

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

FIRE & RESCUE AUTHORITY SUMMONS

SOUTH WALES FIRE & RESCUE AUTHORITY

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

Monday, 23 January 2023 at 1000 hours

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

or

Remotely via MS Teams - <https://bit.ly/Local-Pension-Board-Committee-23-01-23>

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

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

A G E N D A

1. Apologies for Absence
2. Declarations of Interest

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

3. Chairperson's Announcements

4. To receive the minutes of:
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10. To consider any items of business that the Chairperson deems urgent (Part 1 or 2) 163

Signature of Monitoring Officer:



MEMBERSHIP

Councillors:

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

SOUTH WALES FIRE & RESCUE AUTHORITY

MINUTES OF THE LOCAL PENSION BOARD COMMITTEE HELD ON MONDAY, 17 OCTOBER 2022

13. PRESENT

Councillor

P Drake (Chair)	Vale of Glamorgan
J Morgan	Blaenau Gwent
D Naughton	Cardiff
D King	Fire & Rescue Service Association
G Tovey	Fire Brigades' Union
Ms C Black	Pensions Service Manager, Rhondda Cynon Taff BC

Apologies:

C Elsbury	Caerphilly
R Prendergast	Association of Principal Fire Officers
M Alexander	Fire Brigades' Union

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

14. DECLARATIONS OF INTEREST

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

15. CHAIR'S ANNOUNCEMENTS

There were no Chair's announcements.

16. MINUTES OF PREVIOUS MEETINGS

The minutes of the Local Pension Board Committee held on 4 July 2022 were read and accepted as a true record of proceedings.

17. REPORT TO REVIEW KEY PERFORMANCE INDICATORS AND UPDATE REPORT ON PUBLICATION OF ANNUAL BENEFITS STATEMENT

The Pensions Service Manager presented the current year key performance and was pleased to confirm that the Service is hitting performance targets, and Service Level Agreements (SLAs), all within an agreed time of work.

She advised that RCT work closely with the Service, there is a dedicated email account where work is allocated and this email account is monitored daily. She advised that a departmental restructure is underway to ensure they can continue to provide an excellent service to the organisation, this will see the addition of five administrators within the section who carry out work for fire and local government.

An online provision for firefighters to access their pension details is available which allows them to access their information quicker.

She advised that, since the last meeting the deferred and active member annual benefits statements have been issued by the statutory deadline.

Immediate detriment claims continue to be processed in liaison with Kim Jeal and team. Each case is very labour intensive and can take up to a day to process one case. Software is not available so these are being completed manually. It was noted that there will be a need to revisit all cases in October 2023, a caveat is being included in all communications so that members are aware.

RESOLVED THAT

Members noted the performance data contained within Appendix 1 and the overview contained within Appendix 2.

8. FIREFIGHTER PENSIONS – REMEDYING AGE DISCRIMINATION

The Director of People Services presented the report on Firefighter Pensions, Remedying Age Discrimination which confirms that accounts have been audited and have received a clean bill of health.

She drew attention to the Appendix confirming the number of immediate detriment cases so far processed, adding that South Wales is one of only a few services processing immediate detriment cases. She extended thanks to Ms Jeal (SWFRS Pensions) and her team and Ms Black (RCT Pensions) and her team for working closely together to achieve this.

The Director of People Services advised that the Service are nearing the completion of purchasing a calculator that will assist firefighters to understand what their benefits will look like on retirement. She advised that it is hoped to have the GAD Modeller up and running within the next few months.

Mr Tovey welcomed the GAD modeller and encouraged that it be implemented as soon as possible, as the lack of information is a challenge for individuals who are being asked to make important decisions with little information.

RESOLVED THAT

Members noted the content of the report.

19. UPDATE REPORT FROM SCHEME ADVISORY BOARD

The Director of People Services provided an update from the Scheme Advisory Board.

She advised that UK government had issued a consultation in relation to the Scape rate, which is used to value public service pension schemes and set employer contribution rates, this could result in changes in the way it works in the future. Results of the consultation are expected this autumn, although this deadline could be deferred.

She advised that a consultation will be issued January 2023 by HM Treasury in relation to retrospective scheme rules with regard to remedying age discrimination. The consultation will look at the scheme rules, interest rates and other key areas. Welsh Government are also working with UK government on these matters. An informal working group has been set up, Ms Jeal sits on this group. The consultation will close April 2023.

The Director of People Services further advised that the 'Mathews/O'Brien' cases, relating to part time workers' rights were relevant for the Service's On-Call staff. The intention is to widen the scope to prior to 2000. In this scenario organisations will need to check what records and data has been kept in order to undertake due diligence and implement the arrangements. Welsh Government are planning to introduce regulations in October 2023. She added that next year will see a number of consultations particularly addressing age discrimination and part time workers' rights.

Also discussed was the valuation on pensions and cost cap arrangements, she confirmed that there was likely to be more information available between January to March 2023. The Director of People Services advised that if there is a breach of the cost cap, SAB will need to discuss it in detail in terms of impact including any financial implications.

Mr Tovey advised that there are significant risks with dealing with both 'Mathews/O'Brien as well as McCloud/Sargeant at the same time, especially due to resources required. Ms Jeal advised that in relation to 'O'Brien', when legislation has been put in place, organisations have eighteen months to undertake and complete the exercise.

RESOLVED THAT

Members noted the update from the Director of People Services.

20. 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.

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

Of note, the Director of People Services advised that in relation to the TPO - Early Resolution Factsheet/Service, it was interesting to note the availability of this service and useful for Members to be aware from Board learning perspective.

Councillor Drake raised concerns in relation to combatting pension scams. Ms Jeal advised that an individual cannot now transfer out of a public service to a private company so there is some protection, although public sector individuals who have separate private pensions could fall foul to scams. Ms Black reassured the Committee that as a fund, they have signed up to the pledge with the pensions regulator and will keep on top of any red flags to prevent any scams.

The Director of People Services advised that in relation to annual allowance charges, a workshop was run on 7th October facilitated by an external company. Ms Jeal advised that attendance was relatively low.

It was noted that the FPS AGM is taking place in London on 25-26 October. and further information would be shared with the Board in due course.

The Director of People Services drew attention to the open letters between SAB and HM Treasury, advising that these would be useful to review as they contain information in relation to the complexities associated with assessing immediate detriment cases.

RESOLVED:

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

20.02 Ms Jeal to provide an update on the FPS AGM is taking place in London on 25-26 October 2022.

21. TRAINING SESSION FOR MEMBERS

The Director of People Services advised that for this Members' training session, Members will be sent an email with links to the SAB Wales training session held recently. The training session proved very useful, covering topics such as 'O'Brien', 'McCloud' and the pensions dashboard. She requested that Members work through the training session and share any reflections on the training event and any activities they think should be included on the agenda.

Councillors Morgan and Naughton advised that they were unable to attend the training session but confirmed they would complete as soon as they are able to.

RESOLVED THAT

On the closing of the meeting, Members resolved to undertake the training session.

22. FORWARD WORK PROGRAMME FOR LOCAL PENSION BOARD 2022/2023

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

RESOLVED THAT

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

23. 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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SOUTH WALES FIRE & RESCUE AUTHORITY

AGENDA ITEM NO 5
23 JANUARY 2023

LOCAL PENSION BOARD COMMITTEE

REPORT OF THE REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

REVIEW OF KEY PERFORMANCE INDICATORS

THIS REPORT IS FOR DECISION

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

SUMMARY

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

RECOMMENDATIONS

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

1. BACKGROUND

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

2. ISSUES

- 2.1 There are no issues to report.

3. IMPLICATIONS

3.1 Community and Environment

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

3.2 Regulatory, Strategy and Policy

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

3.3 Resources, Assets and Delivery

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

4. EVALUATION & CONCLUSIONS

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

5. RECOMMENDATIONS

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

5.2 That Members note the relevant pension administrative overview and update included at Appendix 2 attached to the report.

Contact Officers:	ACO Alison Reed Director of People Services Ian Traylor Service Director Pensions, Procurement & Transactional Services, Rhondda Cynon Taf CBC (Scheme Administrator)
Background Papers	Appendix 1 – Current Year Key Performance Appendix 2 – Overview and Update of Administrative Activity

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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	2022/2023 Year to Date Actual %
% Refund of contributions processed within 10 days	Payment	100%	95%	-	-	-	-	-	-	-	-	-	-	-	-	No cases completed	-
% Divorce Estimates processed within 10 days	Statement	100	95%	-	-	100%	-	-	100%	100%	100%	-	-	-	-	No cases completed	100%
% Preserved Benefits processed within 10 days	Statement	100	90%	-	50%	-	100%	-	-	-	100%	-	-	-	-	No cases completed	75.00%
% Employer requests for retirement estimates processed within 5 days	Statement	100	95%	-	-	-	100%	-	-	-	100%	-	-	-	-	No cases completed	100%

Appendix 1

% Retirements from Active membership processed within 5 days	Payment	100	95%	100%	100%	100%	100%	100%	100%	100%	66.67%*	-						One case completed. On time	96.67%
% Preserved Benefits into payment on retirement processed within 5 days	Payment	100	95%	-	-	-	-	-	-	-	-	-						No cases completed	-
% Transfers In processed within 10 days	Statement	100	90%	-	-	-	--	-	-	-	-	-						No cases completed	-
% Transfers Out processed within 10 days (Monthly)	Payment	100	95%	-	-	-	-	-	-	-	-	-						No cases completed	-
% death grant for active members within 5 days (Monthly)	Payment	100	95%	-	-	-	-	-	-	-	-	-						No cases completed	-

- 3 cases completed in month, one over target which was an immediate detriment cases and completed in 6 days

Appendix 1

MONTHLY SERVICE STANDARDS															Relates to last Month Completed		
Scheme FIR (2006 Scheme and Transitioned members)																	
<u>STANDARD MEASURED</u>		<u>TARGET</u>	<u>INTERVENTION</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>MAR</u>	Comments	2022/2023 Year to Date Actual %
% Refund of contributions processed within 10 days	Payment	100%	95%	-	-	-	-	-	-	-	-					No cases completed	-
% Divorce Estimates processed within 10 days	Statement	100%	95%	-	-	-	100%	100%	-	-	100%					3 cases completed , all on time	100%
% Preserved Benefits processed within 10 days	Statement	100%	90%	100%	100%	100%	100%	-	100%	100%	100%					No cases completed	100%
% Employer requests for retirement estimates processed within 5 days	Statement	100%	95%	-	-	-	-	-	-	-	-					No cases completed	-
% Retirements from Active membership processed within 5 days	Payment	100%	95%	100%	100%	100%	-	-	100%	100%	100%					No cases completed	100.00%

Appendix 1

% Preserved Benefits into payment on retirement processed within 5 days	Payment	100%	95%	0%	100%	-	100%	100%	100%	100%	100%					2 cases completed , both on time	88.89%
% Transfers In processed within 10 days	Statement	100%	90%	-	100%	100%	100%	100%	100%	100%	100%					1 case complete, on time.	100.00%
% Transfers Out processed within 10 days (Monthly)	Payment	100%	95%	-	-	-	-	-	-	-	100%					No cases completed	100.00%
% death grant for active members within 5 days (Monthly)	Payment	100%	95%	-	-	-	-	-	-	-	-					No cases completed	-
% death grant for pensioner members within 5 days (Monthly)	Payment	100%	95%	-	-	-	-	-	-	-	-					No cases completed	-

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

Member Self-Serve Statistics

Member Self-Serve (MSS) take-up as 15th December 2022

	Status 1 (Actives)	Status 2 (Pending leavers)	Status 4 (Deferred)	Status 5 (Pensioners)	Status 6 (Dependants)
Scheme 090	85.53%	100%	68.03%	40.67%	4.42%
<i>Total Membership</i>	<i>318</i>	<i>1</i>	<i>122</i>	<i>1163</i>	<i>181</i>
Scheme FIR	47.06%	64.29%	35.11%	56.72%	0.00%
<i>Total Membership</i>	<i>918</i>	<i>14</i>	<i>1011</i>	<i>134</i>	<i>13</i>

Scheme Member Complaints

- There are no formal complaints to report this period.

Key Administration Activities

- Pension Savings Statements issued by statutory deadline of 6th October 2022, scheme pays forms being received and reminder letters regarding tax self-assessment deadlines to be issued at beginning of January.
- Immediate Detriment cases continue to be processed
- Continue to work closely with SWFRA, and other forums, software provider with regard to McCloud remedy requirements
- Pension Regulator Return submitted to time (deadline 18th November) – data scores noted below

	Common Data Score	Scheme-specific Data
1992 Scheme	99%	98%
2006 Scheme	95%	96%
2015 Scheme	99%	96%

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THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN**SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 6
23 JANUARY 2023

LOCAL PENSION BOARD COMMITTEE

REPORT OF THE ACO PEOPLE SERVICES

FIREFIGHTER PENSIONS – REMEDYING AGE DISCRIMINATION**THIS REPORT IS FOR INFORMATION**

REPORT PRESENTED BY THE ACO PEOPLE SERVICES

SUMMARY

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

RECOMMENDATIONS

That Members note the content of the report.

1. BACKGROUND

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

- 1.2 In 2018 the Court of Appeal ruled that the transitional protection element of the 2015 public service pension reforms constituted unlawful age discrimination in the Firefighters' Pension Schemes. This is referred to as the McCloud/Sargeant case. On the back of this decision the Government confirmed that it would remove the difference in treatment across all main public service pension schemes. Since then there have been further challenges in the courts in relation to the powers of Fire & Rescue Authorities and their ability to implement the outcome of the McCloud/Sargeant judgement.
- 1.3 In October 2020 the UK Government undertook to consult the public on the way forward in relation to public service pension schemes and in particular how it should respond to the detail outlined in the judgement. The outcomes of the consultation were published on 4 February, 2021, with an option called 'the Deferred Choice Underpin' being adopted. This will mean that members will make their decision between scheme benefit options shortly before their benefits are paid from the scheme, at the point of retirement. In the meantime, members will be deemed to have accrued benefits in their legacy schemes rather than reformed schemes, for the remedy period until they make that choice. The remedy period has been determined as 1 April, 2015 to 31 March, 2022. The UK Government response to the consultation can be accessed via this link:- <https://www.gov.uk/government/consultations/public-service-pension-schemes-consultation-changes-to-the-transitional-arrangements-to-the-2015-schemes>
- 1.4 On 12 February, 2021, the Employment Appeal Tribunal (EAT) gave its judgement on an appeal by the Fire & Rescue Authorities based on Schedule 22 of the Equality Act. The appeal was based on the argument that the Fire & Rescue Authorities did not make the legislation which was found by the Court of Appeal to be discriminatory on the grounds of age, but were bound to follow it because it was the law. Schedule 22 can give a defence where an employer is required by legislation to act towards its employees in a way which is discriminatory. The Employment Appeal Tribunal's judgement was that Fire & Rescue Authorities cannot rely on the Schedule 22 defence. Effectively the Employee Appeal Tribunal held that the Fire & Rescue Authorities in their capacity as the scheme manager could have decided not to follow discriminatory legislation and, in fact, should have done so by refusing to treat firefighters as having transferred into the Firefighters Pension Scheme 2015. This is because it held that Section 61 of the Equality Act 2010 prohibits Fire & Rescue Authorities from acting in a manner which discriminates on the grounds of age and it prioritises that obligation over the other provisions in the pension scheme which would oblige the Fire & Rescue Authorities to act in that way. In addition, it held that under Section 62 of the Equality Act 2010, as scheme managers the Fire & Rescue Authorities have vested in

them the power to pass a resolution making alterations to the scheme, which would have the effect of removing such discrimination.

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

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

2. IMPLICATIONS

2.1 Community and Environment

Equality, Diversity and Inclusion	No
Welsh Language	No
Wellbeing of Future Generations (Wales) Act 2015	No

Socio Economic Duty	No
Sustainability/Environment/Carbon Reduction	No
Safeguarding	No
Consultation and Communications	No
Consultation with Representative Bodies	Yes
Impact Assessment	Yes

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

2.3 Regulatory, Strategy and Policy

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

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

2.5 Resources, Assets and Delivery

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

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

2.7 Following audit of the 2021/22 accounts by the Wales Audit Office, no concerns were expressed regarding the legality or accounting methodology adopted by the Service in respect of the Category 1 ID cases processed to date and accordingly, the Service intends to continue processing cases in the same manner. The Service and Authority has acknowledged the risks involved in processing ID cases prior to the full legislation being put in place however, there are also significant financial

risks involved in not progressing the outcome of the various court hearings. Officers are maintaining close dialogue with all parties involved in the resolution of this matter and expect further detailed guidance to emerge. The long-term financial liabilities of implementing the remedy have been estimated by the Government Actuary Department (GAD) and included in the Authority's Balance Sheet. It is impossible to accurately assess the final impact until the remedy is agreed and all employees have individually made their choice as to which scheme they wish to be part of for the remedy period. As a result, the future revenue implications for the Service cannot yet be determined.

2.8 There is also the possibility of us incurring administrative and software costs that our Administrator may pass on to us.

2.9 We have continued to work on our communications strategy and the following communication updates have been issued:

- The decision taken by Government in relation to compensation to injury to feelings. This communication confirmed that the Government has agreed to fund compensation claims for those individuals who submitted a claim for compensation arising from Sargeant/McCloud and others v London Fire Commissioner and others.
- Pensions and CPI increases (1992 scheme). This communication confirmed that pensions payable under FPS 1992 are increased in accordance with Pensions Increase Acts and Orders. Any increase due is paid with immediate effect to ill-health pensions and pensions for widow(er)s, civil partners and children. It is paid with age retirement pensions from age 55, taking account of any increases which have accumulated from the date of retirement if earlier. Similarly, any increases accrued from date of leaving are applied to a deferred pension when put into payment at age 60.

2.10 We are currently undertaking user acceptance testing on a calculator which has been designed to illustrate projected benefits to members. The GAD (Government Actuary's Department) Firefighters' Retirement Calculator has been designed to help illustrate the projected benefits members could receive at different retirement ages from both the legacy and reformed Firefighters' Pension Schemes in Wales and has been procured by the 3 Welsh Services collaboratively, with the intention to try and provide useful information prior to an individual deciding to retire. The calculator is for guidance purposes only and the outputs provided are for estimate purposes only. It is not intended to provide financial

advice. If individuals require financial advice, they should contact an independent financial adviser.

3. EVALUATION & CONCLUSIONS

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

4. RECOMMENDATIONS

- 4.1 That Members note the content of the report.

Contact Officer:	ACO Alison Reed
Background Papers	None
Appendices	Appendix 1 – number of cases processed.

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Appendix 1

McCLOUD TAPERING REPORT
NUMBER OF CATEGORY 1 CASES

Between October 2021 to March 2022	8
From April 2022 to March 2023	30

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THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN**SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 7
23 JANUARY 2023

LOCAL PENSION BOARD COMMITTEE

REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

THE PENSIONS REGULATOR RETURNS**THIS REPORT IS FOR INFORMATION**

REPORT PRESENTED BY ACO A REED

SUMMARY

This report shares the completed public service pension scheme returns that were submitted to The Pensions Regulator in relation to the 1992, 2007 and 2015 Firefighters' Pensions Schemes.

RECOMMENDATIONS

That Members note the returns which are shared for information and awareness purposes.

1. BACKGROUND

- 1.1 Public service pension schemes are legally required to provide 'registrable information' to The Pensions Regulator. This includes completing a scheme return each year. The return requests additional information which serves to provide an accurate picture to The Pensions Regulator of public service schemes.
- 1.2 Failure to complete the scheme return by the required date could lead to the scheme manager being fined or receiving other action from The Pensions Regulator.
- 1.3 Appendix A contains a publication issued by The Pensions Regulator titled "A quick guide to information that must be provided to us".
- 1.4 Appendix B contains the completed returns for the 1992, 2007 and 2015 Firefighters' Pension Schemes. The returns include scheme data, scheme manager information, Local Pension Board membership, employer details and administrator details.
- 1.5 South Wales Fire and Rescue Authority, as the Scheme Manager, submitted the returns within the deadline of 10 November 2021.

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 note the returns which are shared for information and awareness purposes.

Contact Officer:	Alison Reed Director of People Services
Background Papers	Appendices 1-3 Scheme Returns for 1992, 2007 & 2015 Firefighters' Pension Schemes

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Information for public service scheme managers

A quick guide to information that must be provided to us

There is certain information that public service pension schemes are legally required to provide to us. This quick guide outlines the kind of information that must be provided and why, as well as some best practice tips to help you meet the legal requirements.

The legal duties include:

- providing us with ‘registrable information’ and keeping this information up to date
- ensuring that the scheme return is provided accurately and on time.

What information must be provided?

Registrable information

Managers of public service pension schemes are legally required to provide ‘registrable information’ to us, and to keep this information up to date. This information includes the scheme name, address and scheme type, membership data, and name and addresses of employers. We are required to capture this information in a register and we also use it to inform the Pensions Tracing Service, which helps people find lost pensions.

Other information

In addition to registrable information, we collect additional information each year via the scheme return to build an accurate picture of the landscape, so we can regulate effectively and provide relevant educational materials. We also use this information to make sure we can contact the relevant people running the schemes.

Information we collect in this way includes details for scheme contacts, pension board members and various service providers such as administrators. It is a legal requirement for scheme managers to provide the scheme return.

How do I go about actually completing a scheme return?

You’ll need to do this via Exchange, our online service at: <https://exchange.thepensionsregulator.gov.uk/>

If you’ve used Exchange before, log on using your registered email address and password. Choose the scheme from the ‘My schemes’ page and select the ‘Scheme maintenance’ option. If you haven’t used Exchange before, you’ll need to register. This is very straightforward to do.



Best practice tip

In larger schemes, several people may need to have access to the information on Exchange. You can provide access to as many people as required by going to Exchange, logging in, and then selecting ‘Manage who can access this scheme online’ from the Scheme options menu. We recommend you do this in advance of receiving the scheme return notice.

If I manage multiple schemes, do I need to complete a return for each scheme?

If you manage more than one scheme, you’ll need to complete a scheme return for each separate scheme. For example, a fire and rescue authority in England might need to complete a scheme return for the Firefighters’ Pension Scheme 1992, another for the New Firefighters’ Pension Scheme 2006 and a third one for the Firefighters’ Pension Scheme 2015.

Does this mean that some people will be counted more than once?

Yes it will. If a person is a deferred member of one scheme and an active member of another scheme, they should appear in the appropriate data category for both schemes. This gives us an accurate picture of the active, deferred and pensioner members connected to each individual scheme.

What is the deadline for completing the scheme return?

The deadline is stated on the scheme return notice itself and is usually six weeks from the date of the notice.



Best practice tip

The information we are asking for is straightforward, but give yourself time to complete the scheme return in case you need to go and find certain information about your scheme. Our website lists the information you'll need to provide, so it's worth reading this and preparing the information in advance to save time.

What if I can't complete the scheme return within the deadline?

We don't anticipate schemes having problems completing the scheme return on time as the information asked for is not technical or complicated. However, completing the scheme return by the deadline is a legal requirement and failure to do this could lead to a fine or other action being taken. If schemes are having problems, then they should contact us as soon as possible.

Your ongoing duties

It is the scheme manager's legal duty to keep registrable information up to date, notifying us as soon as reasonably practicable if there are any changes. Schemes can update their information at any time, via Exchange – they shouldn't wait for the annual scheme return. Keeping your scheme information up to date will help you to complete your annual scheme return more quickly and efficiently.



Best practice tip

We've had a number of cases where the scheme return contact has retired or changed job but no new details have been provided to us. To help you meet your legal obligations, make sure the scheme return contact is kept up to date.

How to contact us

Napier House
Trafalgar Place
Brighton
BN1 4DW

www.pensionseducationportal.com

Free online learning for those running public service schemes



A quick guide to
information that must be provided to us
Information for public service scheme managers
© The Pensions Regulator August 2020

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Scheme return
2021 - 2022

The Pensions Regulator

Your scheme details:

The Firefighters Pension Scheme Wales 2015

Date produced: **03 November 2022**

PSR number: 10276724

Please note that this document cannot be used in place of a scheme return and will not be accepted as such by the Pensions Regulator. If you are required to complete a scheme return and are unable to do so online you should contact us by phone on 0345 600 5666 (Mon - Fri 9am - 5.00pm). Alternatively you can email us at exchange@thepensionsregulator.gov.uk

1. Introduction

The following are the details that were on the scheme return submitted on 03 November 2022 09:54 AM.

The scheme return details were confirmed by Mrs Kimbely Henderson Jeal.

2. Scheme details (includes membership details)

Basic details	
Scheme name	The Firefighters Pension Scheme Wales 2015
PSR number	10276724
Scheme address	South Wales Fire and Rescue Service Headquarters Forest View Business Park Llantrisant RCT CF72 8LX United Kingdom
Scheme type	Occupational
Benefit type	Defined benefit
Current status	Open to new members since 01 April 2015
Scheme year-end (DD/MM)	31/03 since 01 April 2015
HMRC reference number (PSTR)	00824190RY

Number of members as at 31 March 2021 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2020 and 31 March 2021.	
Active members	1082
Deferred members	482
Pensioner members	20
Total of members	1584

Number of members as at 31 March 2022 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2021 and 31 March 2022.	
Active members	1217
Deferred members	480
Pensioner members	19
Total of members	1716

3. Governance Details

PSR number: 10276724

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Manager of the scheme	
Role or organisation name	South Wales Fire & Rescue Authority, Scheme Manager
Address of manager of the scheme	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232024
Email address	a-reed@southwales-fire.gov.uk

Pension board member	
Name of pension board member	Mr. Richard Prendergast
Pension board member type	Member
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443232000
Email address	r-prendergast@southwales-fire.gov.uk

Pension board member	
Name of pension board member	Mr. David King (RFU)
Pension board member type	Member
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443232000
Email address	davejking@tiscali.co.uk

PSR number: 10276724

Pension board member	
Name of pension board member	Mr Gareth Tovey
Pension board member type	Member
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	GJ-Tovey@southwales-fire.gov.uk

Pension board member	
Name of pension board member	Mrs Pamela Drake
Pension board member type	Other
Chair of pension board	Yes
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	pdrake@valeofglamorgan.gov.uk

Pension board member	
Name of pension board member	Mrs Jennifer Morgan
Pension board member type	Employer
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	Jen.Morgan@blaenau-gwent.gov.uk

PSR number: 10276724

Pension board member	
Name of pension board member	Mr Daniel Naughton
Pension board member type	Employer
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	daniel.naughton@cardiff.gov.uk

Pension board member	
Name of pension board member	Mr Colin Elsbury
Pension board member type	Employer
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	colinelsbury@caerphilly.gov.uk

PSR number: 10276724

Please note that this document cannot be used in place of a scheme return and will not be accepted as such by the Pensions Regulator. If you are required to complete a scheme return and are unable to do so online you should contact us by phone on 0345 600 5666 (Mon - Fri 9am - 5.00pm). Alternatively you can email us at exchange@thepensionsregulator.gov.uk

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3. Record-keeping

Common data	
Have you measured your common data in the last three years?	Yes
When did you last measure your common data?	November 2022
What percentage of this data have you assessed to be present and accurate?	99%

Scheme-specific ('conditional') data	
Have you measured your scheme-specific ('conditional') data in the last three years?	Yes
When did you last measure your scheme-specific ('conditional') data?	November 2022
What percentage of this data have you assessed to be present and accurate?	96%

PSR number: 10276724

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5. Employer details

Employer	
Employer's name	South Wales Fire and Rescue Service
Employer type	Participating Employer
Organisation type	Government / public body
Address of employer	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Employer status	Active since 01 April 2015
Employer email address	pensions@southwales-fire.gov.uk

PSR number: 10276724

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6. Service provider details

Insurance company	
There is currently no insurance company listed as involved with this scheme.	

Third party administrator	
Organisation name	Rhondda Cynon Taf County Council
Address of administrator	Pensions Department Oldway House Porth Rhondda Third-Party CF39 9ST United Kingdom
Telephone number	01443 680646
Email address	catherine.black@rctcbc.gov.uk

In-house administrator	
There is currently no in-house administrator listed as involved with this scheme. Details required are name and address, telephone number and email address.	

Auditor	
Organisation name	Wales Audit Office
Address of auditor	Wales Audit Office 24 Cathedral Road CARDIFF CF11 9LJ United Kingdom
Telephone number	02920320500

PSR number: 10276724

PSR number: 10276724

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7. Contact details

Scheme contact details	
Name of contact	Mrs Kimbely Henderson Jeal
Job title	Pensions Manager
Address of contact	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232189
Email address	k-jeal@southwales-fire.gov.uk

Pension Tracing Service contact details
There is no pension tracing service contact associated with this scheme.

Consent to electronic service details	
Confirmed by contact name	Mrs Kimbely Henderson Jeal
Confirmed date	01/11/2022
Email address	k-jeal@southwales-fire.gov.uk

PSR number: 10276724

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Scheme return
2021 - 2022

The Pensions Regulator

Your scheme details:

Firefighters' Pension Scheme (Wales) 2007 - South Wales

Date produced: **03 November 2022**

PSR number: 10276791

Please note that this document cannot be used in place of a scheme return and will not be accepted as such by the Pensions Regulator. If you are required to complete a scheme return and are unable to do so online you should contact us by phone on 0345 600 5666 (Mon - Fri 9am - 5.00pm). Alternatively you can email us at exchange@thepensionsregulator.gov.uk

1. Introduction

The following are the details that were on the scheme return submitted on 03 November 2022 09:49 AM.

The scheme return details were confirmed by Mrs Kimbely Henderson Jeal.

2. Scheme details (includes membership details)

Basic details	
Scheme name	Firefighters' Pension Scheme (Wales) 2007 - South Wales
PSR number	10276791
Scheme address	South Wales Fire and Rescue Service Headquarters Forest View Business Park Llantrisant RCT CF72 8LX United Kingdom
Scheme type	Occupational
Benefit type	Defined benefit
Current status	Closed to new members since 01 April 2015
Scheme year-end (DD/MM)	31/03 since 06 April 2006
HMRC reference number (PSTR)	00680186RY

Number of members as at 31 March 2021

The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2020 and 31 March 2021.

Active members	18
Deferred members	433
Pensioner members	29
Total of members	480

Number of members as at 31 March 2022

The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2021 and 31 March 2022.

Active members	26
Deferred members	542
Pensioner members	112
Total of members	680

3. Governance Details

PSR number: 10276791

Manager of the scheme	
Role or organisation name	South Wales Fire & Rescue Authority Scheme Manager
Address of manager of the scheme	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232159
Email address	a-reed@southwales-fire.gov.uk

Pension board member	
Name of pension board member	Mr. David King (RFU)
Pension board member type	Member
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443232000
Email address	davejking@tiscali.co.uk

Pension board member	
Name of pension board member	Mr Richard Prendergast
Pension board member type	Member
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443232000
Email address	r-prendergast@southwales-fire.gov.uk

PSR number: 10276791

Pension board member	
Name of pension board member	Mr Gareth Tovey
Pension board member type	Member
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	GJ-Tovey@southwales-fire.gov.uk

Pension board member	
Name of pension board member	Mrs Pamela Drake
Pension board member type	Other
Chair of pension board	Yes
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	pdrake@valeofglamorgan.gov.uk

Pension board member	
Name of pension board member	Mrs Jennifer Morgan
Pension board member type	Employer
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	Jen.Morgan@blaenau-gwent.gov.uk

PSR number: 10276791

Pension board member	
Name of pension board member	Mr Daniel Naughton
Pension board member type	Employer
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	daniel.naughton@cardiff.gov.uk

Pension board member	
Name of pension board member	Mr Colin Elsbury
Pension board member type	Employer
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	colinelsbury@caerphilly.gov.uk

PSR number: 10276791

Please note that this document cannot be used in place of a scheme return and will not be accepted as such by the Pensions Regulator. If you are required to complete a scheme return and are unable to do so online you should contact us by phone on 0345 600 5666 (Mon - Fri 9am - 5.00pm). Alternatively you can email us at exchange@thepensionsregulator.gov.uk

PSR number: 10276791

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3. Record-keeping

Common data	
Have you measured your common data in the last three years?	Yes
When did you last measure your common data?	November 2022
What percentage of this data have you assessed to be present and accurate?	95%

Scheme-specific ('conditional') data	
Have you measured your scheme-specific ('conditional') data in the last three years?	Yes
When did you last measure your scheme-specific ('conditional') data?	November 2022
What percentage of this data have you assessed to be present and accurate?	96%

PSR number: 10276791

5. Employer details

Employer	
Employer's name	South Wales Fire Authority
Employer type	Participating Employer
Organisation type	Government / public body
Address of employer	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Employer status	Active since 01 January 1991
Employer email address	pensions@southwales-fire.gov.uk

PSR number: 10276791

6. Service provider details

Insurance company	
There is currently no insurance company listed as involved with this scheme.	

Third party administrator	
Organisation name	Rhondda Cynon Taf County Council
Address of administrator	Pensions Department Oldway House Porth Rhondda Third-Party CF39 9ST United Kingdom
Telephone number	01443 680611
Email address	pensions@rctcbc.gov.uk

In-house administrator	
There is currently no in-house administrator listed as involved with this scheme. Details required are name and address, telephone number and email address.	

Auditor	
Organisation name	Wales Audit Office
Address of auditor	Wales Audit Office 24 Cathedral Road CARDIFF CF11 9LJ United Kingdom
Telephone number	02920320500

PSR number: 10276791

PSR number: 10276791

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7. Contact details

Scheme contact details	
Name of contact	Mrs Kimbely Henderson Jeal
Job title	Pensions Manager
Address of contact	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232189
Email address	k-jeal@southwales-fire.gov.uk

Pension Tracing Service contact details
There is no pension tracing service contact associated with this scheme.

Consent to electronic service details	
Confirmed by contact name	Mrs Kimbely Henderson Jeal
Confirmed date	01/11/2022
Email address	k-jeal@southwales-fire.gov.uk

PSR number: 10276791

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Scheme return
2021 - 2022

The Pensions Regulator

Your scheme details:

South Wales Firemens Pension Scheme 1992

Date produced: **03 November 2022**

PSR number: 10079094

Please note that this document cannot be used in place of a scheme return and will not be accepted as such by the Pensions Regulator. If you are required to complete a scheme return and are unable to do so online you should contact us by phone on 0345 600 5666 (Mon - Fri 9am - 5.00pm). Alternatively you can email us at exchange@thepensionsregulator.gov.uk

1. Introduction

The following are the details that were on the scheme return submitted on 03 November 2022 09:45 AM.

The scheme return details were confirmed by Mrs Kimbely Henderson Jeal.

2. Scheme details (includes membership details)

Basic details	
Scheme name	South Wales Firemens Pension Scheme 1992
PSR number	10079094
Scheme address	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Scheme type	Occupational
Benefit type	Defined benefit
Current status	Closed to new members since 01 April 2007
Scheme year-end (DD/MM)	31/03 since 01 April 1947
HMRC reference number (PSTR)	00616644RY

Number of members as at 31 March 2021 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2020 and 31 March 2021.	
Active members	59
Deferred members	66
Pensioner members	1283
Total of members	1408

Number of members as at 31 March 2022 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2021 and 31 March 2022.	
Active members	43
Deferred members	65
Pensioner members	1299
Total of members	1407

3. Governance Details

PSR number: 10079094

Please note that this document cannot be used in place of a scheme return and will not be accepted as such by the Pensions Regulator. If you are required to complete a scheme return and are unable to do so online you should contact us by phone on 0345 600 5666 (Mon - Fri 9am - 5.00pm). Alternatively you can email us at exchange@thepensionsregulator.gov.uk

Manager of the scheme	
Role or organisation name	Manager of the Scheme, South Wales Fire & Rescue Authority
Address of manager of the scheme	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232353
Email address	a-reed@southwales-fire.gov.uk

Pension board member	
Name of pension board member	Mr Richard Prendergast
Pension board member type	Member
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	r-prendergast@southwales-fire.gov.uk

Pension board member	
Name of pension board member	Mr David King
Pension board member type	Member
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	daveking@tiscali.co.uk

PSR number: 10079094

Please note that this document cannot be used in place of a scheme return and will not be accepted as such by the Pensions Regulator. If you are required to complete a scheme return and are unable to do so online you should contact us by phone on 0345 600 5666 (Mon - Fri 9am - 5.00pm). Alternatively you can email us at exchange@thepensionsregulator.gov.uk

Pension board member	
Name of pension board member	Mr Gareth Tovey
Pension board member type	Member
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	GJ-Tovey@southwales-fire.gov.uk

Pension board member	
Name of pension board member	Mrs Pamela Drake
Pension board member type	Other
Chair of pension board	Yes
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	pdrake@valeofglamorgan.gov.uk

Pension board member	
Name of pension board member	Mrs Jennifer Morgan
Pension board member type	Employer
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	Jen.Morgan@blaenau-gwent.gov.uk

PSR number: 10079094

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Pension board member	
Name of pension board member	Mr Daniel Naughton
Pension board member type	Employer
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	daniel.naughton@cardiff.gov.uk

Pension board member	
Name of pension board member	Mr Colin Elsbury
Pension board member type	Employer
Chair of pension board	No
Address of pension board member	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232000
Email address	colinelsbury@caerphilly.gov.uk

PSR number: 10079094

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PSR number: 10079094

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3. Record-keeping

Common data	
Have you measured your common data in the last three years?	Yes
When did you last measure your common data?	November 2022
What percentage of this data have you assessed to be present and accurate?	99%

Scheme-specific ('conditional') data	
Have you measured your scheme-specific ('conditional') data in the last three years?	Yes
When did you last measure your scheme-specific ('conditional') data?	November 2022
What percentage of this data have you assessed to be present and accurate?	98%

PSR number: 10079094

5. Employer details

Employer	
Employer's name	South Wales Fire Authority
Employer type	Participating Employer
Organisation type	Government / public body
Address of employer	South Wales Fire & Rescue Service Unit 2 Forest View Business Park Llantrisant PONTYCLUN CF72 8LX United Kingdom
Employer status	Active since 01 January 1996
Employer email address	pensions@southwales-fire.gov.uk

PSR number: 10079094

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6. Service provider details

Insurance company	
There is currently no insurance company listed as involved with this scheme.	

Third party administrator	
Organisation name	Rhondda Cynon Taf Pension Fund
Address of administrator	Rhondda Cynon Taff County Borough Council Council Offices Oldway House PORTH Mid Glamorgan CF39 9ST United Kingdom
Telephone number	01443 680646
Email address	catherine.black@rctcbc.gov.uk

In-house administrator	
There is currently no in-house administrator listed as involved with this scheme. Details required are name and address, telephone number and email address.	

Auditor	
Organisation name	Wales Audit Office
Address of auditor	Wales Audit Office 24 Cathedral Road CARDIFF CF11 9LJ United Kingdom
Telephone number	02920320500

PSR number: 10079094

PSR number: 10079094

Please note that this document cannot be used in place of a scheme return and will not be accepted as such by the Pensions Regulator. If you are required to complete a scheme return and are unable to do so online you should contact us by phone on 0345 600 5666 (Mon - Fri 9am - 5.00pm). Alternatively you can email us at exchange@thepensionsregulator.gov.uk

7. Contact details

Scheme contact details	
Name of contact	Mrs Kimbely Henderson Jeal
Job title	Pensions Manager
Address of contact	South Wales Fire & Rescue Service Unit 2, Forest View Business Park Llantrisant PONTYCLUN Mid Glamorgan CF72 8LX United Kingdom
Telephone number	01443 232189
Email address	k-jeal@southwales-fire.gov.uk

Pension Tracing Service contact details
There is no pension tracing service contact associated with this scheme.

Consent to electronic service details	
Confirmed by contact name	Mrs Kimbely Henderson Jeal
Confirmed date	01/11/2022
Email address	k-jeal@southwales-fire.gov.uk

PSR number: 10079094

Please note that this document cannot be used in place of a scheme return and will not be accepted as such by the Pensions Regulator. If you are required to complete a scheme return and are unable to do so online you should contact us by phone on 0345 600 5666 (Mon - Fri 9am - 5.00pm). Alternatively you can email us at exchange@thepensionsregulator.gov.uk

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THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN**SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 8
23 JANUARY 2023

LOCAL PENSION BOARD COMMITTEE

REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

REPORT APPROVED BY THE ACO 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 1-5)

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 1-5).

Contact Officer:	Alison Reed Director of People Services
Background Papers	Appendix 1-5 Publications

FPS Bulletin 60 – August 2022

Welcome to issue 60 of the Firefighters' Pensions Schemes bulletin.

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

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

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Calendar of events

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

Table 1: Calendar of events

Event	Date
FPS coffee morning	6 and 20 September 2022
Eastern regional group	6 September 2022
SAB	8 September 2022
North-West regional group	14 September 2022
FPS Communications Working Group	16 September 2022
FPS Technical Group	25 October 2022
FPS AGM	25 October 2022 26 October 2022
SAB	8 December 2022

Actions arising

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

[Age discrimination eligibility – Factsheet](#): FRAs to review the eligibility factsheet and ensure that appropriate action is taken where necessary.

FPS

Age discrimination eligibility – Factsheet

The [coffee morning held on 28 July 2022](#) had a focus on eligibility for the age discrimination remedy.

As a reminder, to be eligible for remedy, a member must have ‘remediable service’. The Public Service Pensions and Judicial Offices Act 2022 sets out four conditions in [Section 1](#) which must **all** be met for service to be considered ‘remediable’.

To help FRAs and administrators determine which individuals are in scope for remedy we have put together a [guide to eligibility factsheet](#) which sets out the conditions in more detail.

Additionally, the factsheet encourages scheme managers to review the cohort of membership which they have deemed to be in scope. If, after considering the content of the fact sheet, more individuals are deemed in scope, then action will be needed to address this. Full details of what action is needed has been set out in the factsheet. Sample member communications will be provided later.

ACTION: FRAs to review the eligibility factsheet and ensure that appropriate action is taken where necessary.

Abatement guidance updated

Readers may recall that informal abatement guidance was published in [FPS Bulletin 57 – May 2022](#). Since publication, the LGA has been approached by several FRAs asking whether we would be able to share a draft policy.

We are pleased to confirm that Cumbria FRS has given permission for their [retirement, re-engagement and abatement policy](#) to be shared with the sector as an example of best practice – thank you Cumbria FRS!

The [informal abatement guidance](#) has been updated to include a link to Cumbria’s policy at paragraph 51.

Electric vehicles salary sacrifice

Over recent weeks we have experienced an increase in questions which relate to electric vehicles (EV) and salary sacrifice.

Firstly, it is worth noting that it is up to each individual FRA to determine whether EVs meet the requirements of salary sacrifice as what can or cannot be included in a salary sacrifice scheme falls outside of the pension schemes' remit. Detailed guidance can be found at: <https://www.gov.uk/guidance/salary-sacrifice-and-the-effects-on-payee>

If an FRA does deem that EVs meet the requirements of salary sacrifice, then there is a question as to what impact this would have on any pension contributions due.

We can confirm that the FPS 2015 regulations provide for salary sacrifice ([Regulation 17\(1\)\(c\)](#)). They confirm that the member should continue to pay contributions on the amount before the deduction and receive the full value of their pensionable pay.

Technical query log

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

As a reminder we took the opportunity, while reminding FRAs and administrators of the process to follow to submit a technical query in [FPS Bulletin 58](#), to move the technical queries page to the password-protected area of the website, as it is intended as a dedicated resource for practitioners. Therefore, you now need to log in to access the form and the log of previous queries.

No new queries have been added this month.

FPS England SAB updates

SAB remedy engagement sessions

As we reported in [FPS Bulletin 57 – May 2022](#), the Scheme Advisory Board (SAB) has been invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the [Public Service Pensions and Judicial Offices Act \(PSPJOA\) 2022](#) for each area of the 2015 Remedy.

One session is taking place per month between June and December 2022, with two topics discussed at each meeting. These discussions will help to inform the drafting of secondary legislation, ahead of formal consultation early in 2023.

To date, sessions have taken place on interest and eligibility, remediable service statements (RSS) and immediate/ deferred choice, and added pension and transfers in.

Any actions arising from the feedback from the Fire and Police SABs will be taken forward and responded to by the Home Office.

Other News and Updates

The Pensions Ombudsman (TPO) publishes corporate plan

[The Pension Ombudsman's \(TPO\) corporate plan for 2022 to 2025](#) has been published. The corporate plan outlines TPO's key performance indicators, strategic goals and priorities for the period, along with the actions required to deliver those priorities.

The Pension Regulator (TPR) publishes scam prevention strategy

The Pensions Regulator (TPR) has published a new [strategy to combat pension scams](#). The strategy sets out TPR's plan to combat pension scams. It will tackle the scourge of scammers by:

- educating savers about the threat that scams present
- encouraging higher standards and preventing practices that lead to saver harm
- fighting fraud through the prevention, disruption and punishment of criminality.

The strategy supports and complements the work of the Pension Scams Action Group (PSAG – formerly Project Bloom). The strategy sets out the importance of pension schemes protecting savers by being proactive in providing pension scams warnings, driving improvements in protection standards and reporting potential crimes to the authorities.

You can read more about the launch of the strategy in the [TPR press release](#).

Draft LGA response to PDP consultation and call for input

We reported in [FPS Bulletin 59](#) – July 2022 that the Pensions Dashboards Programme (PDP) had launched a [consultation on dashboard standards and guidance](#) and [a call for input on the design standards](#).

The standards detail how pension schemes and dashboard providers operationally, technically or in practice must meet their dashboard duties. The guidance provides further requirements to which pension schemes must have regard when complying with their dashboard duties

To support FRAs and administrators in responding to the consultation, PDP delivered a [coffee morning session on the standards](#) on 24 August 2022.

In addition, PDP ran a series of webinars in July to assist interested parties who were preparing a response. You can find links to [recordings of the webinars](#) on the PDP website.

The deadline for responses is 30 August 2022. We are pleased to share our [draft response to the standards consultation and call for input](#). The draft is still be approved internally before it is submitted, but we do not expect any significant changes to be made.

Data matching guidance updated

The Pensions Administration Standards Association (PASA) has updated its guidance on dashboards data matching conventions. The [PASA dashboards data matching conventions guidance](#) was originally issued in December 2021. It has been updated to include a call to action, set out the next steps being worked on and provide links to other industry guidance. You can read more about the updates and the reasons for them in the [PASA press release](#).

Guidance on Value Data for pensions dashboards

PASA has also published [Guidance on Value Data for pensions dashboards](#). PASA recognises that the regulations are yet to be finalised and that some uncertainty remains. The guidance includes a checklist of steps administrators can take now, despite these uncertainties. These steps will help administrators to:

- gain an understanding of what the Value Data requirements mean for their scheme
- identify where gaps exist, what the options are for filling those gaps and whether they should wait to see DWP's final regulations before making a decision
- decide if there is work they can do in advance of the designated staging date.

As we reported in [FPS Bulletin 59](#), public service pension schemes will have to provide Value Data to pensions dashboards by 1 April 2025, although they can supply it earlier if they choose to.

You can read more about the launch in the [PASA press release – Value Data guidance](#).

Pension awareness campaigns

As part of Pensions Awareness Week, TPO is hosting a [webinar on How to Avoid the Ombudsman](#). The webinar is taking place on 14 September at 11am.

The webinar will be a panel chaired by TPO's Head of Engagement and will have panelists from various areas of the organisation – Early Resolution, Adjudication, Casework Support and Enquiries. The panelists will discuss tips and advice on how to resolve complaints without resorting to the Ombudsman. The session will run for 45 minutes, which includes 15 minutes for audience questions.

The [pension awareness 2022 promotional toolkit](#) includes posters, leaflets and other resources that you and your employers can use to promote the campaign to Scheme members.

Pension Awareness Day takes place on 15 September 2022. You can find a timetable of live events for members that will take place between 12 and 16 September 2022 on the [Pension Awareness Day website](#).

The Association of British Insurers (ABI) and the Pensions Lifetime Savings Association (PLSA) are leading a campaign to boost the nations 'Pension Attention'. The campaign will run from September to November.

You can find files and guidance for the Pay Your Pension Some Attention brand and logo on the [ABI website](#).

Events

FPS coffee mornings

Our MS Teams coffee mornings are set to return in September and will continue 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 6 September 2022 at 15:00.

[Click here to return to Contents](#)

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

[24 August 2022 – Pensions Dashboards Programme: Update and Standards](#)

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

AGM – 25 and 26 October

Booking for the ever-popular Fire Pensions Annual Conference remains open.

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

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

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

- Firefighter compensation scheme
- Discretions
- Pensionable pay

Timings are provided below, and a [draft agenda](#) is now available. Use the links to book your place now. Please note that each day must be booked separately.

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

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

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

[Click here to return to Contents](#)

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

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

We look forward to welcoming you to the event!

Useful links

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

Contact details

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Disclaimer

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[Click here to return to Contents](#)

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

FPS Bulletin 61 – September 2022

Welcome to issue 61 of the Firefighters' Pensions Schemes bulletin.

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Calendar of events

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Table 1: Calendar of events

Event	Date
FPS coffee morning	11 October 2022
FPS Technical Group	25 October 2022
FPS AGM	25 October 2022 26 October 2022
SAB	8 December 2022
FPS Communications Working Group	12 December 2022

Actions arising

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

[Member communications following eligibility factsheet](#): FRAs to send appropriate follow up communication to all originally determined out of scope individuals

FPS

Immediate Detriment Framework guidance updated

Fire and Rescue Authorities (FRAs) will know that LGA is continuing to explore with the Fire Brigades Union (FBU) and respective legal representatives what, if any, amendments could be agreed to the Immediate Detriment Framework to minimise risk to FRAs and scheme members in light of previous statements from the Home Office and HM Treasury (HMT), and which would further assist FRAs in being able to process immediate detriment cases under that Framework. This includes seeking specialist legal advice where necessary.

Through the Framework, we are trying to find a way through potential issues for FRAs, to try to avoid future costly and time-consuming litigation and extended delay to scheme members, while ensuring that the risks are clearly highlighted, and scheme managers can make informed decisions.

In the meantime, the Immediate Detriment Framework guidance to FRAs available on the [age discrimination page](#) of the FPS Regulations and Guidance website has been updated. Clean and tracked versions are available. Log-in details are required to access the page and can be provided to practitioners and administrators only.

When the amendments to the Framework are agreed, the guidance will be updated to reflect those changes.

Potential industrial action

As readers may be aware, the FBU is currently putting in place preparations for a ballot of their members for strike action. We therefore thought it would be useful to clearly set out the effect of taking strike action will have on an individual's pension rights.

All members are building up service in the FPS 2015 from 1 April 2022. An active scheme member may elect to pay contributions at their normal contribution rate, ascertained in accordance with regulation [110 \(2\) \(member contributions\)](#), multiplied by the assumed pensionable pay that the member is treated as receiving for the period of industrial action. In addition, the scheme employer may also require that

the member pays the amount of employer contributions that the scheme employer would otherwise be required to pay by regulation [117\(3\) \(employer contributions\)](#).

An active FPS 2015 member includes any member with transitional membership of the FPS 1992 or 2006.

Any contributions must be paid before the end of a six-month period starting with the date on which the member is treated as receiving assumed pensionable pay. Only where contributions have been paid, will earned pension of 1/59.7th of the member's assumed pensionable pay during the absence due to industrial action be added to the active member's pension account.

As qualifying service in the FPS 2015 is added to qualifying service in the FPS 1992 or 2006 to determine whether a member with continuous transitional service qualifies for retirement benefits, any reduction in pensionable service due to industrial action will affect that date by the relevant number of days (for example, a member needs a minimum of 25 years across the FPS 1992/2015 combined to retire before age 55). Therefore, any days lost to industrial action, that the member chooses not to repay, should be reported by the FRA to their pension scheme administrator.

If strike absence takes the form of complete days, then each complete day of absence will be excluded from the total pensionable service. If strike absence takes the form of lesser periods, for example one-hour strikes, the LGA's informal view, is that, even though contributions have been paid for part of them, the days will not count at all because they are not fully completed days and an absence should therefore be recorded for the full day.

[Member communications following eligibility factsheet](#)

[FPS Bulletin 60 – August 2022](#) set out the eligibility criteria for individuals who are eligible for age discrimination remedy and should therefore be deemed in scope.

The bulletin confirmed that sample member communications were being worked on and that they would be made available later. We are pleased to confirm that the Fire Communications Working Group (FCWG) has now met and agreed the content of the letters.

[Click here to return to Contents](#)

The Fire Technical Working Group (FTWG) suggested at its meeting of 25 July 2022 that all individuals originally determined out of scope should be revisited as best practice. It was agreed that individuals who are now considered to be in scope, after reviewing the [remedy eligibility factsheet](#), should be sent the follow up communication titled 'Originally out of scope - now in scope' and individuals who remain out of scope should be sent the follow up communication titled 'Originally out of scope - still out of scope'. The template letters are available on the [prospective remedy page](#) of the FPS Regulations and Guidance website.

Action: FRAs to send appropriate follow up communication to all individuals originally determined out of scope.

Technical query log

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

No new queries have been added this month.

FPS England SAB updates

SAB levy 2022-23

Under arrangements for the Firefighters' Pension Scheme [2014 regulations 4H\(1\)](#), the Scheme Advisory Board (SAB) is required to set an annual budget for approval by the Secretary of State.

The 2022-23 budget will be submitted to the minister next week and we expect that the collection process will start in November/ December 2022. A letter will be sent to Chief Fire Officers to request a purchase order number.

Included in the final levy is the employers' voluntary subscription that FRAs entered into a shared agreement in 2014 in order to fund support with FRAs understanding and management of the FPS.

SAB meeting 8 September 2022

The last SAB was held on 8 September 2022. Topics discussed were temporary in the context of the scheme, pensionable pay correction, the 2015 Remedy, and Pensions Dashboards.

The Board agreed the [minutes of the meeting held on 23 June 2022](#).

You can use the links below to find out about the latest updates on the work of the SAB and its committees:

- [SAB membership](#)
- [SAB meeting and agenda papers](#)
- [Committee meetings and agenda papers](#)

SAB remedy engagement sessions

As reported in [FPS Bulletin 57 – May 2022](#), the SAB has been invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the [Public Service Pensions and Judicial Offices Act \(PSPJOA\) 2022](#) for each area of the 2015 Remedy.

One session is taking place per month between June and December 2022, with two topics discussed at each meeting. These discussions will help to inform the drafting of secondary legislation, ahead of formal consultation early in 2023.

The most recent sessions considered contributions and ill health.

Any actions arising from the feedback from the Fire and Police SABs will be taken forward and responded to by the Home Office.

SAB collaboration sessions on the Matthews remedy

In [FPS Bulletin 55 – March 2022](#) we confirmed that there would be a second options exercise to allow in-scope individuals the opportunity to purchase pension entitlement as a special member of the FPS 2006. To support scheme managers in the delivery of Matthews, the SAB, the LGA, and the Home Office are working together in the form of collaboration sessions on Matthews. The aim is to discuss

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Matthews legislation and policy, the interaction between Matthews and McCloud and the proposed timeline for implementation. The first session took place during September 2022. Additionally, a Matthews Technical Working Group has been set up to assist with the technical aspects of the project.

The LGA has published a [Matthews Project Implementation Document](#) (PID) which sets out the scope, deliverables, and high-level timeline for the project. The PID also includes a communications plan and draft terms of reference for the SAB working group.

Other News and Updates

TPR scheme return

The Pensions Regulator (TPR) is sending out scheme return notices to managers of public service pension schemes in October. Before submitting the scheme return, TPR is urging scheme managers to double check that their [details in Exchange](#) are correct.

Completing the scheme return is a legal requirement and if scheme managers fail to complete and submit it by the deadline, they could be fined. Find out more on TPR's website about [how to complete a scheme return for public service pension schemes](#).

TPR warns employers about auto-enrolment duties

On 26 September 2022, TPR published a [press release](#) warning employers to ensure they are complying with their automatic enrolment duties. The warning follows a series of in-depth compliance inspections with more than 20 large employers earlier this year. The employers are from the transport, hospitality, finance and retail sectors. TPR found several common errors in respect of calculating pension contributions and communications to staff.

PDP consultation response

As stated in [Bulletin 59](#), the Pensions Dashboards Programme (PDP) launched a [consultation on dashboard standards and guidance](#) and [call for Input on the design standards](#) on 19 July 2022.

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The LGA submitted a [response on these consultations](#) on behalf of the FPS. In relation to the code of connection and connection guidance, we stated that we understand that pension providers have a responsibility to assure themselves that a third-party provider has met all required standards. We will recommend that FRAs' Local Pension Boards play a key role in applying an appropriate level of scrutiny.

Additionally, we expressed concern that the 30-day connection timetable appears to be quite short and suggested that a flow chart is provided to help each party in the connection process.

In respect of the data standards and usage guidance, we noted that clarity has been given regarding the display of different sets of values to reflect a public service pension scheme member's choice of legacy or reformed scheme benefits for the age discrimination remedy period (McCloud), and that there is facility to display different tranches of benefits becoming payable at different dates.

We raised the need for the dashboard system to show appropriate caveats in relation to pension scheme members relying on this information where they are planning actual retirement income amounts and pointed out the impact and complications of calculating benefits in relation to Matthews by the staging date.

Our response on the design standards call for input broadly supported the dashboard programme's approach to design standards principles and assumptions, emphasising that information should be presented in a clear and understandable manner and that individuals must be able to understand the limitations of the data provided.

Public sector exit payments

On 8 August 2022, HM Treasury (HMT) issued a consultation on [proposals to limit exit payments](#). The Government is proposing to introduce:

- An expanded approval process for employee exits and special severance payments
- Additional reporting requirements

If implemented, the proposals would apply to all bodies that are classified as ‘Central Government’. This does not include local authorities or bodies under devolved administration. Following discussion with the Home Office, we can confirm that the definition of ‘local authorities’ expands to cover the following:

- Fire and Rescue Authorities
- Fire and Rescue Services
- London Fire and Emergency Planning Authority
- Police and Crime Commissioners

We confirmed in [FPS Bulletin 57 – May 2022](#) that the [statutory guidance on special severance payments](#) published by the Department for Levelling Up Housing and Communities (DLUHC) also does not apply to FRAs.

Pensions awareness campaign postponed

Following the death of Her Majesty Queen Elizabeth II, the pension awareness campaign planned for 12 to 16 September was postponed. It will now take place between 31 October and 4 November.

See [Bulletin 60](#) for information about the campaign.

HMRC

HMRC publishes Pension Schemes Newsletter 142

On 31 August 2022, [HMRC published pension schemes newsletter 142](#). The newsletter includes the following articles:

- Normal minimum pension age – updates to the Pensions Tax Manual
- Migrating your pension schemes – take action now
- Accounting for Tax (AFT) returns – can no longer be completed for any quarter from 1 April 2020 using the Pension Schemes Online service
- New scams strategy from The Pensions Regulator – see [Bulletin 60](#) for more information

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 11 October.

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

[6 September 2022 – Immediate and deferred choice](#)

[27 September 2022 – Matthews communications](#)

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

AGM – 25 and 26 October

Booking for the ever-popular Fire Pensions Annual Conference remains open.

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

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

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

- Firefighter compensation scheme
- Discretions
- Pensionable pay

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Timings are provided below, and a [draft agenda](#) is now available. Use the links to book your place now. Please note that each day must be booked separately.

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

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

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

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

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

We look forward to welcoming you to the event!

Useful links

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

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- [Welsh Government Fire circulars](#)

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the LGA for any direct or consequential loss, financial or otherwise, damage or inconvenience, or any other obligation or liability incurred by readers relying on information contained in this bulletin.

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

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FPS Bulletin 62 – October 2022

Welcome to issue 62 of the Firefighters' Pensions Schemes bulletin.

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

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

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Calendar of events

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

Table 1: Calendar of events

Event	Date
FPS coffee morning	8 November 2022 and 22 November 2022
Midlands regional group	2 November 2022
South-West and Wales regional group	3 November 2022
South-East regional group	8 November 2022
North-East regional group	23 November 2022
Eastern regional group	5 December 2022
SAB	8 December 2022
FPS Communications Working Group	12 December 2022

Actions arising

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

[IQMP – Central list](#): For FRAs to inform the LGA of the IQMPs they use and to provide contact details.

FPS

Matthews – FPS member website update

Colleagues who attended the coffee morning on Tuesday 11 October will be aware that we have recently added some additional commentary to the [FPS member website](#) around the [special members second options exercise](#).

Prior to updating the website, we asked stakeholders for their views on what message should be communicated under the 'Do I need to do anything now?' section. An overwhelming majority confirmed that it would be useful to ask individuals, who believe they are in scope for the second exercise, to present themselves to the FRA. To assist with this process, the LGA has provided a [generic proforma](#) for members to complete and set out clear instructions that this should be returned to the FRA.

Unfortunately, we have been made aware that some members are not following this instruction and have instead been forwarding their forms to the administrator. We have therefore added some additional text which states the following:

Please make sure that the form is returned to your FRA or former FRA and not your pension scheme administrator. Forms sent to your pension scheme administrator will not be actioned and your FRA may not then have your details to contact you when the options exercise starts.

Matthews – Member warm up communications

It was agreed at the [coffee morning of the 12 July 2022](#) that generic warm-up letters would be useful for FRAs when communicating with members in relation to the second options exercise. This action was taken forward and discussed at the Fire Communications Working Group (FCWG) [meeting of 16 September 2022](#).

We are pleased to confirm that the content of the letters has been agreed and that the templates for both [in scope](#) and [out of scope](#) retained firefighters have been uploaded to the [Special Members section of the FPS regulations and guidance website](#). FRAs are strongly recommended to use these templates where appropriate.

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IQMP – Central list

Following feedback from the sector on the difficulties of identifying an Independent Qualified Medical Practitioner (IQMP) for ill health referrals and reassessments the LGA is proposing to hold a central list of IQMPs that FRAs would be able to approach.

We would therefore appreciate it if FRAs would share with us the contact details of the IQMPs that they currently use, we would then approach the IQMP and ask them for their permission to publicise their contact information on the protected area of the FPS regulations and guidance website.

ACTION: For FRAs to inform the LGA of the IQMPs they use and to provide contact details.

Fire and Rescue workforce and pension statistics published

On 20 October 2022, the Home Office [published workforce and pensions statistics for Fire and Rescue Services \(England\)](#). The pension scheme statistics, covering April 2021 to March 2022, reflect data returns on income, expenditure and membership submitted by all 44 FRAs in England.

During the financial year 2021 to 2022 some of the key results were:

- **the Firefighters’ Pension Scheme total expenditure was around £954 million**, a six per cent increase compared with the previous year (£903 million in financial year 2020 to 2021) and 17 per cent higher than five years previously (£818 million in financial year 2016 to 2017)
- **81 per cent of expenditure was ‘recurring outgoing payments’**, 18 per cent was ‘commutation payments’, while ‘transfers’ and ‘miscellaneous expenditure’ together totalled one per cent
- **the Firefighters’ Pension Scheme total income was around £399 million**, a one per cent increase compared with the previous year (£393 million in financial year 2020 to 2021) and a 41 per cent increase from five years previously (£283 million in financial year 2016 to 2017)

- **employer contributions rose one per cent to £266 million**, from £264 million in financial year 2020 to 2021, and nearly double the value of £134.9 million in financial year 2018 to 2019 as a result of changes to the discount rate set by HM Treasury from April 2019
- **67 per cent of income was ‘employer contributions’**, 30 per cent was ‘employee contributions’ and the remaining three per cent comprised a combination of transfers, miscellaneous income and ill-health charges
- **the Firefighters’ Pension Scheme deficit was around £556 million**, a nine per cent increase compared with the previous year (£510 million in financial year 2020 to 2021) and a four per cent increase compared with five years previously (£535 million in financial year 2016 to 2017)

Technical query log

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

Queries regarding the compensation scheme, page 45 and retirement, page 108 have been added.

FPS England SAB updates

SAB remedy engagement sessions

As reported in [FPS Bulletin 57 – May 2022](#), the Scheme Advisory Board (SAB) has been invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the [Public Service Pensions and Judicial Offices Act \(PSPJOA\) 2022](#) for each area of the 2015 Remedy.

One session is taking place per month between June and December 2022, with two topics discussed at each meeting. These discussions will help to inform the drafting of secondary legislation, ahead of formal consultation early in 2023.

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The most recent sessions considered early/late retirement and abatement. Material from some sessions has been added to a new page called '[age discrimination remedy – Provision Definition Documents](#)' in the member restricted area of the FPS Regulations and Guidance area for the benefit of practitioners.

Any actions arising from the feedback from the Fire and Police SABs will be taken forward and responded to by the Home Office.

[SAB letter to scheme managers on pension dashboards](#)

In [FPS Bulletin 59 - July 2022](#) we reported on the Department for Work and Pensions (DWP) response to the consultation on the draft Pensions Dashboards Regulations and highlighted that the staging deadline for all public service schemes will be 30 September 2024 and that the requirement to provide value data will be 1 April 2025. As a result of these new legislative requirements, the Chair of the SAB has issued a [letter to scheme managers and Local Pension Boards](#) reminding them of their duties in respect of the new [Pensions Dashboards](#), as scheme managers are ultimately responsible under the regulations for ensuring that dashboard duties are met.

These duties include:

- Working towards the staging date. The Pensions Regulator (TPR) is keen that schemes start planning now to be able to match dashboard requests to scheme records and return the required information to the dashboard. Scheme managers will need to understand how their provider will be able to pick out those requests which correspond to their members and ensure that they are providing information to the right individuals.
- Ensuring the infrastructure is in place to hold and share data with the dashboard: Administrator should be able to tell scheme managers how they are planning to connect whether through the existing software providers or through some other route.

- Reviewing scheme data: The SAB understands that the data which is used for the dashboard is likely to be based on information currently being provided as part of Annual Benefit Statements (ABSs). The SAB is keen to encourage the parties to agree consistent information for those documents, particularly given the challenges arising from the Sargeant remedy and second special members options exercise (Matthews).
- Co-operating with the Money and Pensions Service (MaPS). More information on this can be found from [Pensions dashboards: initial guidance](#)

Other News and Updates

Public sector unions granted judicial review over McCloud cost remedy

In [FPS bulletin 59 – July 2022](#) we confirmed that public sector unions had been granted a judicial review in relation to the McCloud/ Sargeant remedy costs in the cost control mechanism. We can now confirm that a date has been agreed for the hearing, it will commence on 23 January 2023 and has been allocated five days.

A day in the life of The Pensions Ombudsman (TPO)

The Pensions Ombudsman (TPO) published [an article setting out a day in the life of Anthony Arter](#) on 13 October 2022. Anthony is the current Pensions Ombudsman.

The article was published to mark the fifth annual Ombuds Day. The Ombuds Day aims to educate and raise awareness among the public about the history and practices of the ombuds profession. This year's theme was resilience, respect, and resolve.

Dominic Harris will replace Anthony Arter as Pensions Ombudsman next January.

The Pensions Regulator (TPR) enforcement and prosecution policies updated

On 25 October 2022, The Pensions Regulator (TPR) published the following:

- [revised enforcement policy](#)
- [updated prosecution policy](#)
- [new enforcement strategy](#)

These aim to give clarity on what those who are subject to enforcement action can expect from TPR.

The enforcement policy sets out TPR's approach to investigating cases and any subsequent enforcement action. The policy is now web-based and divided into standalone chapters, each with links to other relevant documents. The policy also consolidates the policies in respect of defined benefit schemes, defined contribution schemes and public service pension schemes.

The prosecution policy explains how TPR will approach prosecuting workplace pension criminal offences. The policy has been brought up to date to reflect the new criminal powers in the Pensions Schemes Act 2021 and other developments.

The enforcement strategy sets out the overarching aims of TPR's enforcement work (excluding automatic enrolment) and provides an insight into the framework TPR applies when selecting cases for enforcement action.

TPR ran a consultation on the revised enforcement and prosecution policies between 4 May 2022 and 24 June 2022 and responded on 25 October 2022. You can access the consultation documents on [the consultations page of TPR's website](#).

For more information, see the [press release from TPR](#). Erica Carroll, TPR's Director of Enforcement, has also published [a blog setting out the reasons for the changes](#).

The Pensions Regulator (TPR) speech at PLSA conference

Charles Counsell, Chief Executive Officer at The Pensions Regulator (TPR), delivered a speech at the recent Pensions and Lifetime Savings Association (PLSA) conference. The speech was titled "Looking Ahead: Regulating for the Saver".

The speech covered a wide range of issues, including dashboards, liability-driven investments, and the cost-of-living crisis.

TPR has published [an extract of the speech](#).

Pension Dashboards - Draft guidance on deferring staging date published

On 17 October 2022, the Department for Work and Pensions (DWP) published [draft guidance on applying to defer the staging deadline](#). The DWP has also published a [template application form](#).

The draft Pensions Dashboards Regulations 2022 propose allowing trustees / managers of a pension scheme to apply to the DWP to defer their staging deadline. The regulations set out the time limits in which to apply and the circumstances where the DWP may accept applications. The DWP may only agree to defer the staging deadline once for each scheme and for a period of up to 12 months.

The DWP has produced the draft guidance to aid understanding of the application process. This includes:

- what the DWP will consider when reviewing applications
- what evidence should be submitted to support an application
- how to apply, including a recommendation to use the template application form
- how the DWP will let schemes know whether they have accepted the application and how schemes can appeal.

The DWP will finalise the draft guidance once the dashboard regulations come into force.

Pension Dashboards - Progress update report

On 26 October 2022, the Pensions Dashboards Programme (PDP) published its [sixth progress update report](#).

The report covers:

- activity in the six-month period from April 2022,
- focus areas to April 2023
- updates from partners, such as the Department for Work and Pensions and the Pensions Regulator.

To complement the report, the PDP will be hosting a webinar on 3 November 2022. You can sign up for the webinar on [the registration page of the PDP's website](#).

Pension Dashboards - Videos published

On 13 October 2022, the Pensions Dashboard Programme (PDP) published two short videos.

The first video is called '[Get your data ready for pensions dashboards](#)'. The video aims to give helpful guidance to schemes on how to cleanse data so that it is accurate and up to date.

The second video is called '[An introduction to find and view data](#)'. The video explains the important differences between find data and view data.

Department for Work and Pensions (DWP) respond to further consultation on dashboards

On 17 October 2022, Department for Work and Pensions (DWP) responded to the further consultation on dashboards. This ran from 28 June to 19 July 2022, see [FPS Bulletin 58 – June 2022](#) for more information.

The response confirms that the DWP will:

- give pension schemes six months' notice of the point at which pensions dashboards will be available to the public, the 'Dashboard Available Point'. This is an increase to the 90 days proposed in the consultation
- go ahead with the second proposal allowing the Money and Pensions Service (MaPS) and the Pensions Regulator (TPR) to share information about dashboards.

Research on public value of dashboards published

The Pensions Dashboards Programme (PDP) has published the results of research carried out by Ipsos. The PDP commissioned Ipsos to carry out quantitative research into the value that people attach to pension dashboards and their likelihood to use them.

The PDP will use the results to inform development of the central digital architecture.

For more information, including a link to the results, see [the press release from the PDP](#).

Update on connecting early participants to the dashboard ecosystem

On 17 October 2022, the Pensions Dashboards Programme (PDP) published [an update on the programme](#).

The information outlines the next three steps, leading to the early participants connecting to the dashboard ecosystem. The early participants are those who volunteered to help test and develop the ecosystem.

Financial Conduct Authority (FCA) warn that cost-of-living crisis could increase pension scams

The Financial Conduct Authority (FCA) has recently issued a [press release warning that the cost-of-living crisis could cause an increase in pension scams](#).

The warning follows FCA research that a quarter of consumers would consider withdrawing money from their pension earlier than planned to cover the cost of living, making them vulnerable to pension scammers.

September 2022 CPI rate announced

On 19 October 2022, the Office for National Statistics announced [the Consumer Prices Index \(CPI\) rate of inflation for September 2022 as 10.1%](#).

Government policy in recent years has been to base increases under the Pensions (Increase) Act 1971 and revaluation of pension accounts under section 9 of the Public Service Pensions Act 2013 on the rate of CPI in September of the previous year.

We await confirmation from Government that the revaluation and pensions increase that will apply to FPS deferred pensions and pensions in payment in April 2023 will be 10.1 per cent.

HMRC

Pension Schemes newsletter 143

HMRC published [Newsletter 143](#) on 30 September 2022.

The newsletter includes articles:

- confirming that schemes can again use the pension scheme tax reference number when paying charges if they do not have a specific charge reference. HMRC had previously announced in April 2022 that schemes were unable to do so

- confirming that Government has decided against introducing a new reportable event for certain public service pension schemes from April 2023
- confirming that HMRC expects to release the event report for 2023/24 on the Managing pension schemes service in summer 2023. HMRC had previously been expected to release this in spring 2023.

Message from HMRC on the 2021/22 event reporting mechanism

As last year, HMRC is prepared to accept from PCM customers, scheme data regarding pension savings statements for 2021-22 on an excel spreadsheet rather than through the scheme's Event Report. All other scheme events for 2021-22, with the exception of the lifetime allowance protection regimes (see below), must be submitted via Pensions Online.

This concession is on the clear understanding that the pension savings statement data represents part of the scheme's formal reporting obligations for the 2021-22 Event Report. The data must be submitted by 31 January 2023 and HMRC reserves the right to open enquiries based on any of the pension savings statement information provided.

The data required for each member is as follows:

- Name of Member (Title, First Name, Surname)
- National Insurance Number of Member
- Aggregate Pension Input Amounts for the scheme (x)
- Tax Year Ending (that the information relates to)
- Have you provided this member with a pension savings statement under regulation 14A(1)(b)(ii) SI 2006/567? (Y/N) (Money Purchase Pension Savings Statement)
- If Yes, provide the Aggregate Pension Input Amounts for Money Purchase Arrangements (y)

All fields must be completed. For members who have both x & y above, it would be helpful if you could list the data in the same line on the spreadsheet.

Guidance is included at www.gov.uk/hmrc-internal-manuals/pensions-tax-manual/ptm161600 and www.gov.uk/hmrc-internal-manuals/pensions-tax-manual/ptm167000.

For the data to be compatible with HMRC's IT systems it must be submitted on a Microsoft Excel spreadsheet encrypted via Winzip.

All files should be sent via e-mail to pensions.businessdelivery@hmrc.gov.uk and jayesh.patel@hmrc.gov.uk copied in. HMRC will notify the scheme of receipt to enable the password to be provided under separate cover.

Lifetime Allowance

You may recall from last year that, in accordance with article 6.2 of the [Pension schemes newsletter 85 - March 2017 - GOV.UK](#), the Event Report was not amended to include lifetime allowance protections that members applied for online. If you need to submit these details to HMRC, you can also submit them on a password protected spreadsheet and send the password in a separate email. You should put 'Lifetime allowance – Event Reporting' in the subject line of your email and send this to pensions.businessdelivery@hmrc.gov.uk and, again, copy in your PCM. This data must also be provided by 31 January 2023.

If the scheme chooses to use this facility to provide this information, it is entirely at the scheme's own risk. HMRC accept no responsibility of loss, interception or corruption until data is delivered safely.

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.

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The next session is due to take place on 8 November, due to diary commitments it will be held in the afternoon from 14:00 to 15:00.

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

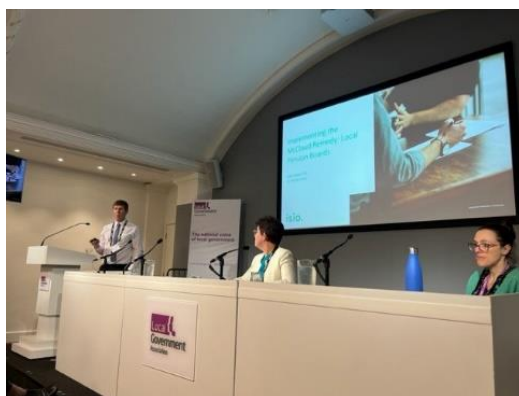
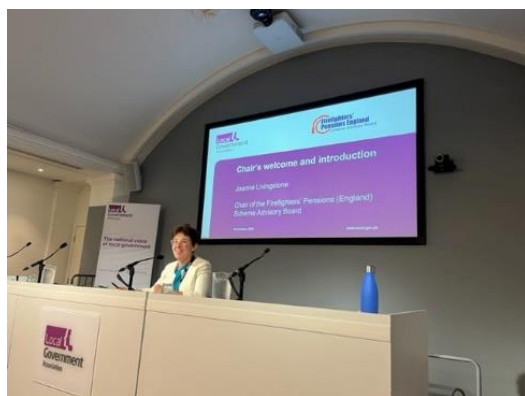
[11 October 2022 – General update on Matthews and 2015 remedy project management](#)

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

FPS AGM - Event summary

The 25 and 26 October saw the long-awaited return of the annual fire pensions conference. In keeping with tradition, the two-day event opened with a meeting of the regional chairs of each fire pensions officer group, followed by the technical community.

We were delighted to welcome over 50 delegates to the first full conference session, aimed at scheme managers and Local Pension Boards, along with other parties with an interest in FPS governance. Following the Chair's welcome, the audience heard from Colin Dobbie, Consultant Actuary at Isio, on how pension boards can support both scheme managers and members with the 2015 remedy.



Alison Murray, Partner from AON then took to the stage to inform the room on how they can prevent their FRAs falling foul of cyber risk and security.

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Our final speaker was Nick Gannon, policy lead at The Pensions Regulator (TPR). Nick gave an informative presentation on the forthcoming single code of practice.

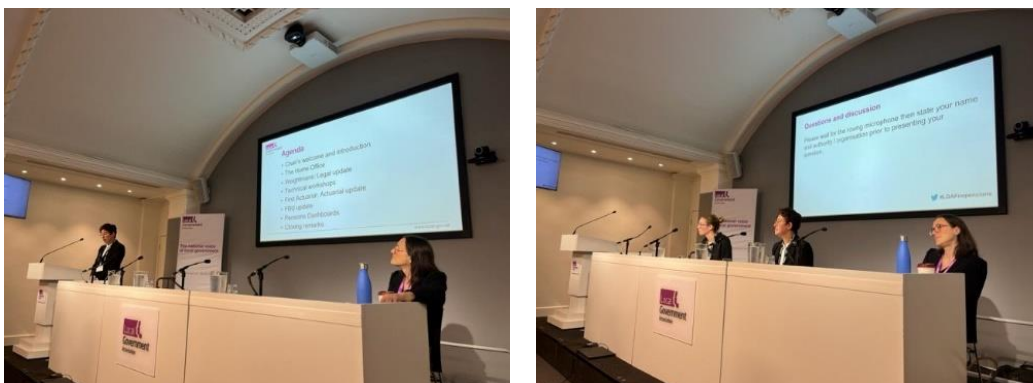


We ended the day with a networking drinks reception with lots of animated conversation between colleagues and friends.

Day one presentation slides are available [here](#).

The full technical/ administration AGM took place on day 2 with an attendance of around 80 delegates in our Bevin Hall conference room.

Joanne Livingstone, chair of the FPS (England) SAB, once again opened proceedings, outlining some of the challenges we have experienced over the last 12 months. We were then delighted to welcome Frances Clark, Deputy Head, Police Workforce & Professionalism Unit - Reward and Recognition, to provide a view from central government including progress updates on both the Matthews and age discrimination remedy.



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We then welcomed to the stage Jane Marshall, Partner from Weightmans LLP, provided the ever-popular case law update, taking the audience on a whistle stop tour of recent Pensions Ombudsman decisions.



Following a short break, attendees were given the opportunity to join one of two technical workshops: Clair Alcock, Head of Police Pension at the NPCC, hosted the workshop on discretions which generated some interesting discussion as well as sharing of best practice. In Bevin Hall Jane Marshall facilitated the workshop on the Compensation Scheme covering areas under the regulations such as eligibility, qualifying injuries, injury awards and causation, which again created a productive workshop discussion.

Lunch followed and delegates once again had chance to network with colleagues as well as visiting exhibition stands hosted by the following organisations: Isio, Pen-gage and Perspective.

In the tough first afternoon slot, James Allen, an Actuary from First Actuarial LLP, provided the audience with an update on the 2020 valuation process. Mark Rowe, National Officer from the FBU, then took to the stage to give an informative member perspective view on the challenges and frustrations they currently face.



The final session of the day focused on Pensions Dashboards. The joint session was hosted by Richard James, Programme Director from the Pensions Dashboard Programme and Lucy Stone, Business Lead on Pension Dashboards from TPR.



Joanne Livingstone closed the conference for 2022 with a message of support for the challenges that the FPS community face over the next 12 months.

We would like to thank all for their participation and support, particularly our speakers and exhibitors for contributing to the success of the event, and to all delegates who took time out of their busy schedules to attend. We look forward to seeing you again next year.

Day two presentation slides are available [here](#).

Legislation

Statutory Instruments

SI	Reference title
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2022/1044	The Pension Schemes Act 2021 (Commencement No.7 and Transitory Provision) Regulations 2022
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Draft dashboard regulations laid for approval

On 17 October 2022, the Department for Work and Pensions (DWP) laid a draft of [The Pensions Dashboard Regulations 2022](#) before each House of Parliament.

DWP can only make the regulations if each House approves the draft by a resolution. The House of Lords will consider the regulations on 15 November 2022. As yet, no date has been set for this to happen in the House of Commons.

DWP consulted on draft dashboard regulations between 31 January 2022 and 13 March 2022. DWP responded on 15 July 2022, which we covered in [FPS Bulletin 59 – July 2022](#). The draft regulations laid before each House have been amended to reflect the consultation response. The regulations have also been amended to reflect the response to the further consultation on the Dashboards Available Point.

Useful links

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

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FPS Bulletin 63 – November 2022

Welcome to issue 63 of the Firefighters’ Pensions Schemes bulletin.

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

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

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Calendar of events

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

Table 1: Calendar of events

Event	Date
FPS coffee morning	6 and 13 December 2022
Eastern regional group	5 December 2022
SAB	8 December 2022
FPS Communications Working Group	12 December 2022
North West regional group	14 December 2022

Actions arising

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

[Age discrimination remedy – Ill-health factsheet on re-assessment of cases](#): FRAs to review the ill health re-assessment factsheet and ensure that appropriate action is taken where necessary.

[SAB levy 2022-23 – Request for Purchase Order numbers](#): FRAs to provide a valid purchase order number, stating the number of employees eligible to join one of the Firefighters' Pension Schemes as of 1 April 2022, using the form provided with the SAB 2022-23 levy letter.

[Consultation on The Public Services Pension Scheme \(rectification of unlawful discrimination\) \(Tax\) regulations 2023](#): FRAs and administrators are encouraged to respond to the consultation.

FPS

Age discrimination remedy – Ill-health factsheet on reassessment of cases

The [coffee afternoon held on 8 November 2022](#) had a focus on what retrospective action is required for ill-health cases under the age discrimination remedy.

As a reminder, a re-assessment of ill-health entitlement will not be needed in every case. It is only where, under rollback, the individual would qualify for alternative ill-health benefits and the assessment criteria under the regulations sets a lower qualifying bar.

To help FRAs determine which individuals require a reassessment we have put together a [factsheet to ill-health re-assessments](#) which sets out the final policy in more detail.

Additionally, the factsheet encourages scheme managers to take immediate steps to review the cohort of membership which will require a re-assessment. This is to ensure that, come 1 October 2023, these cases can be dealt with as soon as possible. Full details of what action is needed has been set out in the factsheet. Sample member communications will be provided later.

ACTION: FRAs to review the ill-health re-assessment factsheet and ensure that appropriate action is taken where necessary.

Pension Scheme Transitional Protections: Injury to Feelings employment tribunal hearing 14-28 October – hearing vacated

As notified to FRAs by email on 11 November 2022 and previously to Nominated Contacts on 14 October 2022, we can confirm that that the injury to feelings Employment Tribunal which was scheduled to be heard from 14 – 28 October has been vacated.

The injury to feelings claims were made as part of the Sargeant (age discrimination) litigation and are claims for compensation for non-financial loss.

Vacation of the hearing followed agreement in principle as to issues of non-financial loss, and to provide further time to negotiate the full settlement details between all parties (including FRAs) through their respective legal representatives. In the case of FRAs, approval will then be needed by the Steering Committee before final agreement is reached.

The cost of compensation will be fully met by the Government.

In respect of the claimants this applies to, it is all the named original 2015 claims in England and Wales brought by the FBU (but not claims in Scotland or Northern Ireland). This does not settle the further claims served last year, the FOA (Slater and Gordon) claims nor any of the reverse discrimination claims.

You may receive queries from employees. Unfortunately, we are not able to provide advice and employees will need to seek their own advice. We will continue to keep FRAs updated on any material developments through their nominated contact.

Technical query log

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

Queries regarding the following have been added:

- Widow's benefits upon re-marriage - page 119
- Aggregation for FPS 2006 Special Members – page 19
- AA for Immediate Detriment – page 16
- Ill-health calculation for transitional member – page 90

FPS England SAB updates

SAB levy 2022-23 – Request for Purchase Order numbers

We are pleased to confirm that the Scheme Advisory Board (SAB) budget for 2022-23 has been approved by the minister and the invoicing process has started.

In 2014, FRAs entered a shared arrangement to fund a technical adviser post to support FRAs with their understanding and management of the Firefighters' Pension Schemes. The employers' voluntary subscription is included in the final levy.

The total levy for the 2022-23 year will be £6.27 per firefighter, which is calculated at £4.39 for the SAB and £1.88 for employers. A letter was sent by email to Chief Fire Officers and HR Directors on 21 November 2022 advising them of this.

Devolved FRAs have also been sent levy requests with regard to the employer advice service provided to them by the LGA.

The first stage of the process is for FRAs to provide a valid purchase order number, stating the number of employees eligible to join one of the Firefighters' Pension Schemes as of 1 April 2022, using the form provided with the letter.

ACTION: FRAs to provide a valid purchase order number, stating the number of employees eligible to join one of the Firefighters' Pension Schemes as of 1 April 2022, using the form provided with the SAB 2022-23 levy letter.

SAB remedy engagement sessions

As reported in [FPS Bulletin 57 – May 2022](#), the Scheme Advisory Board (SAB) has been invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the [Public Service Pensions and Judicial Offices Act \(PSPJOA\) 2022](#) for each area of the 2015 Remedy.

One session is taking place per month between June and December 2022, with two topics discussed at each meeting. These discussions will help to inform the drafting of secondary legislation, ahead of formal consultation early in 2023.

The most recent sessions considered contingent decisions, divorce and CETVs. Material from some sessions has been added to a new page called '[age discrimination remedy – Provision Definition Documents](#)' in the member restricted area of the FPS Regulations and Guidance area for the benefit of practitioners.

Any actions arising from the feedback from the Fire and Police SABs will be taken forward and responded to by the Home Office.

Other News and Updates

PDP publishes updated standards

On 16 November 2022, the [Pension Dashboard Programme \(PDP\) published its revised standards](#) for connecting to the dashboards ecosystem. They cover the technical and operational detail that underpins dashboards legislation. The revised standards incorporate feedback from the consultation published in July 2022 – see [FPS bulletin 59 – July 2022](#) for more information.

Although the revised standards are pending final approval by the Secretary of State for Work and Pensions, they have been published to give schemes advance notice of the duties that they will need to comply with.

PDP also confirmed the process for updating the standards going forward, including the principles for decision-making and the notice period for industry.

A consultation on the draft design standards for qualifying pensions dashboards will take place in the winter.

PDP Webinars

PDP will host the following webinars in December 2022:

- 5 December 2022 - Dashboards standards: data, reporting and technical standards
- 7 December 2022 – Dashboards standards: code of connection, early connection and governance

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- 8 December 2022 – Dashboards standards: design standards consultation

Visit [PDP's events and meetings webpage](#) to sign up for their webinars.

TPO – Factsheets

The Pensions Ombudsman (TPO) published two new factsheets in November:

- [Determination by the Ombudsman factsheet](#) explains what happens after TPO has issued a determination including complying with the direction and how to appeal on a point of law
- [Privacy and Personal Information Policy](#) explains why and when TPO collects personal information about third parties.

You can find and search [all TPO publications](#) on their website.

TPR consultation on dashboard enforcement

On 24 November 2022, the Pensions Regulator (TPR) launched a consultation on its dashboards compliance and enforcement policy.

The draft policy sets out TPR's expectations for scheme managers to achieve compliance with the Pensions Dashboards Regulations 2022 – 'the Regulations' and provides clarity on its approach to enforcement. Governing bodies of occupational pension schemes and third parties such as employers, administrators, and Integrated Service Providers (ISPs) are in the scope of the draft policy. TPR has the power to pursue these parties if it believes there has been a breach of the Regulations.

In monitoring compliance, TPR will focus on behaviours or breaches they consider pose the greatest risk to savers. Areas of particular interest are:

- connection: connecting by the scheme's statutory deadline, connecting all active, deferred and pension credit members, and remaining connected in line with relevant standards

- matching and returning accurate data: connecting the right member with the right data, failure to find a saver (i.e. failing to return a match made or a possible match) and failure to provide data in line with legal requirements.

TPR expects schemes to:

- operate adequate internal controls including risk management processes and processes to identify breaches of the law
- keep clear audit trails of steps to achieve compliance and resolve issues
- record their matching policy and data improvement process

TPR will monitor compliance using multiple sources of evidence. It may request additional evidence from schemes when it has concerns or to identify best practice.

Any enforcement action will be balanced against the outcome it may achieve.

Breaches of the law that are persistent, intentional or indicate dishonesty are likely to be of higher priority.

TPR may issue compliance notices to trustees, scheme managers or third parties when a breach occurs. The purpose of a compliance notice is to stop non-compliance and avoid a repeat of the breach.

It may issue penalty notices to those parties in response to a breach or when they fail to comply with a compliance notice. Each penalty can be up to £5,000 for an individual and up to £50,000 in other cases. TPR will work with partner agencies and regulators and, where appropriate and permitted by law, share information with them.

You can find a [link to the consultation on the TPR website](#). The consultation closes on 24 February 2023.

Regulators issue scam warning to pension schemes and savers

TPR joined forces with the Financial Conduct Authority and the Money and Pensions Service to issue a [scam warning to pension schemes and savers](#) on 11 November 2022. The statement warns of an increased risk from scammers because of the current economic uncertainty.

The warning urges savers to:

- contact [MoneyHelper](#) for free, impartial advice before making any hasty decisions
- check that they are dealing with a legitimate firm by visiting the [ScamSmart website](#)
- know [how to spot pension scams](#) and avoid them.

TPR blogs

TPR published two blogs in November 2022:

- [TPR blog on automatic enrolment](#) considers the successes of ten years of automatic enrolment, urges employers to ensure they comply with their re-enrolment duties and look forward to improved member engagement
- [TPR blog on equality diversity and inclusion](#) outlines TPR's strategy to move towards a fairer and more inclusive culture within their organisation and across the pensions industry.

GAD blog on Public Service Pension Schemes

The Government Actuary's Department (GAD) has published a blog about the pressures faced by administrators of public service pension schemes. [GAD's blog 'Looking ahead in public service pension administration'](#) considers:

- the challenges of translating the McCloud remedy into administration processes
- the importance of data quality for pensions dashboards

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- the complexity of administration provider or administration system procurement

Autumn Statement 2022

The Chancellor of the Exchequer delivered his Autumn Statement to Parliament on 17 November 2022. The statement confirmed the following policies that have a direct or indirect impact on pension scheme members:

- The State Pension triple lock was maintained and working age benefits will increase in line with inflation in April 2023. Next year's State Pension increase will be 10.1 per cent.
- [The DWP review of the State Pension age](#) will be published early in 2023. The review is currently underway to consider whether the existing timetable to increase the State Pension age remains appropriate. The Government must publish the review by 7 May 2023.
- No changes to the annual allowance, tapered annual allowance or Money Purchase Annual Allowance in 2023/24.
- No changes to the Lifetime Allowance which will remain at its current level of £1,073,100 until the end of the 2025/26 year.
- Current personal tax thresholds for income tax and national insurance (in England and Wales) will be frozen until April 2028.
- The additional rate threshold (in England and Wales) will reduce from £150,000 to £125,140 from April 2023. This is the threshold beyond which individuals pay income tax at 45 percent.

You can find the [Autumn Statement 2022 documents](#) on the Government's website. The lifetime allowance and annual allowance figures are confirmed in the [Autumn Statement 2022: Policy Costings](#).

New ministerial appointments

[Laura Trott MP](#) was appointed Parliamentary Under Secretary of State at the Department for Work and Pensions (DWP) in October, and she was confirmed as the new minister for pensions on 7 November 2022.

Guy Opperman MP, who served as the Minister for Pensions until 8 September 2022, returned to the DWP as Minister of State on 27 October 2022.

[The Rt Hon Chris Philp MP](#) was appointed as the Minister for Crime, Policing and Fire on 26 October 2022.

HMRC

HMRC publishes newsletter 144

On 3 November 2022, HMRC published [Pension schemes newsletter 144](#). The newsletter includes articles about:

- Requesting a refund through the Managing Pension Schemes Service. You can find out more information on how to [Request a pension scheme refund or reallocation](#) online.
- Migrating from the Pension Schemes Online service to the Managing Pension Schemes service.
- The Accounting for Tax (AFT) return for 1 July to 30 September 2022 must be submitted by 14 November 2022 to avoid interest and penalties.
- AFT returns for any quarter from 1 April 2020 onwards can only be submitted on the Managing Pension Schemes service.

The [Managing Pension Schemes user panel](#) that gives feedback on the service and helps to inform future developments.

Public service pensions remedy newsletter

On 25 November 2022, HMRC published [Public service pensions remedy newsletter](#). The newsletter summarises the draft regulations and guidance that they are currently consulting on and confirms that HMRC is not able to respond to member queries related to the remedy.

Consultation on the Public Services Pension Scheme (rectification of unlawful discrimination) (Tax) regulations 2023

On 25 November 2022, HMRC published a [technical consultation on a draft statutory instrument](#), which ensures the pensions tax framework will apply as intended to pension scheme administrators and members affected by the public service pensions remedy.

The consultation seeks views from pension scheme administrators on the draft regulations. The regulations set out changes to how the pensions tax rules will apply to pension scheme administrators and members of public service pension schemes as a result of the public service pensions remedy.

The regulations will make changes to how pensions tax legislation operates in certain circumstances, including changes to how schemes will need to report and pay extra tax charges or reclaim overpaid tax and ensure that schemes can pay pension benefits as authorised payments.

This legislation is intended to take effect from 6 April 2023, but some provisions will have a retrospective effect.

The consultation documents include an explanatory memorandum and guidance for administrators on the draft regulations.

We will respond to the consultation and share our response before the consultation closes on 6 January 2023.

ACTION: FRAs and administrators are encouraged to respond to the consultation.

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 Tuesday 6 December at 10:00.

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

[8 November 2022 – Retrospective ill-health reassessment](#)

[22 November 2022 – Discretions workshop](#)

[29 November 2022 – Compensation scheme workshop](#)

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

Legislation

Statutory Instruments

SI	Reference title
2022/1220	<u>The Pensions Dashboards Regulations 2022</u>
2022/1229	<u>The Occupational Pensions (Revaluation) Order 2022</u>
2022/1230	<u>The Police, Fire and Crime Commissioner for Cumbria (Fire and Rescue Authority) Order 2022</u>

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](#)
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- [HMRC Pensions Tax Manual](#)
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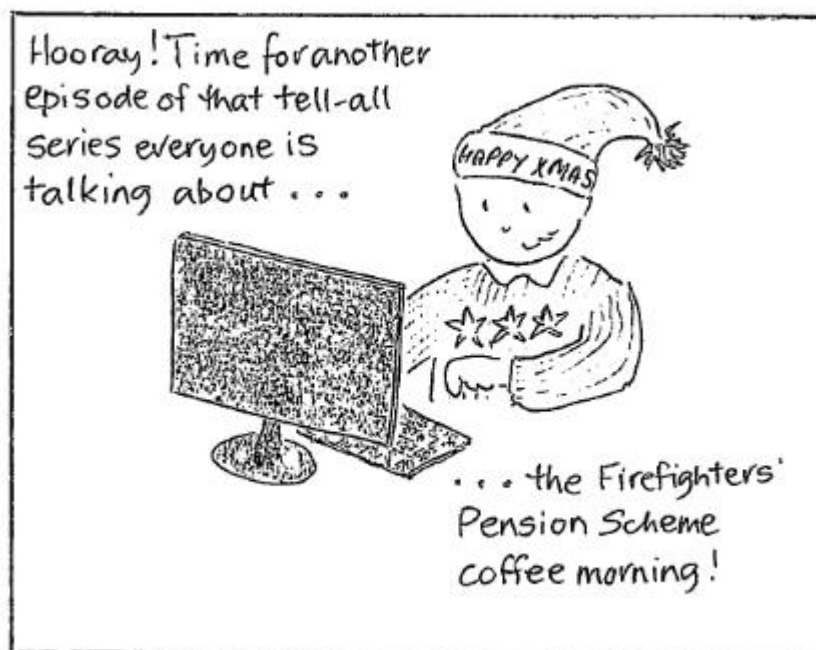
FPS Bulletin 64 – December 2022

Welcome to issue 64 of the Firefighters' Pensions Schemes bulletin.

We would firstly like to offer our thanks to all our colleagues for their help and support during the year.

As always, in finest December bulletin tradition, Eunice Heaney has kindly provided a topical illustration for our readers below.

We wish all readers a very merry Christmas and happy New Year.



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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Table 1: Calendar of events

Event	Date
FPS coffee morning	5 and 19 January 2023
SAB	23 January 2023
FPS Communications Working Group	14 March 2023

Actions arising

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

[Deferred connection guidance published](#): FRAs who meet the limited circumstances and want to apply to defer dashboard connection, must email pensionsdashboard@DWP.gov.uk as soon as possible and before 12 December 2023.

[Early connection guidance updated](#): FRAs should decide as soon as possible if they want to connect early to dashboards and apply to MaPS when application forms are available.

[HMRC publishes pension schemes newsletter 145](#): FRAs and administrators to remind members who do not have enough carry forward to offset a tax charge for 2021 to 2022 to declare this on their self-assessment tax return.

FPS

IQMP central list

In [FPS Bulletin 62 - October 2022](#), we advised that following feedback from the sector on the difficulties of identifying an Independent Qualified Medical Practitioner (IQMP) for ill health referrals and reassessments, the LGA was proposing to hold a central list of IQMPs that FRAs would be able to approach.

We are pleased to confirm that we have received a number of replies from FRAs who have shared with us the contact details of the IQMPs that they currently use. As a result, several IQMPs have given their permission for the LGA to publicise their contact information on the protected area of the FPS Regulations and Guidance website. This information can be located under IQMP/IQMP provider contact information on the [ill-health and injury page](#).

New address for Health Partners (Board of Medical Referees)

From 1 January 2023, Duradiamond/ Health Partners' address will be:

Health Partners Group Ltd

The Roller Mill

Mill Lane

Uckfield

East Sussex

TN22 5AA

They will have a postal redirection notice in place for three months.

[New webpage created – Retrospective remedy](#)

We are pleased to advise that a [new webpage for retrospective remedy](#) has been created on the FPS Regulations and Guidance website. This page contains useful information and documents about the retrospective remedy which comes into force on 1 October 2023.

Current documents available include the age discrimination remedy eligibility factsheet, the originally out of scope-now in scope member letter, the originally out of scope-still out of scope member letter, and the age discrimination remedy ill health re-assessment factsheet.

[Consolidated Regulation 65](#)

As advised in [FPS Bulletin 57 - May 2022](#), changes have been made to the reformed scheme rules. [Regulations 65\(2A\) and \(2B\)](#) have been inserted into the FPS 2015 regulations with effect from 1 April 2022 to ensure that a protected member who applied for IHR before 31 March 2022, where the application is determined in their favour after that date, is treated no less favourably than if the application had been determined on that date.

This means that for members where the ill-health assessment process began on or before 31 March 2022, the member is assessed for ill-health retirement against an NPA of 55. This will mean that there should be no cases where an affected member would have qualified for ill-health retirement under the legacy 1992 scheme but does not qualify under the reformed scheme.

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

The amendment to regulation 65 has been added to the [consolidated regulations page](#) of the FPS Regulations and Guidance website.

Retained firefighter Employment Tribunal pension claims

Readers may be aware that a [Memorandum of Understanding](#) (MoU), as featured in [FPS Bulletin 55 - March 2022](#), was agreed on behalf of the legal parties to the “Matthews” claims on 9 March 2022 to provide a remedy to eligible retained firefighters by offering access to the FPS 2006 as special members, backdated to the start date of their employment. The MoU set out the scope and mechanism for the remedy to be implemented by way of a second options exercise.

However, a further issue arose during negotiation of the MoU around an inability to aggregate periods of pensionable service in the FPS as a retained firefighter with periods of service as a wholetime firefighter (“aggregation”).

This was addressed by affected retained firefighters (or their representatives) having the ability to give written notification of:

- their identity; and
- details of the factual and legal basis of any aggregation claims

with a view to discussions for six months from the MoU date leading to a resolution of those claims. The MoU stated that if agreed resolution of the aggregation issues was not reached by then that affected individuals could pursue Employment Tribunal (ET) claims to determine outstanding aggregation issues in relation to them.

The six-month period has elapsed, and we have recently been made aware that ET applications have been lodged by members of the Fire Brigades Union.

We have asked all FRAs to be alert to the receipt of ET claims brought on behalf of retained firefighters and inform the LGA immediately on such receipt.

Technical query log

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

There have been no further queries added this month.

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FPS England SAB updates

Festive message from the Chair of the SAB

Please find as follows a message from the Chair of the Scheme Advisory Board (SAB):

“Dear Friends & colleagues,

2022 has been a year dominated by new beginnings. For the SAB that meant welcoming new members in the form of Councillor Frank Biederman, Andrew Scattergood and Tony Curry who have replaced Councillor Stephens, Matt Lamb, and Brian Hooper. We have recently learned that Councillor Redman will also be leaving the SAB and we thank him and the other leavers for their service.

There were also changes in the 2022 LGA Pension Team, with Elena Johnson joining Claire Johnson in the team which has been so ably led by Claire Hey in her role as Senior Pensions Adviser. What has not changed is the incredible amount of work and support that the team give to the SAB and to you all. I hope that they will enjoy a peaceful break this Christmas, though that may not be the case for Claire Johnson who has recently welcomed her first child into the world!

We saw the start of the creation of the regulatory measures to implement the Sargeant and Matthews remedies. The Home Office has engaged with the SAB with sessions on numerous topics as we all seek to ensure that the remedies are comprehensive and comprehensible. I know that many of you are also working your way through the various materials that are being shared in the members’ area of the Firefighters’ Pension Schemes Regulations website and your thoughts and comments are very welcome.

In addition to the legislative preparations for remedying member benefits, we have also seen a significant amount of traffic on the subject of Pensions Dashboards, with consultations galore. I recently [wrote to scheme managers and Local Pension Boards](#) to remind them of their upcoming dashboard duties.

The post Covid freedoms that we have enjoyed in 2022 have meant that I have been able to meet, for the first time, some of the wonderful characters who do so much within the fire pensions industry, whether through formal committees or sharing of ideas. The highlight of the year for me in this regard was the [annual conference](#) held on 25 and 26 October, where we were treated to a range of thought-provoking talks and had the chance to hear the views of others and to network over a glass or three! As the conference chair, I do hope that everyone who attended went away with some useful thoughts about how to set about the urgent job of getting “remedy ready” and can pass the message on to those who were not able to attend.

On a personal note, the birth of my first grandchild came somewhat later than expected some 2 weeks after the conference. The birth of little Eleanor (Ellie for short) marks a new beginning for the family and, of course, as a proud grandmother I think that she is perfect. But those familiar with new-borns will appreciate that, while she arrives with the capacity to do so much, it is a struggle for her to focus yet and put things together. Sorry Ellie to burden you with analogies to pensions of all things, but this does bring me back to the challenges we all face over the new year to make sure that the slew of planned regulations work well together and ensure that we have the whole picture.

I hope that you have a great time over the festive season and come back refreshed for 2023 which promises to be a year of milestones achieved, hopefully!

Festive Best Wishes, Joanne Livingstone. Chair, English Firefighters' Pension Scheme Advisory Board”

SAB remedy engagement sessions

As reported in [FPS Bulletin 57 – May 2022](#), the SAB has been invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the [Public Service Pensions and Judicial Offices Act \(PSPJOA\) 2022](#) for each area of the 2015 Remedy.

One session is taking place per month between June 2022 and January 2023, with two topics discussed at each meeting. These discussions will help to inform the drafting of secondary legislation, ahead of formal consultation early in 2023.

The most recent session considered the timetabling of remedy cases once legislation is in place and the content of Remediable Service Statements (RSS). Material from some sessions has been added to a new page called '[age discrimination remedy – Provision Definition Documents](#)' in the member restricted area of the FPS Regulations and Guidance area for the benefit of practitioners.

Any actions arising from the feedback from the Fire and Police SABs will be taken forward and responded to by the Home Office.

Other News and Updates

HM Treasury publishes remedy Directions

On 14 December 2022, HM Treasury (HMT) made the [Public Service Pensions \(Exercise of Powers, Compensation and Information\) Directions 2022](#). They came into force on 19 December 2022 and apply to England, Northern Ireland, Scotland, and Wales.

The Directions set out how certain powers in the Public Service Pensions and Judicial Offices Act 2022 must be exercised. The Act gives relevant government departments powers to rectify Sargeant/ McCloud discrimination by making secondary legislation.

For the FPS, the Directions apply to the following powers in the Act:

- Powers to reduce or waive liabilities in relation to correction of benefits and tax relief on contributions adjustments – [section 18](#). This includes the facility for FPS 2006 contributions to be retained by the scheme until a deferred choice election is made.

- Powers to make provisions for:
 - treatment of voluntary contributions paid in the FPS 2015 (Added Pension) – [section 20](#),
 - transfers in to or out of the scheme – [section 21](#), and
 - other specific circumstances – [section 22](#).
- A scheme manager’s power to pay compensation, setting out the scenarios in which compensation would apply – [section 23](#) (direct compensation).
- Powers to make regulations compensating members by adjustment to scheme pays debits – [section 24](#) (indirect compensation).
- Powers relating to tax relief on a contingent decision to buy Added Years – [section 25](#).
- The power to make regulations setting out how interest should be calculated and paid on amounts due to the remedy – [section 26](#). The Directions confirm the rates of interest that will apply to various payments, following consultation with the Government Actuary’s Department.
- The power to make regulations setting out the process to follow for paying amounts due to the remedy, including where amounts may be netted off - [section 26\(1\)\(b\)](#).
- Powers relating to Remediable Service Statements (RSS), including elements which must be provided – [section 29](#). The Directions confirm that the RSS must be combined with the Annual Benefit Statement, other than the first RSS which is issued.

The Directions and related documents have been added to the [related legislation page](#) of the FPS Regulations and Guidance website.

PDP approach to governance of standards

In [Bulletin 63](#) we let you know the Pensions Dashboards Programme (PDP) had published revised standards for connecting to the dashboards ecosystem.

PDP has since published its [approach to the governance of the standards](#). This sets out how PDP developed the standards, outlines their scope, and describes how they will go about setting and managing any future changes.

Consultation on regulatory framework for dashboard operators

On 1 December 2022, the Financial Conduct Authority (FCA) published a [consultation on the regulatory framework for dashboard operators](#).

Under these proposals, dashboard operators will be able to offer savers additional services that may improve engagement with pensions. These services could include investment advice (including robo-advice) or guidance, as well as modellers, calculators, and other similar tools. Before doing so, operators will need to meet rigorous conduct standards.

The consultation closes on 16 February 2023.

Deferred connection guidance published

On 12 December 2022, the Department for Work and Pensions (DWP) published guidance on [how to defer connection to pensions dashboards](#).

Public service schemes, including the FPS, must connect to the dashboards ecosystem within a connection window from 1 September 2024 to 30 September 2024. However, scheme managers can apply to DWP to defer the connection window in very limited circumstances. The deadline for applications to be made is 11 December 2023, though DWP request this is done as soon as possible.

The new staging date can be no later than 12 months after the original date, and connection must take place in the month leading up to that. The latest possible staging deadline for the FPS would be 30 September 2025.

Action for FRAs: If you meet the limited circumstances and want to apply to defer connection, you must email pensionsdashboard@DWP.gov.uk as soon as possible and before 12 December 2023.

Early connection guidance updated

On 21 November 2022, the PDP published [updated statutory guidance on early connection](#).

FRAs must connect to the dashboards ecosystem within a connection window from 1 September 2024 to 30 September 2024.

However, integrated service providers may ask authorities to consider connecting earlier to reduce the number of clients connecting within the same window. Applications to connect early must be made to the Money and Pensions Service (MaPS), who will consult with the Pensions Regulator before deciding.

Action for FRAs: Decide as soon as possible if you want to connect early. If you do, apply to MaPS when their application forms are available.

PDP December newsletter

On 15 December 2022, PDP published its [December 2022 newsletter](#).

The newsletter contains articles on the design standards consultation, cleansing data in readiness for dashboards, a new updated glossary, access to recordings and Q & As for the standards webinars and a blog looking back at 2022.

Deputy Pensions Ombudsman

On 9 December 2022, the chair of the Pensions Ombudsman (TPO) announced that Anthony Arter will remain at TPO as part-time Deputy Pensions Ombudsman. Anthony's term as Pensions Ombudsman ends on 15 January 2023.

This is an interim appointment for up to 12 months.

See [the press release for more information](#).

TPR's joint regulatory strategy update

On 7 December 2022, the Pensions Regulator (TPR) and the Financial Conduct Authority published an [update to their 2018 joint regulatory strategy](#). The strategy sets out how the two bodies work together to tackle issues in the pensions sector.

The update outlines their progress on the strategy's regulatory objectives and next steps in light of new strategic priorities. The update sets out eight ongoing workstreams covering:

- productive finance
- value for money
- regulatory framework for effective stewardship
- pension scams strategy
- defined benefit (DB) transfer advice
- DB schemes and transfer activity
- pensions dashboards
- supporting consumer decision-making.

As part of the next steps, both parties agree to continue their alliance to develop a consistent framework for assessing value for money, assess the stewardship regulatory framework in 2023 and continue to support the pensions dashboards initiative.

HMRC

HMRC publishes pension schemes newsletter 145

HMRC published [pension schemes newsletter 145](#) on 30 November 2022. The newsletter includes articles about:

- The [public service pensions remedy newsletter](#) published on 25 November 2022.

- The Managing Pension Schemes service including information on enrolling, viewing lists of schemes, managing user access, and viewing interest charges.
- Accounting for Tax (AFT) returns - schemes cannot submit new AFT returns for any quarter from April 2020 on the Pension Schemes Online service.
- Annual allowance – authorities are asked to remind members who exceeded their annual allowance for tax year 2021 to 2022 and do not have sufficient carry forward to declare this on their self-assessment tax return, even if the scheme is liable for the charge.

Action: FRAs and administrators to remind members who do not have enough carry forward to offset a tax charge for 2021 to 2022 to declare this on their self-assessment tax return.

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 first session of the new year is due to take place on Thursday 5 January 2023 at 10:00.

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

[6 December 2022 - Matthews policy positions and next steps](#)

[13 December 2022 - HMRC remedy tax consultation](#)

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

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Legislation

Statutory Instruments

SI	Reference title
2022/1250	The State Pension Debits and Credits (Revaluation) Order 2022
2022/1251	The State Pension Revaluation for Transitional Pensions Order 2022
2022/1285	The Pensions Act 2004 (Disclosure of Restricted Information by the Pensions Regulator) (Amendment of Specified Persons) Order 2022

Useful links

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

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

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

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

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

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

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	17 October 2022	Presented
Report to review Key Performance Indicators	To update Members	ACO People Services Contact Officer:- Ian Traylor, RCT Pensions Officer	23 January 2023	On Agenda
Update report on McCloud – Immediate Detriment	To update Members	ACO People Services Contact Officer:- ACO Alison Reed	23 January 2023	On Agenda
The Pensions Regulator Returns 2020-2021	To update Members and for awareness and discussion	ACO People Services Contact Officer;- Kim Jeal, HR Manager	23 January 2023	On Agenda

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

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

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

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AGENDA ITEM NO 10

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

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1.	Apologies for Absence	
2.	Declarations of Interest	
	Members of the Fire & Rescue Authority are reminded of their personal responsibility to declare both orally and in writing any personal and/or prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Fire & Rescue Authority's Standing Orders and the Members Code of Conduct.	
3.	Chairperson's Announcements	
4.	To receive the minutes of:	
	<ul style="list-style-type: none"> • Local Pension Board Committee held on 17 October 2022 	3
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