



Minutes

Local Pension Board

Date: 28 January 2021

Time: 10.30 am

Venue: Microsoft Teams meeting

Present: Chris Lawton (Scheme Member representative – in the Chair), Paul Drinkwater (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

Apologies: Councillor Peter Harrand (Scheme Manager representative) and Jim Davies (Scheme Member representative – FBU)

19 Minutes of the last meeting held on 24 July 2020

RESOLVED

That the Minutes of the last meeting held on 24 July 2020 be signed by the Chair as a correct record.

20 Urgent items

None.

21 Admission of the public

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

22 Declarations of interest

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

23 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 June 2020 to 31 December 2020.

Members raised the following specific issues;

- Status of enrolment of new recruits (auto-enrolled or opted in)
- Possible benchmarking with other Fire and Rescue Authorities and the Local Government Pension Scheme of numbers of staff in a pension scheme

RESOLVED

- a) That the report be noted; and
- b) That consideration be given to possible benchmarking of scheme members and that future reports present this figure in tabular form for comparative purposes with a breakdown of gender and those with dual contracts where appropriate.

24 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 child pension)
- 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 – the TPR survey had been delayed due to COVID, and now had a revised deadline for completion of 12/02/2021.

RESOLVED

- a) That the report be noted; and
- b) That the responses to The Pensions Regulator survey (in consultation with the Chair of the Board and the Scheme Manager) be shared with the Board prior to submission.

25 Pension Ombudsman – update

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

- Mr H and Mr N – Protected Pension Age and tax-free cash entitlement (upheld)

- Mr S – Protected Pension Age and tax-free cash entitlement (upheld)
- Mr Y – Pension overpayment (upheld)
- Mrs D – ill-health entitlement (partly upheld)

RESOLVED

- a) That the report be noted; and
- b) That, with a view to reducing the bulk of the agenda, future reports contain a summary of each case only with a link to the full report as required.

26 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 specific advice and presentation given on the position of West Yorkshire Fire and Rescue Service not to use the immediate detriment guidance issued by the Home Office (HO) to remedy forthcoming retirees. It was reported that the position was included in the general age discrimination risk on the corporate risk register. Further possible HO guidance was anticipated after consultation with the Local Government Association.
- 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 with an update on the position of Government which was still working on the scope and mechanics of the settlement exercise
- Exit Payments in the public sector – regulations came into force on 4 November 2020 but would have limited application for the Firefighters’ pension schemes
- Protected Pension Age – ending of HMT COVID-related easement on 31 October 2020
- Equalisation of GMP (guaranteed minimum pension) – High Court ruling on the timing of its application. Implications for the Firefighters’ pension schemes have been raised with the Home Office by the Local Government Association

RESOLVED

That the report be noted.

27 Self-assessment questionnaire – results

Members considered the results of the Local Pension Board self-assessment questionnaire produced by The Pensions Regulator with a view to identifying any gaps in either Board members’ knowledge or the performance of the Board in meeting its statutory duties.

RESOLVED

- a) That the report be noted; and

- b) That, recognising the fact that there were several ‘quick wins’ in response to the results, a gap analysis be undertaken by the Scheme Manager, the Pensions Manager and the Committee Services Manager and any shortfalls be remedied.

28 Scheme Advisory Board Minutes

RESOLVED

That the Minutes of the Scheme Advisory Board at meetings held on 1 June and 17 September 2020 be noted.

29 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 June – 31 December 2020.

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

- deferred benefits set up on leaving
- Spouse potential
- Transfer-in quote

RESOLVED

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

30 Firefighter Pensions England bulletins update

Consideration was given to the content of bulletins 35 - 40, which had been circulated to Members upon issue by the Scheme Advisory Board (SAB).

All the issues which were pertinent to the internal administration of the Firefighter Pension Schemes had been completed by November 2020 were highlighted as follows;

- Job advert wording
- Template administration strategy (consultation with interested parties)
- Pension forecasts
- Submission of advice on numbers of members who qualify for immediate detriment, and
- Raising of valid purchase orders for invoicing of annual levy

RESOLVED

That the content of Bulletins 35 – 40 be noted.

31 Any other business

In response to a question from the Chair which sought information on

- the current position regarding the McLeod / Sargeant remedy and
- the impact this would have on resources in West Yorkshire Fire and Rescue internal pensions administration service,

it was reported that an outcome was expected before the end of February but overarching legislation would be required before it could be implemented. Additional resources were being provided with recruitment into the pensions' administrator role due shortly and Members were further advised that those within scope of the remedy had already been identified but additional payroll support would be likely to be necessary for its implementation.

Chair