pension Board will also help ensure that the Firefighters' Pension Scheme(s) are managed and administered effectively and efficiently and complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.

The Local Pension Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively, and at least 3 times per municipal year.

Minutes of each meeting will be e-mailed to Fire Authority Members. In addition, reports and recommendations will be made to the Fire Authority insofar as they relate to the role of the Local Pension Board.

### **3. APPOINTMENT OF MEMBERS OF THE LOCAL PENSION BOARD**

The process for selecting members of the Local Pension Board is set out below.

The Local Pension Board shall consist of up to 9 members and be constituted as follows:-

- (a) 4 employer representatives
- (b) 4 scheme member representatives
- (c) 1 representative selected by Scheme Manager

Named substitutes will be permitted and will be required to attend training events, and will receive all paperwork for each meeting.

The Scheme Manager shall make appropriate arrangements for the establishment of the membership of the Pension Board.

No elected member or officer of the Scheme Manager who is responsible for the discharge of any function for the Firefighters' Pension Scheme(s) may be a member of the South Wales Fire and Rescue Authority Local Pension Board.

The Scheme Manager must be satisfied that:-

- a person to be appointed to the Pension Board as an Employer Representative has the capacity (i.e. time and resources) to represent the employer on the Pension Board; and
- a person to be appointed as a Scheme Member Representative has the capacity to represent members on the Pension Boards; and
- a person to be appointed as an Independent Member / Chair has the capacity to fulfil this role on the Pension Board.

Each Employer Representative and Scheme Member Representative will have an individual voting right.

The Scheme Manager must be satisfied that any person to be appointed as a member of the Pension Board does not have a conflict of interest.

Pension Board members must endeavor to attend all Pension Board meetings and meet key attendance and training requirements to retain their membership during the period of their appointment to the Pension Board.

Scheme member and employer representatives shall be appointed in equal number and shall together form the majority of the Local Pension Board's membership.

The Chair of the Local Pension Board will be the Fire and Rescue Authority Deputy Chair person. It will be the role of the Chair to ensure that all members of the Board show due respect for the process, that all views are fully heard and considered and to determine when consensus has been met.

### **Term of Office**

Fire and Rescue Authority members appointed remain members as long as they are eligible, and to assist in continuity of experience on the Local Pension Board.

### **Attendance**

Each Board member should endeavour to attend all Local Pension Board meetings during the year. In the event of consistent non-attendance by any Board member, then the tenure of that membership should be reviewed by the other Board members in liaison with the Scheme Manager.

Other than by ceasing to be eligible as set out above, a Board member may only be removed from office during a term of appointment by the unanimous agreement of all of the other members. The removal of the independent member requires the consent of the Scheme Manager.

The Local Pension Board may, with the approval of the Scheme Manager, co-opt persons who are not members of the Board to serve on sub-committees, particularly where this would add skills and experience. Notwithstanding the appointment of co-opted members, the majority of the Board shall be comprised of employer and Scheme member representatives, represented in equal number.

#### **4. QUORUM**

At least four people must be present, including the Chair with at least one employee representative being present.

Advisers and co-opted persons do not count towards the quorum.

#### **5. CONFLICTS OF INTEREST**

The policy for identifying conflicts of interest is set out in a separate statement.

#### **6. LOCAL PENSION BOARD REVIEW PROCESS**

The Local Pension Board will undertake each year a formal review process to assess how well it and its committees, and the members are performing with a view to seeking continuous improvement in the Board's performance. *Annual report to Fire and Rescue Authority.*

#### **7. ADVISERS TO THE LOCAL PENSION BOARD**

The Local Pension Board may make use of advisers from time to time, subject to any applicable regulation and legislation in force, but this will be optional resource subject to budget agreements.

#### **8. KNOWLEDGE AND SKILLS**

A member of the Local Pension Board must be conversant with:-

- (a) The legislation and associated guidance of the Firefighters' Pension Scheme(s)
- (b) Any document recording policy about the administration of the Firefighters' Pension Scheme(s) which is for the time being adopted by the South Wales Fire and Rescue Authority (Firefighters' Pension Fund).

A member of the Local Pension Board must have knowledge and understanding of:-

- The law relation to pensions, and

- Any other matters which are prescribed in regulations

**It is for the individual Local Pension Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Local Pension Board.**

In line with this requirement, Pension Board members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Pension Board members are therefore required to maintain a written record of relevant training and development.

Local Pension Board members will undertake a personal training needs analysis and regularly review their skills, competencies and knowledge to identify gaps or weaknesses.

Local Pension Board members will comply with the Scheme Manager's training policy.

## **9. LOCAL BOARD MEETINGS – NOTICE AND MINUTES**

The Scheme Manager shall give notice to all Local Pension Board members of every meeting of the Pension Board.

The Scheme Manager shall ensure that a formal record of Local Pension Board proceedings is maintained.

Following the approval of the minutes by the Chair of the Local Pension Board, they shall be circulated to all members.

There will be three Local Pension Board meetings per year, with the option to call more as required.

## **10. REMIT OF THE LOCAL PENSION BOARD**

The Local Pension Board must assist the Scheme Manager with such other matters as the scheme regulations may specify. It is for scheme regulations and the Scheme Manager to determine precisely what the Local Pension Board's role entails.

## **11. STANDARDS OF CONDUCT**

The role of Local Pension Board members requires the highest standards of conduct and therefore the 'seven principles of public life' will be applied to all Local Pension Board members. There are: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

## **12. DECISION MAKING**

Each member of the Local Pension Board will have an individual voting right but it is expected the Local Pension Board will as far as possible reach a consensus. The Chair of the Local Pension Board will have the final 'casting' vote which will be reported to the Scheme Manager.

### **13. PUBLICATION OF LOCAL PENSION BOARD INFORMATION**

Scheme members and other interested parties will want to know that the South Wales Fire and Rescue Authority (Firefighters' Pensions Fund) is being efficiently and effectively managed. They will also want to be confident that the Local Pension Board is properly constituted, trained and competent in order to comply with scheme regulations, the governance and administration of the scheme and requirements of the Pension Regulator.

Up to date information will be posted on the South Wales Fire and Rescue Authority website. (*Pensions page*)

The names and information of the Local Pension Board members

- How the scheme members are represented on the Pension Board
- The responsibilities of the Local Pension Board as a whole
- The full terms of reference and policies of the Pension Board and how they operate
- The Pension Board appointment process (as per independent member of Standards Committee)
- Who each individual Pension Board member represents
- Any specific roles and responsibilities of individual Pension Board members

Local Pension Board papers, agendas and minutes of meetings will be published on the South Wales Fire and Rescue Authority website. These may at the discretion of the Scheme Manager be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A (2) of that Act and/or they represent data covered by the Data Protection Act 1998.

The Scheme Manager will also consider requests for additional information to be published or made available to individual scheme members to encourage scheme member engagement and promote a culture of openness and transparency.

### **14. ACCOUNTABILITY**

The Local Pension Board will be collectively and individually accountable to the Scheme Manager.

#### **15. EXPENSE REIMBURSEMENT (REMUNERATION AND ALLOWANCES)**

LPB members do not receive any remuneration for their role.

#### **16. REPORTING BREACHES**

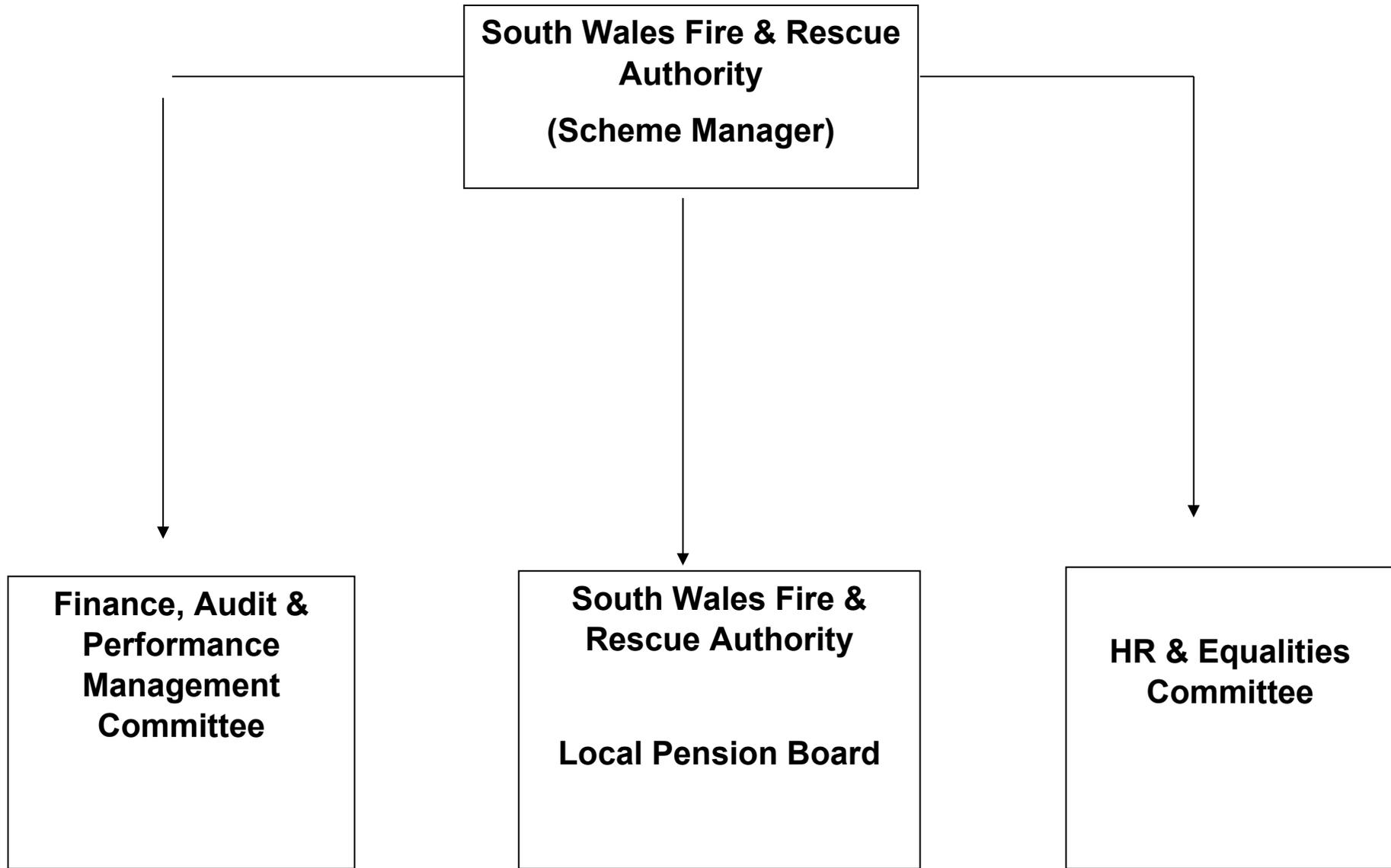
Any breach brought to the attention of the Local Pension Board, whether potential or actual, shall be dealt with in accordance with the procedure set out in a separate policy document, and would be dealt with through the appropriate channels currently in existence.

#### **17. INTERPRETATION**

Any uncertainty or ambiguity or interpretation required relating to any matters contained in this document shall be resolved by reference to the Scheme Manager.

#### **18. DEFINITIONS**

- The term 'Local Pension Board' means the Local Pension Board for the South Wales Fire and Rescue Authority, administering authority for the South Wales Fire and Rescue Authority (Firefighters' Pension Fund) as required under the Public Service Pensions Act 2013.
- 'Scheme Manager' means the South Wales Fire and Rescue Authority as the administering authority for South Wales Fire and Rescue Authority (Firefighters' Pension Fund)
- 'Chair' refers to duties to be performed, or authorities exercised, by the Chair.
- 'Scheme' means the Firefighters' Pension Scheme 1992, the New Firefighters Pension Scheme 2007, Firefighters Compensation Scheme, RDS Modified Scheme and New Firefighters Pension Scheme 2015.



**THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN****SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 6  
18 OCTOBER 2021

LOCAL PENSION BOARD COMMITTEE

REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

**REVIEW OF KEY PERFORMANCE INDICATORS AND UPDATE OF ANNUAL BENEFITS STATEMENT****THIS REPORT IS FOR INFORMATION**

REPORT PRESENTED BY IAN TRAYLOR, SERVICE DIRECTOR, RHONDDA CYNON TAF CBC (SCHEME ADMINISTRATOR)

**SUMMARY**

The Service Level Agreement (SLA) between SWFRS 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 Pension Board with an update on key activity undertaken during the reporting period and shares the performance data for the period 01<sup>st</sup> April 2021 to 31<sup>st</sup> August 2021.

**RECOMMENDATIONS**

1. That Members of the LPB note the performance data included at Appendix 1.
2. That Members of the LPB note the relevant pension administrative overview and update included at Appendix 2.

**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 of the 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 with a view of discussing them at the meeting.

### 5. RECOMMENDATIONS

5.1 That Members of LPB note the performance data included at Appendix 1.

5.2 That Members of LPB note the relevant pension administrative overview and update included at Appendix 2.

<b>Contact Officer:</b>	ACO Alison Reed Director of People Services  Ian Traylor Service Director Pensions, Procurement & Transactional Services, Rhondda Cynon Taf CBC (Scheme Administrator)
<b>Background Papers</b>	Appendix 1 – Current Year Key Performance Appendix 2 – Pension Administration Update

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**Appendix 1**

MONTHLY SERVICE STANDARDS																Relates to last Month Completed	
Scheme 090 (Protected 92 Scheme and Transitioned members)																	
<u>STANDARD MEASURED</u>		<u>TARGET</u>	<u>INTER' VENTION</u>	<u>APRIL</u>	<u>MAY</u>	<u>JUNE</u>	<u>JULY</u>	<u>AUG</u>	<u>SEPT</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>JAN</u>	<u>FEB</u>	<u>MARCH</u>	Comments	2021/2022 Year to Date Actual %
% Refund of contributions processed within 10 days	Payment	100%	95%	100%	-	-	-	-								No cases completed.	100.00%
% Divorce Estimates processed within 10 days	Statement	100	95%	-	100%	100%	-	0%								One case completed. Over target.	80.00%
% Preserved Benefits processed within 10 days	Statement	100	90%	-	-	-	-	-								No cases completed.	0.00%
% Employer requests for retirement estimates processed within 5 days	Statement	100	95%	-	-	-	-	-								No cases completed.	0.00%
% Retirements from Active membership processed within 5 days	Payment	100	95%	-	100%	100%	100%	80%								5 cases completed. One case over target.	94.12%

**Appendix 1**

% Preserved Benefits into payment on retirement processed within 5 days	Payment	100	95%	-	-	-	-	-							No cases completed.	0.00%
% Transfers In processed within 10 days	Statement	100	90%	-	-	100%	-	-							No cases completed.	100.00%
% Transfers Out processed within 10 days (Monthly)	Payment	100	95%	-	-	-	-	-							No cases completed.	0.00%
% death grant for active members within 5 days (Monthly)	Payment	100	95%	-	-	-	-	-							No cases completed.	0.00%

**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	MARCH	Comments	2021/2022 Year to Date Actual %
% Refund of contributions processed within 10 days	Payment	100%	95%	-	-	-	-	-								No cases completed.	0.00%
% Divorce Estimates processed within 10 days	Statement	100%	95%	-	100%	100%	-	-								No cases completed.	100.00%
% Preserved Benefits processed within 10 days	Statement	100%	90%	100%	100%	100%	100%	100%								One case completed. On time.	100.00%
% Employer requests for retirement estimates processed within 5 days	Statement	100%	95%	-	-	-	-	-								No cases completed.	0.00%
% Retirements from Active membership processed within 5 days	Payment	100%	95%	-	100%	-	-	100%								One case completed. On time.	100.00%

**Appendix 1**

% Preserved Benefits into payment on retirement processed within 5 days	Payment	100%	95%	-	-	-	-	0%									2 cases completed. Both overdue. Complex calculations involving the purchase of special modified membership	0.00%
% Transfers In processed within 10 days	Statement	100%	90%	-	100%	100%	-	-									No cases completed.	100.00%
% Transfers Out processed within 10 days (Monthly)	Payment	100%	95%	-	-	-	-	-									No cases completed.	0.00%
% death grant for active members within 5 days (Monthly)	Payment	100%	95%	-	-	-	-	-									No cases completed.	0.00%
% death grant for pensioner members within 5 days (Monthly)	Payment	100%	95%	-	-	-	-	-									No cases completed.	0.00%

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 at 24 September 2021

	Status 1 (Actives)	Status 2 (Pending leavers)	Status 4 (Deferred)	Status 5 (Pensioners)	Status 6 (Dependants)
<b>Scheme 090</b>	<b>84.64%</b>	<b>50%</b>	<b>61.05%</b>	<b>35.62%</b>	<b>4.47%</b>
<i>Total Membership</i>	<i>371</i>	<i>2</i>	<i>95</i>	<i>1,123</i>	<i>179</i>
<b>Scheme FIR</b>	<b>45.04%</b>	<b>39.13%</b>	<b>33.26%</b>	<b>45.54%</b>	<b>0.00%</b>
<i>Total Membership</i>	<i>928</i>	<i>46</i>	<i>854</i>	<i>101</i>	<i>13</i>

### **Scheme Member Complaints**

- There are no formal complaints to report this period.

### **Key Administration Activities**

- Fire Annual Benefit Statements (active and deferred) were published prior to the statutory deadline of the 31<sup>st</sup> August.
- Notes of Guidance to accompany the Annual Benefit Statements were provided to SWFRA for upload to the intranet site.
- The 2021 Annual Allowance exercise will commence following the completion of pay validation with SWFRA.
- Working closely with SWFRA, and other forums, software provider with regard to McCloud remedy requirements, following on from the Government response to the consultation.

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## AGENDA ITEM NO 7

**Report on McCloud – Immediate Detriment**

-

To be presented verbally on the day

Presenting Officer: ACO Alison Reed

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## AGENDA ITEM NO 8

**Update Report from Scheme Advisory Board**

-

To be presented verbally on the day

Presenting Officer: ACO Alison Reed

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**THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN****SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 9  
18 OCTOBER 2021

LOCAL PENSION BOARD COMMITTEE

REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

**PUBLICATIONS, UPDATES, INFORMATION (STANDARD ITEM)****THIS REPORT IS FOR INFORMATION**

REPORT PRESENTED BY ACO A 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 A).

**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
-------------------	----

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 A).

<b>Contact Officer:</b>	Alison Reed Director of People Services
<b>Background Papers</b>	Appendix A – Publications



## FPS Bulletin 45 – May 2021

Welcome to issue 45 of the Firefighters' Pensions Schemes bulletin. We hope that readers remain safe and well.

Face-to-face meetings and training remain suspended for the time being. However, the Bluelight team are available at home by mobile, email or video.

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 or suggested items for future issues, please email [claire.hey@local.gov.uk](mailto:claire.hey@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 [claire.hey@local.gov.uk](mailto:claire.hey@local.gov.uk)

Table 1: Calendar of events

Event	Date
<a href="#">FPS coffee and catch up</a>	Every second Tuesday from 8 June 2021
North West regional group	9 June 2021
Eastern regional group	10 June 2021
SAB	24 June 2021
North East regional group	18 August 2021
SAB	9 September 2021
SAB	9 December 2021

## Actions arising

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

[Remedy self-assessment survey](#): FRAs to complete SAB remedy self-assessment survey by 30 June 2021. Survey link has been emailed to authorities.

## FPS

### FPS Member website launched

We were delighted to launch the first national website for Firefighters' Pension Scheme members on 20 May 2021 at the Scheme Advisory Board (SAB) update event. The site is now live at [www.fpsmember.org](http://www.fpsmember.org).

The aim of the site is to have a central resource for firefighters to find out about their pension scheme and the benefits and options that are available. We want every firefighter in the country to have access to the same level of information, regardless of where they work or what their role is. We want to remove some of the myth and mystery that surround Firefighters' Pensions and make sure that members and their dependents are not relying on colleagues or social media for information or decision-making that may impact their future benefits.

The site is based on the scheme rules and so only provides facts, rather than opinion and speculation. We want to provide members with the tools and knowledge to be informed about the scheme and what any future changes will mean for them.

The [homepage](#) is divided into sections for each of the current schemes. As stated in the welcome text, the site is based on the current rules that are in force now.

We know that there are going to be changes to the schemes in the next couple of years, based on the implementation of age discrimination remedy. However, following extended discussions with the Fire Communications Working Group (FCWG), we took the decision to launch the site now in this structure, so we can bring the changes to members in real time – or as close to as possible.

Member can find more information about the changes in the news or remedy sections.

We would like to extend our thanks to our partners in developing the website, Avon Pension Fund, and to the FCWG who provided initial feedback and reviewed much of the site content. The bulk of the content itself has been adapted from written guides drafted by Eunice Heaney, formerly of Oxfordshire and Staffordshire Fire and Rescue Services, and we offer our thanks to Eunice also.

We are committed to keeping the site up to date and relevant. We will add further information about age discrimination and changes to the scheme rules as soon as it becomes available. We will update any articles and factsheets with changes to annual limits and thresholds each year. We will continue to work to make sure the site is accessible to all and that we are complying with the law.

Future development is planned in the following areas:

- Compensation scheme
- Additional glossary content (A-Z terms)
- Extra page under FPS 2006 Special Members on eligibility to join
- Extra page under Need to know on Pensions Increase
- Examples for Annual Allowance and Lifetime Allowance
- Extra information for devolved FRAs such as early retirement factors
- Replacement of PDF factsheets with standalone web pages

### **Annual Benefit Statements 2021**

In [FPS Bulletin 44 – April 2021](#) we commented on the position of Annual Benefit Statements (ABS) for protected members and recommended that projections be removed for this cohort.

We also provided a standard caveat that could be used on the statements.

The standard [ABS template and notes](#) have been updated with the new scheme year and the revised caveat and published on the 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.

### 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 will be updated monthly in line with the bulletin release dates.

No new queries have been added this month.

Please bear with us if you experience a delay in response to your technical query. As you can imagine, much of our resource is currently focused on remedy-related issues.

## FPS England SAB updates

### FRA remedy self-assessment survey launched

The SAB update event on 20 May also saw the launch of the FRA remedy self-assessment survey. The Survey Monkey link was shared with FRAs by email after the Zoom session.

As part of their statutory role to provide advice to scheme managers and Local Pension Boards in relation to the efficient and effective administration and management of the Firefighters' Pension Scheme, the Board want to understand more about arrangements for managing the pension scheme and specifically for implementing the age discrimination remedy.

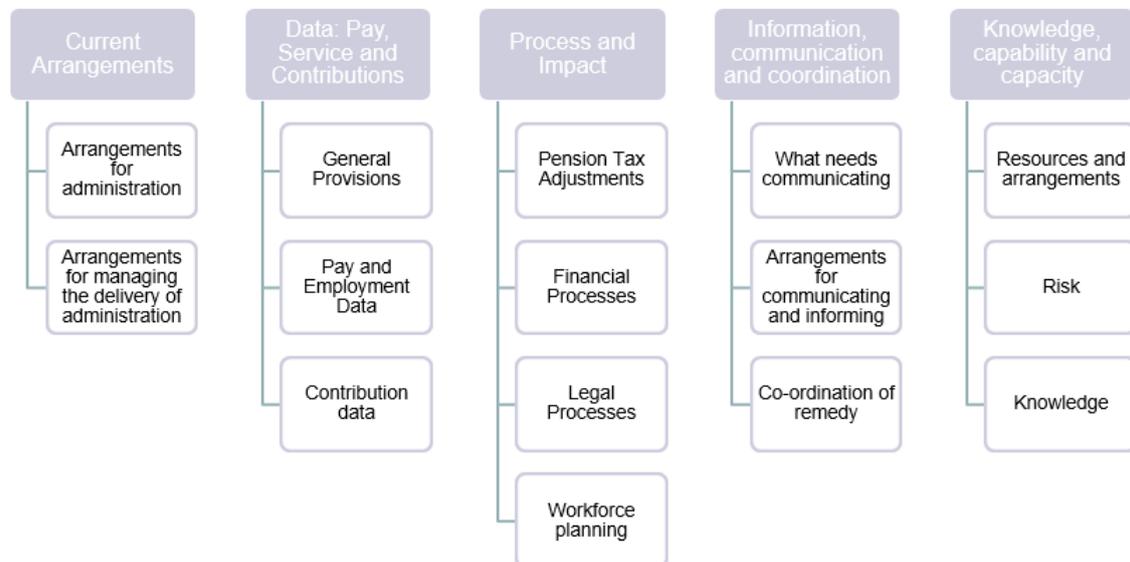
To do this, the Board has prepared a self-assessment survey to take a temperature check of current arrangements. The survey should only be completed once per FRA and we would expect this to be completed by the delegated [scheme manager](#) or an appropriate representative of the delegated scheme manager. It should not be completed by scheme administrators.

The closing date of the survey is 30 June 2021. Once the survey has closed, we will analyse the data and provide a report to the SAB for their September meeting. Welsh FRAs are also invited to complete the survey and the data will be shared with the Welsh Scheme Advisory Board.

We ask that FRAs are as open as possible when completing the survey, this will help the Board consider what additional support and advice will be needed. A PDF version of the questionnaire was provided for data gathering in advance of online completion. The LGA team are also offering some survey support slots. Please complete the [doodle poll](#) to book a slot; further slots will be made available through June as necessary.

Figure 1: Self-assessment survey areas

## Self-Assessment Survey Areas



### Open letter from SAB to HMT on remedy consultation response

The SAB has written an [open letter to HMT](#) about the specific policy issues listed below that will affect the application of the Firefighters' Pension Scheme (FPS).

1. How to adjust contribution amendments for members of the FPS 2006
2. How the policy decision for taper members will be applied to taper members who have passed their 30-year service date.
3. Contingent decisions

The Board notes the publication of the Government response to the consultation confirming the decision to introduce retrospective remedy via Deferred Choice Underpin (DCU), and the decision to allow for implementation by October 2023, giving more time to bring in the significant processes that will be needed to implement DCU.

The Board's [response to the consultation](#) dated 9 October gave their fuller views on the wider issues with regard to age discrimination.

## Other News and Updates

### PDP Call for Input on dashboard staging dates

The Pensions Dashboard Programme (PDP) has launched its latest [call for input, on staging dates for the dashboard](#).

The call for input outlines the proposed order and timings for pension providers and

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schemes (data providers) to connect to the pensions dashboard. The recommended timescales have been developed with the Department for Work and Pensions (DWP), the Financial Conduct Authority (FCA) and The Pensions Regulator (TPR).

The PDP is asking for feedback from pension providers, third-party administrators and software providers, consumer groups and other stakeholders on these initial proposals, to help shape the formal DWP consultation later in the year.

Pages 24-25 and questions 22 and 23 are especially relevant to public service pension schemes.

The call for input is open until Friday 9 July.

Data providers can find more information about the [timeline and steps for connection](#) on the PDP website.

### **National Audit Office publish public service pensions report**

In March, the National Audit Office (NAO) published a [report into public service pensions](#). It found that the Government's reforms to public service pensions in 2015 have helped contain rising costs to the taxpayer.

However, the report says that the Government should monitor more than just affordability and should consider how good pension provision could help to recruit and retain staff, and where more flexibility could be offered to employers.

The NAO makes five key recommendations on issues which it says the Government needs to address soon, including the impact of age discrimination remedy and how the cost control mechanism works.

### **DWP consultation on pension scams**

On 14 May 2021, the DWP launched a [consultation on pension scams: empowering trustees and protecting members](#). The consultation asks for views on proposed regulations which place new requirements on trustees and scheme managers before a pension transfer can be completed.

The consultation closes on 10 June 2021.

Eversheds Sutherland has produced a helpful [article summarising the proposed transfer conditions](#).

### **Guidance for employers on providing support with financial matters**

We know that employers and administrators are often asked by members for advice on decision making. This is likely to become more common as we move into implementation of the Deferred Choice Underpin and members will need to choose between legacy and reformed scheme benefits for the remedy period.

TPR has produced a guide with the FCA on [providing support to employees with financial matters](#) without being subject to FCA regulation. The guide gives information on what can be done without needing authorisation and signposting employees to publicly available resources.

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## Events

### Virtual SAB update event

On 20 May 2021, Joanne Livingstone hosted a virtual SAB update event on Zoom to launch the new [FPS Member website](#) and FRA remedy self-assessment survey.

Clair Alcock gave an update on remedy data requirements and reminded delegates of the data collection tools that were provided with [FPS Bulletin 44 – April 2021](#).

We will upload the recording of the session to our [Events page](#) soon.

### 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 event is scheduled to take place on 8 June 2021.

If you do not already receive the meeting invitations and would like to join us, please email [bluelight.pensions@local.gov.uk](mailto:bluelight.pensions@local.gov.uk).

## HMRC

### HMRC newsletters/bulletins

On 30 April 2021 HMRC published [Pension schemes newsletter 129](#) containing important updates and guidance for schemes. Articles include:

- Pension flexibility statistics
- Registration statistics
- Relief at source
- Pension scheme returns
- Winding up pension schemes
- Enrolling on the Managing Pension Schemes service
- Signing in to online services
- Annual allowance calculator
- Non-taxable payments following a member's death and Real Time Information reporting

### Migration to the Managing Pension Schemes Service

HMRC has recently held a series of Managing Pension Schemes Workshops. The workshops focussed on migration and what action needs to be taken and discussed raising awareness amongst scheme administrators and practitioners about the need to enrol on the Managing Pension Schemes Service prior to migration.

Migration of pension schemes to the Managing Pension Schemes service will begin in 2022.

A message from John Bhandal, HMRC's Head of Compliance for Pensions, Savings and CISC, is attached at [Appendix 1](#).

You can find more information on the migration of pension schemes in the [Managing Pension Schemes service newsletter – March 2021](#).

If you have any further questions after reading the newsletter or encounter any issues, please email [migration.mps@hmrc.gov.uk](mailto:migration.mps@hmrc.gov.uk).

## Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khuh 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](#)
- [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 [bluelight.pensions@local.gov.uk](mailto:bluelight.pensions@local.gov.uk).



## FPS Bulletin 46 – June 2021

Welcome to issue 46 of the Firefighters' Pensions Schemes bulletin. We hope that readers remain safe and well.

Face-to-face meetings and training remain suspended for the time being. However, the Bluelight team are available at home by mobile, email or video.

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.

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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 [claire.hey@local.gov.uk](mailto:claire.hey@local.gov.uk)

Table 1: Calendar of events

Event	Date
<a href="#">FPS coffee and catch up</a>	Every second Tuesday (13 and 27 July 2021)
SAB LPB effectiveness committee (TBC)	8 July 2021
SAB Cost-effectiveness committee (TBC)	13 July 2021
Fire Communications Working Group	13 July 2021
Firefighters' Technical Community	15 July 2021
SAB SMA committee (TBC)	16 July 2021
North East regional group	18 August 2021
SAB	9 September 2021
SAB	9 December 2021

## FPS

### Home Office informal immediate detriment guidance (June 2021)

On 10 June 2021, the Home Office issued an update to the existing informal and non-statutory guidance on immediate detriment cases. This can be found here: [Home Office informal detriment guidance 10 June 2021](#)

The guidance applies to pipeline immediate detriment cases (i.e. those cases where the member is about to retire and receive their pension) and does not cover where a pension is already in payment. This is technical guidance and aimed primarily at pension managers and practitioners.

As readers will know, to implement remedy in full, both primary and secondary legislation are required, as well as administration work (at local FRA level) to implement the changes. The deferred choice underpin will be implemented by October 2023.

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As a result, the guidance will not offer resolution to all the current issues – there are outstanding technical issues that are being worked through across the public sector pension schemes and the responsible Government departments. The updated guidance aims to provide ways forward where possible.

The guidance provides informal advice but the overall responsibility for interpreting and applying the pension scheme regulations still remains with each FRA as the relevant scheme manager. FRAs and administrators will need to consider the guidance in relation to their own process and systems.

To note, the Home Office guidance only applies to England as firefighters' pensions policy is devolved in Scotland, Northern Ireland, and Wales.

### **[LGA immediate detriment information note - version 2](#)**

Following the release of the updated informal Home Office guidance on 10 June, we have updated the LGA information note to take account of this additional guidance:

#### **[LGA immediate detriment information note – version 2](#)**

The purpose of this information note is to provide FRAs with additional information relating to immediate detriment.

**If your FRA is receiving and considering processing claims, please liaise with your FRA's nominated contact.**

We are aware that FRAs may be receiving an increasing number of enquiries following publication of the updated information. A member note was provided directly to FRAs on 18 June 2021 for them to use if required to update scheme members on the current position.

### **[Factsheets updated](#)**

The following factsheets have been updated in line with new limits or thresholds for 2021/22:

- [Topping up your State Pension](#)
- [FPS 2015 Added Pension](#) – Word factsheet and election form

We have taken the opportunity to convert the State Pension factsheet into a standalone webpage on the [FPS Member](#) site.

The [Added Pension information](#) is also available on the member website, but without the election form.

### **[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 will be updated monthly in line with the bulletin release dates.

Queries have been added this month in the following categories: contribution banding and pension sharing.

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Please bear with us if you experience a delay in response to your technical query. As you can imagine, much of our resource is currently focused on remedy-related issues.

## FPS England SAB updates

### IDRP data request update

In [FPS Bulletin 44 – April 2021](#) we launched this year's Internal Dispute Resolution Procedure (IDRP) data request to monitor trends and establish where further guidance or advice may be needed.

The [IDRP 2020-21 data request update](#) was presented to the Scheme Advisory Board (SAB) at its meeting on 24 June 2021. The key findings are summarised below.

Thirty-four FRAs submitted data, equating to around 76 per cent. Of those responses, nine FRAs reported a nil return.

The FPS retains a two stage procedure and the [IDRP factsheet](#) issued in 2020 set out that Stage One decisions should be heard by the Chief Officer or a delegated senior manager, and the Stage Two decision should be heard by a nominated panel of representatives of the FRA.

Of the 25 FRAs who responded with an IDRP during 2020-21 there were 57 Stage One decisions; around one quarter (14) of those were upheld in the member's favour. Twenty Stage Two cases were reported. This is around half of the overturned number of cases from Stage One (43).

The data showed that the number of IDRPs received remains relatively low and that decision makers at both stages are generally in line with guidance.

Pensionable pay complaints were by far the most common type of dispute. Ill-health was also a common cause for complaint. The number of cases in relation to transfers and special members had increased and seven IDRPs about age discrimination remedy were received during the year.

Despite the development of resources to improve knowledge and understanding, pensionable pay and ill-health continue to be areas of contention. More development is planned in these areas, including a factsheet on resolving historic pensionable pay errors, and a review of the ill-health documentation.

The increase in other types of complaint could be linked to ongoing legal proceedings and may therefore be a continuing trend until resolution is reached.

Almost half of the number of overturned Stage One decisions went to Stage Two, showing that the second stage is still of value, albeit a low number of decisions were changed during the Stage Two process.

### **FRA remedy self-assessment survey closing date**

The SAB survey of FRA's remedy arrangements closes today – 30 June 2021.

Thank you to the authorities who have submitted a response to date. We will contact those outstanding within the next three weeks to offer any extra support needed to make a submission.

The data will be collated and analysed to provide a report to the SAB at its September meeting.

## **Other News and Updates**

### **GAD review of the cost control mechanism published**

In 2018, the then Chief Secretary to the Treasury (CST) announced a review of the cost control mechanism by the Government Actuary to examine whether it was operating appropriately and in line with the original policy intentions.

On 15 June 2021, the CST laid [written statement HCWS90](#) to announce the publication of the [Government Actuary's review](#). The final report sets out the Government Actuary's assessment of the current mechanism and recommendations on possible changes. These changes are being now being consulted on.

### **HMT consultations published: cost control mechanism and discount rate methodology**

HM Treasury (HMT) published two public consultations on 24 June 2021 alongside [written statement HCWS117](#). The consultations seek views on proposals to changes to the cost control mechanism in public service pension schemes, and secondly on the appropriate methodology for setting the discount rate used in scheme valuations.

The consultations run for eight weeks and close on 19 August 2021.

### **[Consultation on changes to the cost control mechanism:](#)**

As detailed above, the Government Actuary has recently concluded his review of the cost control mechanism in the public service pension schemes. The Government has considered the report and is now consulting on three changes to the mechanism, all of which are recommendations by the Government Actuary:

1. Moving to a reformed scheme only design: to remove any allowance for legacy schemes in the cost control mechanism, so the mechanism only considers past and future service in the reformed schemes.
2. Widening the corridor: to widen the corridor from 2 per cent to 3 per cent of pensionable pay.

3. Introducing an economic check: currently the mechanism does not include changes in long-term economic assumptions and therefore cannot consider the actual cost to the Government of providing pension benefits. The Government proposes introducing an economic check so that a breach of the mechanism would only be implemented if it would still have occurred had the long-term economic assumptions been considered.

The outcome of the consultation will not impact on the 2016 cost control valuations.

#### [Consultation on the discount rate \(the “SCAPE rate”\) methodology:](#)

The Superannuation Contributions Adjusted for Past Experience (SCAPE) discount rate is a discount rate used in the valuation of unfunded public service pension schemes to set employer contribution rates.

It expresses future pension promises that are being built up in present-day terms and is set by HMT following a prescribed methodology. The current methodology for setting the SCAPE discount rate has been in place since 2011. This consultation seeks views on the objectives for the SCAPE discount rate and the most appropriate methodology for setting the SCAPE discount rate going forward.

The options are broadly:

- In line with long-term GDP growth (current approach); or
- In line with the Social Time Preference Rate (the previous approach).

The current level of the rate will not be changed by this consultation; the Government will carry out a separate exercise to set a new rate in line with the chosen methodology following this consultation.

#### **Next steps**

The SAB will be considering a response to both consultations.

#### **PDP: Staging Call for Input**

As confirmed in [FPS Bulletin 45 - May 2021](#), the Pensions Dashboard Programme (PDP) has launched a [call for input on staging](#) for the dashboard. For those looking to submit a response, the [dashboard staging date discussion paper](#) provided to the SAB gives a useful summary of the PDP proposals and their impact on the FPS.

Stakeholders may wish to respond to the PDP with their views on how the dashboard staging date would interact with age discrimination remedy and its effect on providing value to firefighters.

The SAB will be providing a response to the call for input recommending a later staging date for Fire, which would follow the first successful run of annual benefit statements on a remedied basis, most likely in 2024.

The deadline for responses is 9 July 2021.

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### **TPR publishes Equality, Diversity and Inclusion Strategy**

On 24 June 2021, The Pensions Regulator (TPR) published its [Equality, Diversity and Inclusion Strategy](#).

The strategy sets out how TPR will embed diversity and inclusion throughout its organisation and how it will support the schemes it regulates to do likewise.

### **Finance Act 2021 receives Royal Assent**

On 10 June 2021, the Finance Act 2021 received Royal Assent.

The Act gives legal effect to the Government's decision to [freeze the lifetime allowance at £1,073,100 for tax years 2021/22 to 2025/26](#), as announced at the last budget.

### **MaPS MoneyHelper goes live**

On 18 March 2021, the Money and Pensions Service (MaPS) revealed plans to launch [a single offering for consumers called MoneyHelper](#). This will replace the Money Advice Service, the Pensions Advisory Service and Pension Wise, although Pension Wise will continue as a named service under the MoneyHelper umbrella.

The MoneyHelper website is now live at [www.moneyhelper.org.uk](http://www.moneyhelper.org.uk).

Links to one of the legacy websites (Money Advice Service, The Pensions Advisory Service and Pension Wise) will automatically redirect to the new location on MoneyHelper. If the article(s) or tool(s) no longer exist, it will redirect to the most relevant landing page on the topic.

Following the launch of MoneyHelper, you will need to change how you reference MaPS in your communications. You will need to change any reference to:

- The Money Advice Service and The Pensions Advisory Service to 'MoneyHelper', and
- Pension Wise to 'Pension Wise a service from MoneyHelper'.

You can find support and messaging to help you prepare on the MaPS [Introducing Moneyhelper](#) webpage.

### **DWP publishes consultation response on TPR powers**

The Pension Schemes Act 2021 ("the Act") gained Royal Assent on 11 February 2021. [Part 3 of the Act](#) relates to new powers for TPR and contains various provisions to make associated regulations

On 29 June 2021, the Department for Work and Pensions (DWP) published its response to the consultation [Strengthening The Pensions Regulator's Powers: Contribution Notice and Information Gathering Powers Regulations 2021](#), which sought views on the proposed drafting of two sets of regulations.

[The Pensions Regulator \(Information Gathering Powers and Modification\) Regulations 2021](#) [SI 2021/754] come into force on 1 October 2021.

## 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 events are scheduled to take place on 13 and 27 July 2021. We will then be taking a short break over the holiday period and will resume the sessions in September.

If you do not already receive the meeting invitations and would like to join us, please email [bluelight.pensions@local.gov.uk](mailto:bluelight.pensions@local.gov.uk).

## HMRC

### HMRC newsletters/bulletins

On 25 June 2021 HMRC published [Pension schemes newsletter 130](#) containing important updates and guidance for schemes. Articles include:

- an extension to some of the temporary changes to pension processes as a result of coronavirus
- managing the Pension Schemes service
- signing into online services
- self-invested personal pensions (SIPP) and small self-administered scheme (SSAS) pensions – connected tenants

Practitioners and administrators who use HMRC's online services should make sure that they have signed in recently to avoid losing access.

## Legislation

Act	Title
2021 c.26	<a href="#">Finance Act 2021</a>
SI	Reference title
2021/620	<a href="#">The Pension Schemes Act 2021 (Commencement No. 1) Regulations 2021</a>
2021/752	<a href="#">The Pension Schemes Act 2021 (Commencement No. 2) Regulations 2021</a>
2021/754	<a href="#">The Pensions Regulator (Information Gathering Powers and Modification) Regulations 2021</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](#)
- [Welsh Government Fire circulars](#)

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## FPS Bulletin 47 – July 2021

Welcome to issue 47 of the Firefighters' Pensions Schemes bulletin. We hope that readers remain safe and well.

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 or suggested items for future issues, please email [claire.hey@local.gov.uk](mailto:claire.hey@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 [claire.hey@local.gov.uk](mailto:claire.hey@local.gov.uk)

Table 1: Calendar of events

Event	Date
North East regional group	18 August 2021
<a href="#">FPS coffee and catch up</a>	Next scheduled event 24 August 2021
Eastern regional group	7 September 2021
SAB	9 September 2021
<a href="#">Eversheds Sutherland cyber and data breach training</a>	20 September 2021
SAB	9 December 2021

## FPS

### PSP&JO Bill introduced

On 19 July 2021, HM Treasury (HMT) introduced the Public Service Pensions & Judicial Offices Bill (PSP&JO Bill) to the House of Lords.

The following documents are available from the [PSP&JO Bill publications page](#) and updated versions will be added as the Bill progresses through Parliament:

- Bill (as introduced)
- Explanatory Notes
- Delegated Powers Memorandum
- Equality Impact Assessment
- Impact Assessment
- Two documents on the Bill's first reading

The PSP&JO Bill sets out in law how the Government will remove the discrimination identified by the courts in the way that the 2015 reforms were introduced for some members (i.e., remedy).

This is the primary legislation which closes final salary schemes for accrual past 31 March 2022 and moves all remaining members into FPS 2015, while ensuring that existing transitional protections such as the final salary link and double accrual are retained.

More information about how benefits are calculated for transitional members of the FPS 2015 is available from the [FPS 2015 transition members](https://www.fpsmember.org) page of [www.fpsmember.org](https://www.fpsmember.org), including details of how final salary accrual in the FPS 1992 is treated under the [double accrual protection](#).

HMT has provided a [central Q&A document](#) and we are expecting a version that is more tailored to the FPS in due course.

Details of the Bill have been published on [www.fpsmember.org](https://www.fpsmember.org) under [Age Discrimination Remedy](#) and we will be working with the Fire Communications Working Group on developing central communications for scheme members.

The second reading of the Bill is due to take place in the House of Lords on 7 September 2021.

### **Knowledge Hub technical forum reinstated**

Readers may remember that before the introduction of [www.fpsregs.org](https://www.fpsregs.org), all resources and technical advice were provided through a Knowledge Hub forum.

While we have moved away from this platform in order to provide central and consistent access to resources and formal technical guidance, the forum has been reinstated for members to share technical knowledge and best practice, in order to promote peer working and collaboration within the sector.

Forum members can raise technical queries and share experiences with colleagues; however, users must note that any information provided is on an informal basis and should not be treated as legal advice. If a query needs to be escalated, it should be logged using the existing [technical query form](#).

The forum is restricted to administrators and employer representatives of the FPS and can be accessed using the following link:

<https://khub.net/group/thefirefighterspensionsdiscussionforum/group-forum>

You will need to register and request to join if you are not already a member.

Readers should also note that the Firefighters' Pensions practitioners' group on Workplace will shortly be closed down as it is not being used.

### **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 will be updated monthly in line with the bulletin release dates.

No new queries have been added this month.

Please bear with us if you experience a delay in response to your technical query. As you can imagine, much of our resource is currently focused on remedy-related issues.

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## FPS England SAB updates

### TPR 2020-21 Governance and Administration survey

On 1 July 2021, the Pensions Regulator (TPR) published the results of its [2020-21 Governance and Administration survey](#).

The survey was conducted online between January and March 2021 and aims to track governance and administration practices among public service pension schemes. The 2020-21 survey also included new questions on response to the pandemic and pensions dashboards.

TPR measures annual progress against the following six key processes:

- have a documented policy to manage board members' conflicts of interest
- have access to the knowledge, understanding and skills needed to properly run the scheme
- have documented procedures for assessing and managing risk
- have processes to monitor records for accuracy and completeness
- have a process for resolving contribution payment issues
- have procedures to identify, assess and report breaches of the law.

Three quarters (74 per cent) of Firefighters' schemes who responded to the survey had all six processes in place. This is a significant increase from 55 per cent in 2019.

The report is being considered by the Local Pension Board (LPB) effectiveness committee ("the Committee") to make recommendations to the Scheme Advisory Board (SAB) on any actions needed.

The [TPR six key processes factsheet](#) will be updated in due course to reflect the latest performance and give further guidance to FRAs in order to achieve a higher rate of understanding and compliance ahead of future surveys.

In the short-term, the Committee recommends that LPBs can use the survey results to carry out an annual evaluation.

### Template FPS Administration Strategy published

In [FPS Bulletin 34 – June 2020](#) we launched a consultation on a template pension administration strategy for the FPS, which was developed following a recommendation in [AON's 2019 review](#) of the administration and management of the scheme.

The initial consultation response was published with [FPS Bulletin 37 – September 2020](#).

All feedback has now been considered and we are pleased to include tracked versions of the [updated consultation response](#) and the [revised template strategy](#) as appendices to the bulletin. The final strategy is available from the [guides and sample documents page](#) of [www.fpsregs.org](http://www.fpsregs.org) as a Word document for FRAs to download and adapt to suit their individual requirements.

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TPR reported in section 4.3 of the latest [governance and administration survey results](#) that just under half of Firefighters' schemes had an administration strategy, compared to almost three-quarters of schemes across the public sector. We hope that publication of the template will help schemes to put an administration strategy in place and increase this outcome for the 2021-22 survey.

### **SAB response to pensions dashboards staging call for input**

We confirmed in [FPS Bulletin 46 – June 2021](#) that the SAB would respond to the Pensions Dashboards Programme (PDP) call for input on dashboard staging, which proposed that public service schemes join the dashboard within a two-year period starting from April 2023.

In summary, the [Board's response to the call for input](#) was that staging for the Firefighters' Pension Scheme should be only after the age discrimination remedy has been implemented and the first set of annual benefit statements issued successfully in Autumn 2024.

## **Other News and Updates**

### **Clair Alcock leaves the team**



Many of our readers will be aware that Clair will shortly be leaving the LGA to take up a new role as Head of Police Pensions with the National Police Chiefs' Council (NPCC). Clair's last day is 3 September 2021.

Clair is a familiar face to many and has worked for the LGA in the pensions team since December 2014, leading and advising stakeholders in the management, governance, and administration of the Firefighters' Pension Schemes.

Clair works closely with all stakeholders across the Fire sector and has had a significant impact on improving the understanding of the pension schemes and its effect on the workforce and employer.

Before joining the LGA, Clair was the lead consultant for software development on Police and Fire Pensions having previously worked with both private and public sector pension schemes.

Clair will be sorely missed by all colleagues at the LGA and across the Fire sector. Congratulations on your new role Clair, and good luck!

### **HMT response to consultation on implementation of increased NMPA**

We confirmed in [FPS Bulletin 42 – February 2021](#) that HMT was consulting on the implementation of an increased normal minimum pension age (NMPA) from age 55 to age 57 on 6 April 2028.

NMPA is the minimum age at which most pension savers can access their pensions without incurring an unauthorised payments tax charge (unless they are taking their pension due to ill-health).

On 20 July 2021, HMT published its [response to the NMPA consultation](#) in addition to a [policy paper and draft regulations introducing measures to increase the NMPA](#).

The measures will not affect members who:

- are retiring due to ill health
- have a protected pension age
- are members of the firefighters, police, and armed forces public service schemes.

### **MHCLG consultation on special severance payments**

The Ministry of Housing Communities and Local Government (MHCLG) has published a consultation on New Best Value statutory guidance covering special severance payments for local authorities in England. You can find the draft statutory guidance and covering letter from MHCLG on the [scheme consultations](#) page of [www.lgpsregs.org](http://www.lgpsregs.org).

Our colleagues on the Local Government Pension Scheme (LGPS) team also have published [LGA's initial comments](#) on this page.

MHCLG welcomes responses from all interested parties. They are particularly keen to receive responses from the bodies listed in the Annex to the covering letter. This list covers public sector scheme employers, including Fire and Rescue Authorities and the London Fire Commissioner.

### **TPO's term of office extended**

The DWP has confirmed that it has extended the term of Anthony Arter as The Pensions Ombudsman (TPO) for another year.

In a [letter to Work and Pensions Committee Chair Stephen Timms](#), Minister for Pensions and Financial Inclusion, Guy Opperman stated that Mr Arter's term will be extended for a period of 12 months from 1 August 2021.

### **Stronger nudge to pensions guidance consultation**

On 9 July 2021, [DWP launched a consultation on draft regulations](#) that will require occupational pension schemes, in most situations, to nudge members aged 50 or above applying to access, or to transfer out for the purposes of accessing, their benefits.

The regulations will require pension schemes to explain the nature and purpose of

Pension Wise guidance and facilitate the booking of a Pension Wise appointment as part of the application process. The regulations will also require the member to have confirmed that they have received the guidance or opted out of receiving it before the scheme can action the application.

The regulations will implement the duty set out in section 19 of [the Financial Guidance and Claims Act 2018](#).

The consultation applies to England, Wales, and Scotland. It is anticipated that Northern Ireland will make corresponding regulations. The consultation closes on 3 September 2021.

### **Actuarial, Benefits and Governance Consultancy Services Framework**

On 1 July 2021, the National LGPS Frameworks launched the [Actuarial, Benefits and Governance Consultancy Services Framework 2021](#).

The [framework joining instructions](#) confirm that scheme managers of public sector pension schemes can use the consultancy services framework.

If you would like more information or copies of the supporting documentation (including provider catalogues and guidance notes) or you have a query about this or any other framework, please email: [NationalLGPSframeworks@norfolk.gov.uk](mailto:NationalLGPSframeworks@norfolk.gov.uk).

## **HMRC**

### **HMRC newsletters/bulletins**

On 30 July 2021, HMRC published [Pension schemes newsletter 131](#) containing important updates and guidance for schemes. Articles include:

- relief at source – annual return of information for the tax year 2020 to 2021
- relief at source and National Insurance applications
- Managing pension schemes service:
  - Retirement annuity contracts and deferred annuity contracts
  - amending an Accounting for Tax return
- Managing pension schemes service – user research
- annual allowance - pension savings statements for tax year 2020 to 2021
- annual allowance - declaring the annual allowance charge on the Self Assessment tax return
- non-taxable payments following a member's death and Real Time Information (RTI) reporting
- pension flexibility statistics
- qualifying recognised overseas pension schemes transfer statistics

### Contracting-out reconciliation update

On 26 July 2021, HMRC published [Countdown Bulletin 55](#) with updates on:

- the closure of Scheme Cessation and Scheme Reconciliation eRooms
- final data cuts for Pension Schemes
- how to raise queries with HMRC

### Pension Scheme Pays reporting: information and notice deadlines

On 20 July 2021, [HMRC published a policy paper](#) and [draft regulations proposing to extend the mandatory scheme pays deadline](#) for members whose pension input amount is retrospectively changed.

The proposal has been made because of the age discrimination remedy, where a member's annual allowance position for a previous tax year may be changed retrospectively. However, HMRC has confirmed that the proposal will not be restricted to just these cases.

The proposal will extend the scheme pays deadline where –

- the administrator gives information to the member about a change to the pension input amount on or after 2 May in the year following that in which the relevant tax year ends and before the end of the six-year period beginning with the end of the tax year, and
- as a result of the change, the member qualifies to elect for mandatory scheme pays.

In these cases, it is proposed that the member must give the scheme pays election within three months from being given the information about the change or, if earlier, before the end of the six-year period beginning with the end of the relevant tax year. In other cases, the deadline remains 31 July in the year following that in which the tax year ends.

Consequently, the draft regulations also propose amending the deadline by which the administrator must report and pay the charge to HMRC. It is proposed that administrators will need to report the charge on the Accounting for Tax return for the quarterly period following that in which the administrator receives the scheme pays election (though schemes will continue to be able to include the charge on a return for an earlier period). This proposal will apply to all scheme pays elections (not just those resulting from a retrospective change).

The Government signified its intention to make these changes on Tax Day in March. See [FPS Bulletin 43 – March 2021](#) for more information.

It is intended that the changes will commence on 6 April 2022 with retrospective effect to 6 April 2016.

## 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.

We will be taking a short break over the holiday period and will resume the sessions on 24 August 2021.

If you do not already receive the meeting invitations and would like to join us, please email [bluelight.pensions@local.gov.uk](mailto:bluelight.pensions@local.gov.uk).

## Legislation

SI	Reference title
2021/764	<a href="#">The Financial Guidance and Claims Act 2018 (Commencement No. 8) Regulations 2021</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](#)
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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 [claire.hey@local.gov.uk](mailto:claire.hey@local.gov.uk)

Table 1: Calendar of events

Event	Date
<a href="#">FPS coffee and catch up</a>	14 and 28 September 2021
Eastern regional group	7 September 2021
SAB	9 September 2021
<a href="#">Eversheds Sutherland cyber and data breach training</a>	20 September 2021
North East regional group	17 November 2021
SAB	9 December 2021

## Actions arising

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

[TPR scheme return](#): Scheme managers to check contact details are correct on the Exchange.

[Managing Pension Schemes \(MPS\) service](#): FRAs to enrol on to the new MPS service, no later than 24 September 2021.

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## FPS

### **PSP&JO Bill Home Office guidance**

Home Office guidance has now been published, following the announcement of the introduction of [Public Service Pensions & Judicial Offices \(PSP&JO\) Bill](#) and the accompanying centralised Q & A document in [FPS Bulletin 47 – July 2021](#).

The [PSP&JO Bill Home Office guidance](#) is a more tailored version of the central FAQs for the FPS. It provides a detailed summary of how the Bill legislates to remove the discrimination identified in the McCloud/Sargeant litigation and what it means for affected scheme members.

For reference, it contains information on:

- what the Government has published;
- the background and detail of the Public Service Pensions and Judicial Offices Bill;
- how the Bill will implement changes across all the main public service pension schemes in response to the Court of Appeal judgment in the McCloud and Sargeant cases;
- the next steps following the Bill and any additional information which may be helpful to members.

Please note that the guidance will be kept under review.

### **LGA update on the PSP&JO Bill**

We are pleased to publish an [LGA update on the PSP&JO Bill](#) and what it means for the FPS.

The update comments on the main provisions of the Bill and looks in particular at the effect for transition members.

### **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 will be updated monthly in line with the bulletin release dates.

Queries have been answered this month in the following categories: compensation scheme (page 35).

Please bear with us if you experience a delay in response to your technical query. As you can imagine, much of our resource is currently focused on remedy-related issues.

If you need an informal steer from sector colleagues in the meantime, please use the recently reinstated [Knowledge Hub technical forum](#), as detailed in [FPS Bulletin 47 – July 2021](#).

## FPS England SAB updates

### SAB response to HMT consultations

We told readers in [FPS Bulletin 46 – June 2021](#) that HM Treasury (HMT) had published two public consultations seeking views on proposals to reform the cost control mechanism in public service pension schemes, and secondly on the appropriate methodology for setting the discount rate used in scheme valuations.

The Scheme Advisory Board (SAB) submitted responses to both consultations on 19 August, working closely with the [Cost-effectiveness committee](#) and the actuarial advisers to the SAB, First Actuarial.

The responses can be found on the [consultations page](#) of the SAB website.

### TPR publishes interim response to code of practice consultation

Between 17 March and 26 May 2021, the Pensions Regulator (TPR) consulted on a proposed new code of practice. The first phase of the new modular code contains 51 topic-based units and replaces 10 of the longer existing codes of practice.

TPR published its [interim response to the code of practice consultation](#) on 24 August 2021. Key points or issues raised were support for setting common expectations of all schemes, the intended audience for modules, use of the new term 'governing body', and the requirement for schemes to undertake an own risk assessment.

TPR is currently reviewing the detailed feedback received and the earliest time that the new code might become effective is summer 2022.

## Other News and Updates

### Farewell from Clair Alcock

As announced in the last bulletin, I have been offered the post of Head of Police Pensions for NPCC and I will leave LGA on 3 September.

I have been lucky to work in a sector with so many committed stakeholders who have shared my vision in building the delivery of Fire pensions and thank you all for your support and encouragement. It has been an absolute pleasure working with the Fire sector and thank you for the kind words I have already received.

I am delighted to announce that after a successful interview Claire Hey has been offered the post as my successor, and I wish her all the best and know that she will receive wide support from the sector.

### Briefing paper on the PSP&JO Bill published

The House of Lords Library published [briefing paper LLN-2021-0019](#) about the PSP&JO Bill on 26 August 2021.

The paper gives an overview of the Bill and a useful explanation of the policy background. The provisions of the Bill are listed by clause with a brief description of what each intends to achieve.

[Click here to return to Contents](#)

### TPR scheme return

Scheme return notices are being sent to public service pension scheme managers in September.

[Information about completing and submitting a public service scheme return](#) can be found on the TPR website. Schemes are advised to make sure that their contact details are up to date on the [Exchange](#) system.

Completing the scheme return is a legal requirement and scheme managers could be fined for failing to submit a completed return by the deadline.

### Guidance on GMPs and new State Pension

On 12 August 2021, the Department for Work and Pensions (DWP) published a factsheet: [Guaranteed Minimum Pension \(GMP\) and the effect of the new State Pension](#). The factsheet is for individuals who have a GMP and reach their State Pension age after 5 April 2016.

### Action Fraud webinars

Action Fraud is hosting a series of free webinars on reporting pension scams, supported by TPR, Pension Scams Industry Group (PSIG) and the National Economic Crime Centre (NECC).

View the agenda and register for one of the webinars below:

- [16 September 2021](#)
- [21 October 2021](#)
- [25 November 2021](#)

The webinar will provide clarity on when to report, what to report and who to report to, and will feature expert speakers with a short Q and A session.

## HMRC

### Managing Pension Schemes (MPS) service

On 16 August 2021, HMRC published [Managing Pension Schemes service newsletter – August 2021](#). The latest newsletter has articles on:

- declaring as pension scheme administrator for a retirement annuity contract and deferred annuity contract
- submitting an Event Report
- migration
- Accounting for Tax (AFT) return
- how you can help us
- signing into online services
- updating your details

HMRC is currently contacting all FRAs by email to help them enrol on the new MPS before migration. Enrolment should ideally take place before 24 September 2021.

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HMRC has emphasised the importance of the FRAs making sure that the correct legal sub-scheme administrator registers on MPS. The legal sub-scheme administrator is the named FRA, not the appointed pension administrator (practitioner). This is important as HMRC may issue tax assessments, penalty notices and Information notices on the sub-scheme administrator. If these are not paid and enforcement action proceeds, this should be on the legal sub-scheme administrator.

The provisions for sub-schemes are set out in [The Registered Pension Schemes \(Splitting of Schemes\) Regulations 2006](#). The core regulations set out the basic rules for splitting a scheme. There are then three schedules:

- schedule 1 sets out the schemes to be split
- schedule 2 sets out the names of the sub-scheme administrators for each split scheme
- schedule 3 sets out those responsibilities and liabilities of a scheme administrator in FA04 and secondary legislation which are to apply instead to a sub-scheme administrator.

If you have any questions about or feedback on the Managing Pension Schemes service, please contact [migration.mps@hmrc.gov.uk](mailto:migration.mps@hmrc.gov.uk).

### HMRC newsletters/bulletins

On 27 August 2021, HMRC published [Pension schemes newsletter 132](#) containing important updates and guidance for schemes. Articles include:

- Relief at source
  - annual return of information — interim repayments
  - APSS106 annual claims for tax year 2020 to 2021
  - reporting excess relief
- Annual allowance
  - pension savings statements for tax year 2020 to 2021
- Pension scheme migration:
  - viewing pension schemes
  - schemes without Pension Scheme Tax References (PSTRs)
  - wound up pension schemes
  - multiple IDs

## 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 September 2021.

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

## Legislation

SI	Reference title
2021/950	<a href="#"><u>The Pension Schemes Act 2021 (Commencement No. 3 and Transitional and Saving Provisions) Regulations 2021</u></a>

## Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khuf 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](#)
- [Welsh Government Fire circulars](#)

## Contact details

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## AGENDA ITEM NO 10

**Training Session for Members**

-

To be presented verbally on the day

Presenting Officers: Kim Jeal and ACO Alison Reed

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## AGENDA ITEM NO 11

**FORWARD WORK PROGRAMME FOR  
LOCAL PENSION BOARD 2021/2022**

<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 on Scheme Data for Firefighters Pension Scheme	To provide the Local Pension Board with FACTUAL STATS, Scheme Membership data and an update position on the fund.	ACO People Services  Contact Officer – Ian Traylor, RCT Pensions Officer	<b>28 June 2021</b>	Presented
Report to review Local Pension Board Terms of Reference	The purpose of the report is to set out the Terms of reference for the LPB.	ACO People Services  Contact Officer – ACO Alison Reed	<b>28 June 2021</b>	Presented
Report to review Local Pension Board Service Level Agreement	The purpose of the report is to review the Service Level Agreement (SLA)	ACO People Services  Contact Officer – ACO Alison Reed	<b>28 June 2021</b>	Presented
Report to review Key Performance Indicators	To update Members	ACO People Services  Contact Officer – Ian Traylor, RCT Pensions Officer	<b>28 June 2021</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>
Update on Internal Dispute Resolution Procedures (IDRP)	To update Members	ACO People Services Contact Officer – ACO Alison Reed	<b>28 June 2021</b>	Presented
Report on McCloud – Tapering – Verbal Update	To update Members	ACO People Services Contact Officer – ACO Alison Reed	<b>28 June 2021</b>	Presented
Standard item – Recent publications, updates, information	To update Members	ACO People Services Contact Officer – ACO Alison Reed	<b>28 June 2021</b>	Presented
Training Session for Members	To update Members	ACO People Services Contact Officer – Kim Jeal – HR Manager	<b>28 June 2021</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>
Update report on Publication of Annual Benefits Statement	To update Members	ACO People Services  Contact Officer – Ian Traylor, RCT Pensions Officer	<b>18 October 2021</b>	On Agenda
Report to review Key Performance Indicators	To update Members	ACO People Services  Contact Officer – Ian Traylor, RCT Pensions Officer	<b>18 October 2021</b>	On Agenda
Update report on McCloud – Immediate Detriment	To update Members	ACO People Services  Contact Officer – ACO Alison Reed	<b>18 October 2021</b>	Verbal Update
Update report from Scheme Advisory Board	To update Members	ACO People Services  Contact Officer – ACO Alison Reed	<b>18 October 2021</b>	Verbal Update

<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>18 October 2021</b>	On Agenda
Training Session for Members	To update Members	ACO People Services  Contact Officer – Kim Jeal – HR Manager	<b>18 October 2021</b>	On Agenda
Report to review Key Performance Indicators	To update Members	ACO People Services  Contact Officer – Ian Traylor, RCT Pensions Officer	<b>24 January 2022</b>	
Update report on McCloud	To update Members	ACO People Services  Contact Officer – ACO Alison Reed	<b>24 January 2022</b>	

Report Name	Purpose of piece of work	Lead Director/ Contact Officer	Expected Date of Decision/ Submission/ Review	Progress
Training Session for Members	To update Members	ACO People Services  Contact Officer – Kim Jeal – HR Manager	<b>24 January 2022</b>	

**Dates of meetings – 28 June, 2021, 18 October, 2021, 24 January, 2022**

**ACO Alison Reed – Director of People Services  
Chris Barton – Treasurer  
Kim Jeal – HR Manager**

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## AGENDA ITEM NO 12

**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 both verbally and in writing declare any personal and/or prejudicial interests 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:-

- Local Pension Board Committee Meeting held on 3  
Monday 28 June 2021

**Reports for Decision**

5. Review of Local Pension Board Terms of Reference (TOR) – Quorate Arrangements 11

**Reports for Information**

6. Review of Key Performance Indicators and Update of Annual Benefits Statement 23
7. Report on McCloud – Immediate Detriment – **To be presented verbally on the day** 33
8. Update Report from Scheme Advisory Board – **To be presented verbally on the day** 35
9. Publications, Updates, Information (Standard Item) 37
10. Training Session for Members – **To be presented verbally on the day** 81
11. Forward Work Programme for Local Pension Board Committee 2021/2022 83
12. To consider any items of business that the Chairperson deems urgent (Part 1 or 2) 89