

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

LOCAL PENSION BOARD COMMITTEE SUMMONS

SOUTH WALES FIRE & RESCUE AUTHORITY

You are required to attend a meeting of the Local Pension Board Committee to be held at **South Wales Fire & Rescue Service Headquarters, Forest View Business Park, Llantrisant, CF72 8LX** on **Monday, 24 June 2019** in Room 8 at 1030 hours.

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:-
 - Local Pension Board Committee Meeting held on 21 January 2019 3
5. Report on Scheme Data for the Firefighters' Pension Scheme 7
6. Data Protection Regulations 13
7. Local Pension Board Terms of Reference (ToR) 17
8. Forward Work Programme 2019-2020 27
9. To consider any items of business that the Chairperson 31

deems urgent (Part 1 or 2)

Signature of Proper Officer:



MEMBERSHIP
Councillors:

S	Bradwick	Rhondda Cynon Taff
L	Brown	Monmouthshire
J	Harries	Rhondda Cynon Taff
L	Jones	Fire Brigades' Union
D	King	FRSA
R	Prendergast	Association of Principal Fire Officers
A	Psaila	Fire Brigades' Union
V	Smith	Monmouthshire

SOUTH WALES FIRE & RESCUE AUTHORITY
MINUTES OF THE LOCAL PENSION BOARD MEETING
HELD ON MONDAY, 21 JANUARY 2019 AT
SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

80. PRESENT

S Bradwick (Chair)	Rhondda Cynon Taf
V Smith	Monmouthshire
J Harries	Rhondda Cynon Taf
D King	Fire & Rescue Services Association
R Prendergast	Fire Leaders Association

APOLOGIES:

K McCaffer	Vale of Glamorgan
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ABSENT:

A Psaila	Fire Brigades Union
L Jones	Fire Brigades Union

OFFICERS PRESENT: ACO M Malson – Director of People Services; Mr C Barton – Treasurer; Mrs S Watkins – Deputy Monitoring Officer; Ms K Jeal – Accountant (Payroll Team); Mrs S Glover - Pensions Liaison Officer

The Chair advised that apologies had been received from Councillor K McCaffer, who expressed her regret that she could not attend the meeting as she is attending to a family matter.

81. DECLARATIONS OF INTEREST

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

82. CHAIR'S ANNOUNCEMENTS

There were no announcements from the Chair.

83. MINUTES OF PREVIOUS MEETING

The minutes of the Local Pension Board meeting held on 22 October 2018 were received and accepted as a true record of proceedings.

84. VOLUNTARY SCHEME PAYS IN THE FIREFIGHTERS' PENSION SCHEMES

The Director of People Services outlined the requirements on the Fire and Rescue Authority in respect of provisions for individuals in the Firefighters' Pension Schemes (FPS) to make payment of a tax charge if they breach the HMRCs standard Annual Allowance (AA) limit, and advised of the two methods for assisting these individuals to pay any tax charge incurred, vis Mandatory Scheme Pays (MSP) and Voluntary Scheme Pays (VSP).

The Chair expressed his concern in relation the time it is taking to agree the Service Level Agreement (SLA) with Rhondda Cynon Taf (RCT), and offered to meet, as the Chair of the LPB, with officers at RCT. The Director of People Services confirmed that a meeting is being held at the end of this week, where hopefully agreement can be reached. He agreed to take the concerns of the Chair to the meeting. It was agreed that, once the SLA has been agreed, a special meeting of the LPB be convened, with the SLA being the only item.

RESOLVED THAT

- 84.1 Members resolved to recommend to the Fire and Rescue Authority the introduction of the Scheme Pays Procedure with effect from 1 April 2018; and
- 84.2 Once the SLA has been agreed with RCT, a special meeting of the LPB be convened, with the SLA being the only item

85. THE PENSION REGULATOR – PUBLIC SERVICE GOVERNANCE AND ADMINISTRATIVE SURVEY 2018

The Director of People Services provided members with a copy of the Service's return to The Pensions Regulator – Public Service Governance and Administrative Survey 2018, for their information.

RESOLVED THAT

Members accepted the report and noted the content of the survey return.

86. THE PENSIONS REGULATOR – FIREFIGHTERS' PENSION SCHEME RETURNS FOR 2017-2018

The Director of People Services presented the Scheme Returns for Members' information.

The Chair noted that within the entries, Councillor Kathryn McCaffer's title is slightly different, and requested that for consistency, the entries be amended to

reflect the same. Mr King also commented that the RFU no longer exists, and this should be changed to reflect the new title of 'Fire and Rescue Services Association'.

RESOLVED THAT

86.1 Members noted the details of the Firefighters' Pension Scheme Returns 2017-18 as made by the Fire Authority's Pension Administrators, RCT Pensions; and

86.2 The changes noted above be made to the Scheme Return.

87. SCHEME ADVISORY BOARD – RESPONSE TO WELSH MINISTERS ON THE GOVERNMENT ACTUARY'S DEPARTMENT (GAD) 2016 VALUATION ASSUMPTIONS

The Director of People Services apologised, advising that the wrong report had been included with the agenda and circulated the correct report to Members. The Director of People Services gave an in depth update on the Scheme Advisory Board Wales' (SABW) formal response to Welsh Ministers to all of the Government Actuary Department's 2016 Valuation.

Members were asked to note the response from the Independent Chair of SABW to the Cabinet Secretary for Local Government & Public Services, and the recommendations contained within.

RESOLVED THAT

87.1 Members noted the content of the report; and

87.2 await response from the Cabinet Secretary for Local Government & Public Services to the Independent Chair of SABW.

88. FIREFIGHTERS' PENSION FINANCING MECHANISM (YEAR ENDING 31 MARCH 2019)

The Treasurer gave an outline of the funding arrangements for the Firefighters' Pension Schemes.

RESOLVED THAT

Members noted the content of the report.

89. REPORT ON LOCAL PENSION BOARD WEBSITE

Members received a presentation from Kim Jeal and Sarah Glover in relation to the Pensions portal which will be available via the intranet, for staff to access. A number of options will be available to staff, including information on their relevant Pensions Schemes, also, details of the Local Pensions Board (LPB). The Chair requested that details of the LPB Members be included, also Members suggested the inclusion of information on Pensions Fraud and LGA bulletins.

The Chair thanked Sarah Glover for producing an excellent piece of work.

RESOLVED THAT

Members noted the detail within the presentation.

90. SUMMARY OF THE LOCAL PENSION BOARD WORK PROGRAMME

The Director of People Services presented the summary of the LPB work Programme for the municipal year 2018/19. He commented that a lot had been achieved throughout the year. He also confirmed that three meetings a year will be retained, with the option to call special meetings, as required.

RESOLVED THAT:

Members noted the work of the Local Pension Board.

91. FORWARD WORK PROGRAMME 2017/18

The Director of People Services presented the Forward Work Programme for 2017/18, and gave an explanation of some areas of note.

RESOLVED THAT

Members accepted the Forward Work Programme for 2017/18

92. TO CONSIDER ANY ITEMS OF BUSINESS THAT THE CHAIRMAN DEEMS URGENT (PART 1 OF 2)

There were no items deemed urgent by the Chair.

**SOUTH WALES FIRE & RESCUE AUTHORITY
LOCAL PENSION BOARD COMMITTEE**

AGENDA ITEM NO 5
24 JUNE 2019

REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

REPORT ON SCHEME DATA FOR THE FIREFIGHTERS' PENSION SCHEMES

SUMMARY

South Wales Fire & Rescue Authority, as the duly appointed Firefighters' Pension Scheme Manager, is responsible for compiling and maintaining membership data for each of the Firefighters' Pension Schemes in accordance with that Scheme's regulations.

This report provides factual statistics on Scheme Membership Data.

RECOMMENDATION

That Local Pension Board Members note the composition of the Scheme(s) Membership as at 1 April, 2019.

1. BACKGROUND

- 1.1 The Local Pension Board is responsible for the governance of the Fire & Rescue Authority's management of the Firefighters' Pension Scheme 1992 (FPS 1992), the Firefighters' Pension Scheme (Wales) 2007 (FPS 2007), the Firefighters' Pension Scheme (Wales) 2007 – Modified Scheme, and the new Firefighters' Pension Scheme (Wales) 2015 (FPS 2015).
- 1.2 The role of the Local Pension Board (as described in its Terms of Reference) is to provide oversight and assistance to the Scheme Manager. Accordingly, the Local Pension Board is not a decision making body in relation to scheme management and administration, but merely makes recommendations to assist in such activities.

2. ISSUES

- 2.1 When the Firefighters' Pension Scheme 2015 was introduced an agreement was reached on the 'tapering' arrangements for active members of the FPS 1992, NFPS 2007, and the FPS 2007 Modified Scheme moving into the 2015 Scheme.
- 2.2 The agreement gave full statutory protection for accrued rights for all Scheme members as follows:-

- All benefits accrued under final salary arrangements will be linked to the members' final salary, in accordance with the rules of the members' current Schemes, when they leave the reformed Scheme.
- Full recognition of a member's expectation to double accrual under the 1992 Scheme, so that a member's full continuous pensionable service upon retirement will be used to calculate an averaged accrual rate to be applied to service accrued under the 1992 Scheme.
- Members to be able to access their 1992 Scheme benefits when they retire at the Scheme's 'ordinary pension' age (i.e. from age 50 with 25 years pensionable service), subject to abatement rules for that Scheme. Pensionable service for the purpose of calculating the ordinary pension age will include any continuous pensionable service accrued under both the 1992 Scheme, and 2015 Scheme.
- Members of the 1992 Scheme will continue to have access to an actuarially assessed commutation factor for benefits accrued under that Scheme.

2.3 The transitional protections are as follows:-

- All active members who, as of 1 April, 2012, had 10 years or less to their Normal Pension Age (1992 Scheme age 55, and 2002 Scheme age 60), would see no change in when they could retire, nor any decrease in the amount of pension they receive at their current Normal Pension Age. This protection will be achieved by the member remaining in their current Scheme until they retire, which could be beyond 31 March, 2022.
- All active members who were up to 14 years from their current Normal Pension Age, as at 1 April 2012, received a further 4 years of limited tapered protection, so that on average for every month of age they go beyond 10 years of the Normal Pension Age, they gain about 53 days of protection.
- The last day of protected service for any member benefitting from the tapered protection will be 31 March, 2022. At the end of the protected period they will be transferred into the 2015 Scheme arrangements.

2.4 In summary, Scheme members who on 1 April, 2012, were in the 1992 Scheme, and between the ages of 41 and 45, or were in the 2006 Scheme, and between the ages of 46 and 50, will continue to accrue

pension in their existing Scheme on a tapered basis. They gain about 53 days of protection in their existing Schemes for every month they are older than 41 years in the 1992 Scheme, and 46 years in the 2006 Scheme.

- 2.5 Members in the 1992 and 2007 Schemes will be able to take their pension on retirement at their ordinary pension age (1992 Scheme), and Normal Pension Age (2006) Scheme, subject to abatement rules. After this members are transferred into the 2015 Scheme, and continue to accrue their 2015 pension.
- 2.6 The number of contributing Scheme members fluctuates as people retire, transfer into the Service, and new appointments are made. Appendix A demonstrates the membership of each of the Schemes as at 1 April, 2019.
- 2.7 The table demonstrates the distribution of membership across the Firefighters' Pension Schemes from 1 April, 2019.
- 2.8 By 31 March, 2022, the 1992 and 2007 Schemes will in effect be closed, and the members of the 2015 Scheme will be funding all pensions in payment. This will place an additional burden on the pension fund.
- 2.9 The reason for this is that under the 2015 Scheme the pension contributions are lower than the 1992 and 2007 Schemes, and the benefits paid under these Schemes is greater than the new 2015 Scheme. As these Schemes are all unfunded with no investment assets, any differences are met by a 'top up' grant from Welsh Government. The effect being that until all 1992 and 2007 Scheme members in receipt of a pension become deceased, there will be an imbalance in benefits paid out, and contributions paid in.
- 2.10 In December 2018, the 'tapering' arrangements were challenged in the Court of Appeal by a group of judges and firefighters. The outcome was a ruling that stated the Government had discriminated against the two groups on the grounds of age, race, and equal pay in relation to changes to their pension. It is understood that the Government has sought permission from the Supreme Court to make a further appeal. If the Government is granted permission to appeal, the case will proceed to the Supreme Court. We are currently awaiting the outcome of this.
- 2.11 The number of normal retirements for the period 1 April, 2018, to 31 March, 2019, was 54, as opposed to 31 during 2017/2018. In the corresponding period there was 10 ill-health retirements all at the lower tier, as opposed to 7 in 2017/2018.

2.12 The total number of retired members in receipt of a pension is 1,150, as opposed to 1,126 in 2017/2018.

3. FINANCIAL IMPLICATIONS

3.1 There are no additional financial issues arising as a result of this report.

4. EQUALITY RISK ASSESSMENT

4.1 An Equality Risk Assessment has been undertaken to assess the potential impact relative to Firefighters' Pension Schemes Membership Data.

4.2 There are no immediate issues arising from the actions identified.

5. RECOMMENDATIONS

5.1 That Local Pension Board Members note the composition of the Scheme(s) Membership as at 1 April, 2019.

Contact Officer:	Background Papers:
ACO Alison Reed Director of People Services	Appendix A – Statistical Scheme Information

Appendix A

Firefighter Pensions Schemes - scheme data

Scheme	1 April 2019
Total number of members in the 1992 FPS	93 Protected 47 Tapered
Total number of members of the 2007 NFPS	19 Protected 2 Tapered
(a) Number of Retained members in the 2007 NFPS	10 Protected 2 Tapered
(b) Number of Wholetime members in the 2007 NFPS	9 Protected 0 Tapered
Number of members in the RDS Modified Scheme	19 Protected 8 Tapered
Total number of members of the 2015 FPSW	1196
(a) Number of Retained members in the 2015 FPSW	441
(b) Number of Wholetime members in the 2015 FPSW	755

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REPORT OF THE ASSISTANT CHIEF OFFICER PEOPLE SERVICES

DATA PROTECTION REGULATIONS

SUMMARY

This report reviews the activity undertaken since May 2018 to ensure compliance with legislation as outlined in the General Data Protection Regulations (GDPR), and the Data Protection Act 2018.

This new legislation requires data protection and privacy by design and default, and requires a greater emphasis on stricter conditions for obtaining valid consent (where consent is the most appropriate legal basis), transparency, and accountability, by ensuring there is a legal basis for collecting and holding individual data.

RECOMMENDATION

That Members accept the report and the information contained therein.

1. BACKGROUND

- 1.1 The UK data protection regime is set out in the Data Protection Act 2018, along with the GDPR (which also forms part of UK law). It takes a flexible, risk-based approach which puts the onus on everyone to think about and justify how and why we use data. There is an overarching pseudo principle of accountability to protect personal data, and report any potential or realised data breaches without delay.
- 1.2 The Information Commission (ICO) regulates data protection in the UK, and the new legislation has brought a change in focus from regulating high risk data processing activities to improving data security in more routine matters. Its purpose is to bring about a culture shift to meet the needs of the digital age, and is about achieving a step change in organisational attitude towards data privacy.
- 1.3 Breaches may be subject to fines of up to 20M Euros, or 4% of global annual turnover, whichever is the greater.
- 1.4 The legislation requires organisations to review and conduct Data Protection Impact Assessments, and look at how it collects, holds and processes personal data, as well as how it communicates with individuals about that activity, and gaining opt-in explicit consent where required.

2. ISSUES

2.1 The data protection principles state that anyone who processes information about living individuals must be able to demonstrate that it is:-

- Processed lawfully, fairly and transparently
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary
- Accurate and kept up to date where necessary
- Kept for no longer than is necessary where data subjects are identifiable
- Processed securely and protected against accidental loss, destruction or damage

2.2 In order to respond to the introduction of the new legislation the Service's internal pension team, along with the Information Governance & Compliance Officer, carried out the following activity to ensure compliance:-

- Logged activity transparently under the Register of Processing Activities.
- Mapped out the process for pension administration internally to understand fully what information is collected, for what purpose, why it is kept, what information is shared, with whom, and why.
- Communicated privacy information to staff via a multi-pronged approach.
- Participating in continuous awareness refresher training to support the one year anniversary of the introduction of the GDPR.

2.3 For the purpose of pension administration the legal bases for collecting and holding individual data is to ensure the performance of the employment contract (Article 6b), compliance with a legal obligation of the controller (Fire & Rescue Authority) to administer the pension schemes (Article 6c), and processing is necessary for the performance of a task (pension administration) carried out by the controller (Article 6e)

2.4 In some instances some data collected/processed may include 'special category data' (previously known as sensitive data). Where this occurs the Authority will be able to rely on the legal basis of it being necessary for the purposes of carrying out obligations in the field of employment and social security (Article 9b)

- 2.5 The outsourcing of the pension's administration to Rhondda Cynon Taf County Borough Council (RCT) is under a Service Level Agreement (SLA), and this agreement is currently under review to ensure it captures relevant information in relation to the legislation. A meeting has been scheduled in July 2019 with RCT to finalise the Service Level Agreement.
- 2.6 Whilst the Service Level Agreement will confirm the responsibilities and discretions in relation to the service provided by Rhondda Cynon Taf County Borough Council (RCT), the legislation sets out a legal requirement in relation to the fair and proper use of information about people. The legislation, therefore, applies to any individual or organisation where personal information and data is being collected.
- 2.7 There have been no known breaches relating to pensions since the introduction of the legislation in May 2018.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no additional financial issues arising as a result of this report.

4. EQUALITY RISK ASSESSMENT

- 4.1 There are no Equality Risk Assessment issues arising as a result of this report.

5. RECOMMENDATIONS

- 5.1 That Members accept the report and the information contained therein.
- 5.2 That Local Pension Board Members receive a report on the revised Service Level Agreement with RCT Pensions at its October meeting.

Contact Officer:	Background Papers:
ACO Alison Reed Director of People Services	Guide to the General Data Protection – Information Commissioner Guide to the General Data Protection Regulation (GDPR) – Information Commissioner

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LOCAL PENSION BOARD TERMS OF REFERENCE (ToR)

SUMMARY

This report sets out proposals to update the Terms of Reference (ToR) for the Local Pension Board

RECOMMENDATION

That Members review the changes and approve the revised Terms of Reference (ToR).

1. BACKGROUND

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

2. ISSUES

- 2.1 Proposals to revise the Terms of Reference are highlighted within the document attached to the report at Appendix A, and have been developed following a benchmarking exercise with other Local Pension Board Terms of Reference. The updated version includes revisions relating to the role of the Board and meeting arrangements.
- 2.2 It is best practice to review the Terms of Reference on an annual basis.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no additional financial issues arising as a result of this report.

4. EQUALITY RISK ASSESSMENT

- 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 Members to review the changes and approve the revised Terms of Reference.

Contact Officer: ACO Alison Reed Director of People Services	Background Papers: Appendix A
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APPENDIX A

SOUTH WALES FIRE & RESCUE AUTHORITY

LOCAL PENSION BOARD

TERMS OF REFERENCE

(as determined for a Sub-Committee of South Wales Fire & Rescue Authority)

1. INTRODUCTION

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

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

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

2. ROLE OF THE LOCAL PENSION BOARD

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

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

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Amendments highlighted in red

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

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

The Local Pension Board will ensure it effectively and efficiently complies with the Code of Practice on the Governance and Administration of Public Service Pension Schemes issued by the Pension Regulator.

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

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

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

3. APPOINTMENT OF MEMBERS OF THE LOCAL PENSION BOARD

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

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

- (a) 4 Employer Representatives
- (b) 4 Scheme Member Representatives
- (c) 1 Independent Member selected by Scheme Manager

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

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

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

The Scheme Manager must be satisfied that:

- A person to be appointed to the Pension Board as an Employer Representative has the capacity (i.e. time and resources) to represent the employer on the Pension Board; and

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Amendments highlighted in red

- A person to be appointed as a Scheme Member Representative has the capacity to represent Members on the Pension Boards; and
- A person to be appointed as an Independent Member / Chair has the capacity to fulfil this role on the Pension Board.

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

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

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

Scheme Member and Employer Representatives shall be appointed in equal number and shall together form the majority of the Local Pension Board's membership.

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

Term of Office

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

Attendance

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

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

The Local Pension Board may, with the approval of the Scheme Manager, co-opt persons who are not Members of the Board to serve on sub-committees, particularly where this would add skills and experience.

Notwithstanding the appointment of co-opted Members, the majority of the Board shall be comprised of employer and Scheme Member representatives, represented in equal number.

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 Amendments highlighted in red

4. QUORUM

At least four people must be present, including the Chair, and at least half Members present are Employee Representatives.

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

5. CONFLICTS OF INTEREST

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

6. LOCAL PENSION BOARD REVIEW PROCESS

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

7. ADVISERS TO THE LOCAL PENSION BOARD

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

8. KNOWLEDGE & SKILLS

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

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

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

- The law relation to pensions, and
- Any other matters which are prescribed in regulations

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

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

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

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Amendments highlighted in red

Local Pension Board Members will comply with the Scheme Manager’s training policy.

9. LOCAL BOARD MEETINGS – NOTICE AND MINUTES

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

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

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

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

10. REMIT OF THE LOCAL PENSION BOARD

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

11. STANDARDS OF CONDUCT

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

12. DECISION MAKING

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

13. PUBLICATION OF LOCAL PENSION BOARD INFORMATION

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

Up to date information will be posted on the South Wales Fire & Rescue Authority website (‘Pensions’ page)

The names and information of the Local Pension Board Members

- How the scheme members are represented on the Pension Board

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Amendments highlighted in red

- The responsibilities of the Local Pension Board as a whole
- The full Terms of Reference and policies of the Pension Board, and how they operate
- The Pension Board appointment process (as per Independent Member of Standards Committee)
- Who each individual Pension Board Member represented
- Any specific roles and responsibilities of Individual Pension Board Members

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

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

14. ACCOUNTABILITY

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

15. EXPENSE REIMBURSEMENT (REMUNERATION AND ALLOWANCES)

Local Pension Board Members do not receive any remuneration for their role.

16. REPORTING BREACHES

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

17. INTERPRETATION

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

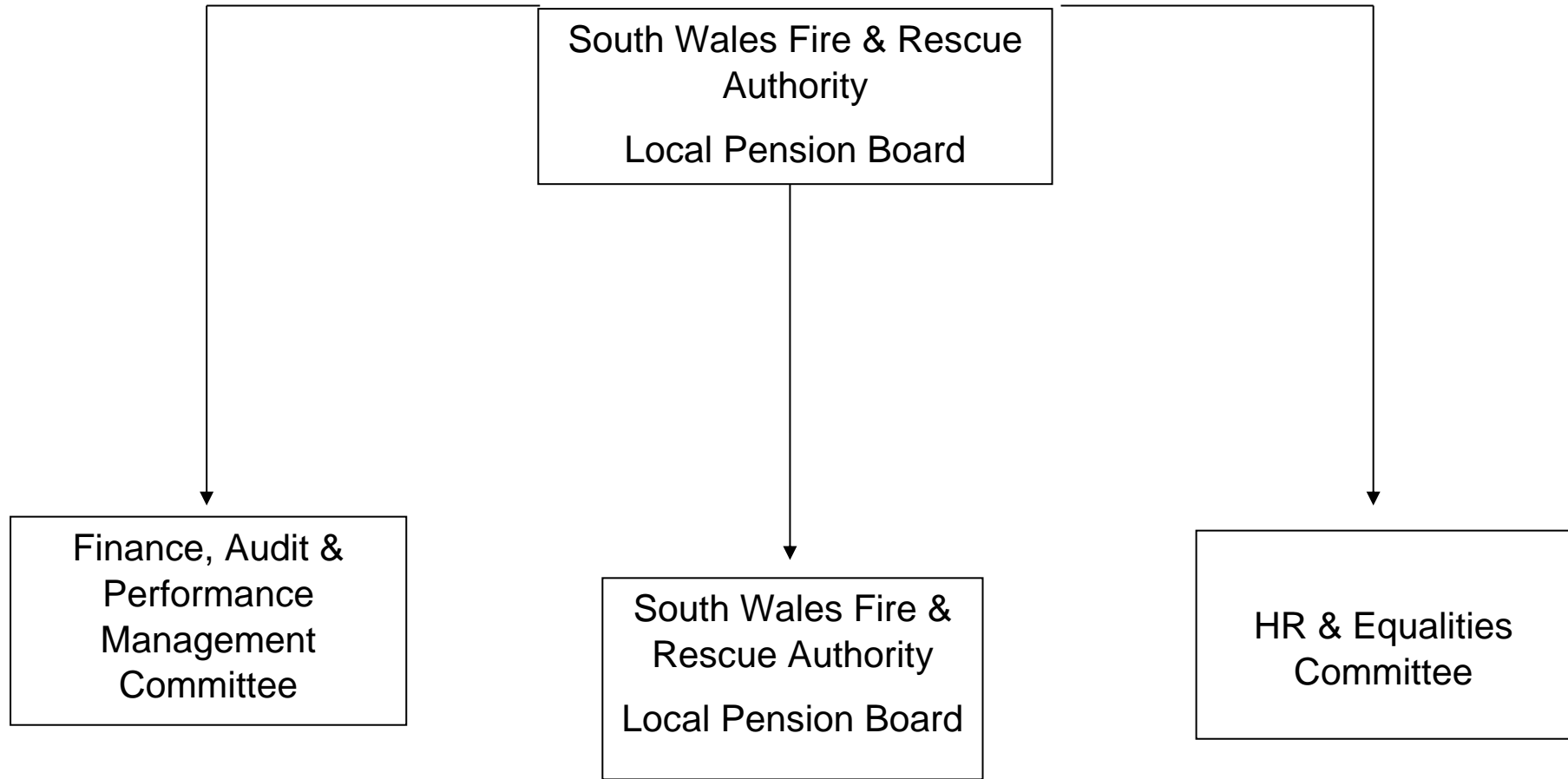
18. DEFINITIONS

- The term ‘Local Pension Board’ means the Local Pension Board for the South Wales Fire & Rescue Authority, administering authority for the South Wales Fire & Rescue Authority (Firefighters’ Pension Fund), as required under the Public Service Pensions Act 2013.

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Amendments highlighted in red

- ‘Scheme Manager’ means the South Wales Fire & Rescue Authority as the administering authority for South Wales Fire & Rescue Authority (Firefighters’ Pension Fund).
- ‘Chair’ refers to duties to be performed, or authorities exercised, by the Chair.
- ‘Scheme’ means the Firefighters’ Pension Scheme 1992, the New Firefighters Pension Scheme 2007, Firefighters Compensation Scheme, RDS Modified Scheme, and New Firefighters Pension Scheme 2015.



**FORWARD WORK PROGRAMME FOR
LOCAL PENSION BOARD 2019/2020**

Report Name	Purpose of piece of work	Lead Director/ Contact Officer	Expected Date of Decision/ Submission/ Review	Progress
Report on Scheme Data for the Firefighters Pension Scheme	To provide the Local Pension Board with FACTUAL STATS, Scheme Membership data and an update position on the fund.	ACO People Services Contact Officer: Alison Reed	24 June 2019	On agenda
Report on Data Protection Regulations	To enable the Local Pension Board to have an understanding of the work undertaken to ensure compliance with the new GDPR Regulations.	ACO People Services Contact Officer: Alison Reed	24 June 2019	On agenda
Report on Amendments to the Local Pension Board – Terms of Reference and Delegated Authorities	The purpose of the report is to set out the terms of reference for the LPB and the establish the relationship between the Board and the Fire Authority	ACO People Services Contact Officer: Alison Reed	24 June 2019	On agenda

Report Name	Purpose of piece of work	Lead Director/ Contact Officer	Expected Date of Decision/ Submission/ Review	Progress
Report on the Local Pension Board – Members Handbook	The purpose of this Handbook is to assist you in your role as a member of the Local Pension Board and to familiarise you with the key aspects of your role in the context of the Scheme(s).	ACO People Services Contact Officer: Alison Reed	21 October 2019	
Report on Local Pension Board – Training Framework	The purpose of the Training Framework is to establish a methodology for ensuring Members are appropriately trained and knowledge and understanding is maintained	ACO People Services Contact Officer: Alison Reed	21 October 2019	

Report Name	Purpose of piece of work	Lead Director/ Contact Officer	Expected Date of Decision/ Submission/ Review	Progress
Report on the Review of the Service Level Agreement with the Firefighter's Pensions Scheme Administrator, RCT	To update Members on the review of the Service Level Agreement.	ACO People Services Contact Officer: Alison Reed	21 October 2019	Deferred due to the SLA not being agreed in time for the last LPB on 21 January 2019
Report on the Firefighters Pension Scheme 2015 Taper Protections – Legal Challenge	To update the Local Pension Board on the legal appeal to the FBU challenge to the Employment Tribunals judgement to reject the age discrimination claims brought by the Fire Brigades Union.	ACO People Services Contact Officer: Alison Reed	21 October 2019	Deferred due to the ET judgement not being published following the hearing held w/c 5 November 2018. Outcome still awaited
Report setting out the Discretions in respect of the Firefighters' Pension Schemes	In the event that the FRA may be require to exercise a discretionary power in respect of any of the FPS Schemes it will do so in accordance with the powers policy made under the FPS' and Compensation Scheme as agreed in this report.	ACO People Services Contact Officer: Alison Reed	20 January 2019	

Dates of meetings – 24 June, 2019, 21 October, 2019, 20 January, 2020

ACO Alison Reed – Director of People Services

AGENDA ITEM NO 9

**To consider any items of business that the Chairman 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 Meeting held on 21 January 2019 	3
5.	Report on Scheme Data for the Firefighters' Pension Scheme	7
6.	Data Protection Regulations	13
7.	Local Pension Board Terms of Reference (ToR)	17
8.	Forward Work Programme 2019-2020	27
9.	To consider any items of business that the Chairperson deems urgent (Part 1 or 2)	31