



# Minutes

## Local Pension Board

---

Date: 24 July 2020

Time: 11.30 am

Venue: Microsoft Teams meeting

---

Present: Jim Davies (Scheme Member representative – FBU), Paul Drinkwater (Scheme Member representative), Councillor Peter Harrand (Scheme Manager representative), Chris Lawton (Scheme Member representative), John Roberts (Scheme Manager representative) and Councillor Angela Wenham (Scheme Manager representative)

In Attendance: Claire Johnson - Technical Adviser  
Ian Brandwood – Chief Employment Services Officer  
Martyn Bairstow – Fire Brigades' Union

Apologies: None

---

### 1 Appointment of Chair and Vice chair

#### RESOLVED

- a) That Chris Lawton, Scheme Member representative, be appointed Chair of the Local Pension Board for the 2020 – 21 year; and
- b) That Councillor Wenham, Scheme Manager representative, be appointed Vice chair of the Local Pension Board for the 2020 – 21 year.

### 2 Membership of the Local Pension Board 2020 – 21 as follows;

#### Scheme Member representatives

- Paul Drinkwater
- Chris Lawton
- James Davies (FBU)

## Scheme Manager representatives

- Councillor Peter Harrand
- Councillor Angela Wenham
- John Roberts

## **RESOLVED**

That the report be noted.

## **3 Urgent items**

None.

## **4 Admission of the public**

There were no items which required the exclusion of the public and press.

## **5 Declarations of interest**

There were no declarations of disclosable interest in any matter under consideration at the meeting.

## **6 Minutes of meetings held on 31 January and 20 April 2020**

### **RESOLVED**

That the Minutes of meetings held on 31 January and 20 April 2020 be signed by the Chair as a correct record.

## **7 Terms of Reference – annual review**

Consideration was given to a report of the Chief Legal and Governance Officer to review the Terms of Reference for the Local Pension Board which had been adopted by the West Yorkshire Fire and Rescue Authority.

It was noted that the Full Authority had approved changes to the membership of the Local Pension Board at its annual meeting on 25 June 2020. The change had been recommended by the Board and endorsed by the Human Resources Committee and membership had been increased from four to six members (3 x scheme manager and 3 x scheme member representatives).

Members debated the issue of an increase in the frequency of meetings.

### **RESOLVED**

That no proposals for amendment be made to the Local Pension Board Terms of Reference.

## **8 Local Pension Board Annual Report 2019 – 20**

Members considered a report of the Chief Legal and Governance Officer which advised that the Local Pension Board Annual Report 2019 – 20 had been formally submitted to the 10 July 2020 meeting of the Fire Authority's Human Resources Committee which had confirmed that the Board had acted within its Terms of Reference and in accordance with good governance principles during the 2019 – 20 municipal year.

### **RESOLVED**

That the report be noted.

## **9 Local Pension Board Activity report**

Members considered a report submitted by the Chief Employment Services Officer concerning performance in key areas for the period 1 December 2019 to 31 May 2020.

Members raised the following specific issue;

- the opt-out process and impact of auto-enrolment

### **RESOLVED**

That the report be noted.

## **10 Scrutiny and review**

The Chief Employment Services Officer submitted information on the following areas for scrutiny and review;

- Discretions made by the Scheme Manager – used on one occasion since the date of the last meeting (reinstatement of spousal benefits)
- Breaches register – none identified during the relevant period
- Pension Risk register – the register had been updated to incorporate the risk associated with COVID19 and was attached at Annex A to the report
- Compliance deadlines – detail of the different compliance deadlines and advice of correspondence with the West Yorkshire Pension Fund regarding their confidence with complying with the Pensions Regulator (TPR) deadline

Members were advised that the Discretions Policy was currently under review and would be submitted to the Local Pension Board for comment before implementation.

In response to a question about the Annual Benefit Statements, it was reported that these would remain unchanged and would not reflect any changes which may be due under the age

discrimination remedy which had not yet been agreed or implemented.. Projections would similarly be based on the status quo.

## **RESOLVED**

That the report be noted.

## **11 Pension Ombudsman – update**

Members received a report of the Chief Employment Services Officer which presented one relevant sample case reviewed and upheld by the Pension Ombudsman since the date of the last meeting as follows;

- Mr S – misinformation regarding Protected Pension Age and linked employment within 30 days of retirement

It was reported that, within West Yorkshire Fire and Rescue Service, protected pension age was the subject of a factsheet which was given to all prospective retirees in their retirement packs. Members were further advised that the issue was also relevant to those who had secondary employment with similar pension schemes, for example, the Local Government Pension Scheme, but that it was not a relevant factor for those who were self-employed in addition to a role in West Yorkshire Fire and Rescue.

## **RESOLVED**

That the report be noted.

## **12 Legislative update**

The Chief Employment Services Officer submitted a report which provided an update with regard to the following;

- Age Discrimination – discussions on the Government remedy ongoing with input from the Scheme Advisory Board
- Retained Duty System (Modified) – application of O'Brien ruling (payment into a pension scheme from the start date of employment) and its effect on Retained Firefighters
- Statutory instrument updates
- Protected Pension Age – relaxation of rules due to COVID19 pandemic
- COVID19 additional activities – eligibility for injury and pension benefits
- Compensation scheme : qualifying injury – discussions ongoing with HM Treasury and other Government departments about COVID19 deaths

## **RESOLVED**

That the report be noted.

## **13 Scheme Advisory Board Minutes**

### **RESOLVED**

That the Minutes of the Effectiveness Committee meeting held on 5 March 2020 be noted.

## **14 West Yorkshire Pension Fund – key performance indicators**

Consideration was given to a report of the Chief Employment Services Officer which advised of West Yorkshire Pension Fund (WYPF) performance in key areas for the periods 1 December 2019 – 31 May 2020. Figures were also provided for comparative purposes for the period post COVID lockdown (23 March).

Members were advised that there had been six areas of concern during the reporting period as follows where targets had not been met;

- deferred benefits set up on leaving
- Spouse potential
- Transfer-in actual
- Transfer-in quotes
- Deferred benefits set up on leaving, and
- Life certificate receipt

It was further reported that West Yorkshire Pension Fund had taken on a further three Fire Authorities in the administration of the pension schemes and had become the administrator for 19 out of the 42 Fire Services in England. Members expressed concern that the additional workload may impact on the ability of the Fund to maintain performance levels but reassurances had been received that this would not be the case.

### **RESOLVED**

That the performance of West Yorkshire Pension Fund in key areas be noted.

## **15 Administration Strategy consultation**

The Chief Employment Services Officer submitted a report which sought comment on the proposals set out in the Local Government Association (LGA) Administration Strategy to be developed to formalise standards and expectations of the Fire and Rescue Authority and their administrator (West Yorkshire Pension Fund).

### **RESOLVED**

That the Administration Strategy consultation document be noted and that a copy of the formal response be circulated to members of the Board for information.

## **16 Firefighter Pensions England bulletins update**

Consideration was given to the content of bulletins 28 - 34, which had been circulated to Members upon issue by the Scheme Advisory Board (SAB).

The following issues were highlighted with current status information;

- Completion and return of immediate action spreadsheet - complete
- Reconsideration of retrospective ill-health applications - ongoing
- Update of contracting out certificate – complete
- Implementation of revised GAD factors - complete
- Completion of Duradiamond account form – passed to WYFRS Occupational Health Unit
- COVID19 survey - complete
- Confirmation of contribution rates - complete
- Threshold increases for AA, LTA and buying additional pension - complete
- IDRPs collection data – complete
- Top-up grant – with Chief Finance Officer
- Retention of projections in Annual Benefit Statements (ABS) – pending ABS issue
- Ill-health applications – passed to OHU
- Communication of age discrimination remedy - complete
- Valuation data - ongoing
- ABS wording – pending issue
- Tax awareness wording - complete, and
- IQMP reports – passed to OHU

## **RESOLVED**

That the content of Bulletins 28 – 34 be noted.

## **17 COVID19 and the Firefighter Pension Schemes**

Consideration was given to a report of the Chief Employment Services Officer which advised of the impact of COVID19 on affected pension services and associated mitigations and new ways of working for key stakeholders (Fire and Rescue Authority, Local Government Association, West Yorkshire Pension Fund and The Pensions Regulator).

## **RESOLVED**

That the report be noted.

## **18 Any other business**

Further to the LGA training session that had been attended by some of the Pension Board members on 8 July, it was recommended that members undertake The Pensions Regulator assessment exercise which aimed to assess the key tools, tools and actions of a well-run scheme and so help identify issues and actions to improve governance and administration of the local scheme.

A copy of the HM Treasury consultation document on the implementation of the age discrimination remedy arrangements had been circulated to members under separate cover and they were advised that this would have a significant impact on internal resources to manage the increased workload. This situation was being closely monitored by the Scheme Manager. It was reported that a draft consultation response would be prepared for consideration by the Executive Committee.

## **RESOLVED**

- a) That Members be circulated with a link to undertake the Pensions Regulator individual assessments;
- b) That the results of the assessments be submitted for discussion / action at the 22 January 2021 meeting of the Local Pension Board.

Chair