

OFFICIAL

Agenda item: 06

Activity Report

Local Pension Board

Date: 17/01/2025

Submitted by: Director of People and Culture

Purpose: To inform members of key statistics relating to the Firefighters' Pension Scheme

Recommendations: That the report is noted

Summary: This report informs Members of a series of membership statistics and movements for the reporting period, as well as providing a summary of the number of opt-ins/outs, appeals made under the Internal Dispute Resolution Procedure (IDRP) and number of pension estimates processed

Local Government (Access to information) Act 1972

Exemption Category: None

Contact Officer: James Clarkson – Pensions Manager
James.Clarkson@westyorksfire.gov.uk
01274 682311 ext. 680157

Background papers open to inspection: None

Annexes: Annex A – IDRP Log

1. Introduction

1.1 This report informs Members of key statistics relating to the Firefighters' Pension Scheme as follows:

- Number of members across the various schemes
- Membership movements during the reporting period
- Number of opt-ins and opt-outs
- Number of retirements
- Estimates processed
- Number of new firefighter recruits
- Total firefighter headcount
- Number of IDRP Stage 1 and Stage 2 complaints

2. Information

2.1 Updated member statistics are detailed below. For consistency, the number of members under each scheme is where this is their current or most recent scheme. For example, a 2015 Scheme member with connected 1992 Scheme benefits is included in the 2015 Scheme figures.

2.2 Number of active members

Scheme	30/06/2024	30/11/2024
2015 Firefighters' Pension Scheme	1,031	1,038

2.3 Number of pensioner members (including beneficiaries)

Scheme	30/06/2024	30/11/2024
1992 Firefighters' Pension Scheme	2,313	2,309
2006 Firefighters' Pension Scheme	14	15
2006 Special (Modified) Scheme	45	57
2015 Firefighters' Pension Scheme	87	107
Total	2,459	2,488

2.4 Number of deferred members

Scheme	30/06/2024	30/11/2024
1992 Firefighters' Pension Scheme	76	76
2006 Firefighters' Pension Scheme	90	88
2006 Special (Modified) Scheme	14	24
2015 Firefighters' Pension Scheme	177	194
Total	357	382

2.5 Number of opt-ins:

2.5.1 In the period 1 July 2024 to 30 November 2024, **1** firefighter opted into the pension scheme. Please note that this figure does not include new starters who automatically join the scheme. These opt-ins can be broken down into the following demographics:

Age	Male	Female
18-30	0	1
31-40	0	0
41-50	0	0
51-60	0	0
60+	0	0
Total	0	1

2.6 Number of opt-outs:

2.6.1 In the period 1 July 2024 to 30 November 2024, **8** firefighters opted out of the pension scheme. These can be broken down into the following demographics:

Age	Male	Female
18-30	0	1
31-40	4	0
41-50	3	0
51-60	0	0

Age	Male	Female
60+	0	0
Total	7	1

2.6.2 4 of these opt-outs were On Call firefighters who have a dual contract, 3 of whom remain in the pension scheme in their wholetime post.

2.7 Number of retirements:

2.7.1 In the period 1 July 2024 to 30 November 2024, **18** firefighters retired to pension.

2.8 Estimate Requests:

2.8.1 In the period 1 July 2024 to 30 November 2024, **34** estimate cases were processed.

2.9 New Recruits:

2.9.1 In the period 1 July 2024 to 30 November 2024, WYFRS appointed **29** Wholetime Firefighters and **5** On Call Firefighters. Of these, **2** chose to opt out of the pension scheme. The new starters can be broken down into the following demographics:

Age	Male	Female
18-30	18	3
31-40	8	0
41-50	5	0
51-60	0	0
60+	0	0
Total	31	3

2.10 Head Count:

2.10.1 The total number of Firefighter employees on 30 November 2024 was **1,075**. Of these, **1,038** are current pension scheme members.

2.11 Internal Dispute Resolution Procedure (IDRP):

2.11.1 In the period 1 July 2024 to 30 November 2024, 2 appeals were made under the IDR. Further details are provided in **Annex A**

3. Financial Implications

3.1 There are no financial implications arising directly from this report.

4. Legal Implications

4.1 The Monitoring Officer has considered this report and is satisfied it is presented in compliance with the Authority's Constitution.

5. Human Resource and Diversity Implications

5.1 There are no HR and or Diversity implications arising directly from this report.

6. Equality Impact Assessment

6.1 Are the recommendations within this report subject to Equality Impact Assessment as outlined in the EIA guidance?: No

7. Health, Safety and Wellbeing Implications

7.1 There are no health, safety and wellbeing implications arising directly from this report.

8. Environmental Implications

8.1 There are no environmental implications arising directly from this report.

9. Your Fire and Rescue Service Priorities

9.1 This report links with the Community Risk Management Plan 2022-25 strategic priorities below:

- Achieve a more inclusive workforce, which reflects the diverse communities we serve.
- Continuously improve using digital and data platforms to innovate and work smarter.

10. Conclusions

10.1 This report is for information only.

IDRPs received 01/07/2024 to 30/11/2024

Date Received	Area	Nature of Complaint	Stage 1 Deadline	Outcome (Stage 1)	Date of Outcome	Stage 2 Referral?
19/07/2024	Payment of benefits	Would like to be able to access FPS 2006 Special benefits before deferred benefit age of 60, or transfer to current wholetime pension Appealing the decision by the scheme manager to not accept their claim that they would have purchased additional service in the 2006 Scheme under the contingent decision provisions in the pension remedy regulations.	19/09/2024	Rejected - regulations do not allow either of these options	06/08/2024	N
29/08/2024	Contigent Decision - Additional Service	Would like to be able to access FPS 2006 Special benefits before deferred benefit age of 60, or transfer to current wholetime pension Appealing the decision by the scheme manager to not accept their claim that they would have purchased additional service in the 2006 Scheme under the contingent decision provisions in the pension remedy regulations.	29/10/2024	Rejected - no evidence provided that member would have purchased additional service, which the scheme manager requires in order to allow a contingent decision claim to be accepted	25/10/2024	N

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Agenda item: 07

Scrutiny & Review

Local Pension Board

Date: 17/01/2025

Submitted by: Director of People and Culture

Purpose: To review discretions made by the scheme manager, breaches of the law, the pension risk register and compliance deadlines.

Recommendations: That the report is noted, and further action is taken as identified.

Summary: It is one of the requirements of the Local Pension Board that members scrutinise areas relevant to the administration of the Firefighters' Pension Scheme

Local Government (Access to information) Act 1972

Exemption Category: None

Contact Officer: James Clarkson – Pensions Manager
James.Clarkson@westyorksfire.gov.uk
01274 682311 ext. 680157

Background papers open to inspection: None

Annexes: Annex A - Discretions Log
Annex B – ABS Breach Assessment
Annex C – Breach Report to TPR
Annex D – Risk Register

1. Introduction

- 1.1 Local Pension Board members are to be conversant with Firefighters' Pension Scheme rules and other administration policies relevant to the schemes.
- 1.2 In accordance with this requirement updates have been provided on the following legislative issues:
- 1.3 In accordance with this requirement updates have been provided on the following issues:
 - Discretions made by the Scheme Manager
 - Breaches
 - Pension risk register
 - Compliance deadlines

2. Information

- 2.1 Discretions made by the scheme manager
 - 2.1.1 In the period 1 July 2024 to 30 November 2024, discretion has been exercised on 2 occasions. Details can be found in **Annex A**.
- 2.2 Breaches
 - 2.2.1 In the period 1 July 2024 to 30 November 2024, **1** breach of the law has been identified.
 - 2.2.2 The breach arose because of West Yorkshire Pension Fund (WYPF) being unable to issue the 2024 annual benefit statements by the legal deadline of 31 August 2024.
 - 2.2.3 The breach was assessed a material breach (see **Annex B**) and reported to The Pensions Regulator (see **Annex C**)
- 2.3 Pension risk register
 - 2.3.1 The current risk register can be found in **Annex D**.
- 2.4 Compliance Deadlines
 - 2.4.1 Members need to be mindful of the following key milestones of the pension administrative cycle and the dates associated with it:
 - TPR Scheme Return (2024) – 22 November 2024
 - Year End deadline (2024/25) – 30 April 2025
 - Annual Benefit Statements (2024) deadline – 31 August 2024
 - Pension Saving Statements (2023/24 tax year) deadline – 6 October 2024

- TPR Survey (2025) – TBC

- 2.4.2 WYPF have confirmed that the Scheme Return was submitted on 24 October 2024, before the deadline.
- 2.4.3 The deadline for submission of the year-end file is sooner because WYPF require this information for production of 'View' data for Pensions Dashboards. WYFRS have historically been able to submit files in advance of this deadline so we are confident that this can be met in 2025.
- 2.4.4 For members out-of-scope for the age discrimination remedy, the annual benefit statement (ABS) deadline was met, and 361 statements were sent by 1 August 2024. WYPF aim to send a combined ABS/Remediable Service Statement (RSS) for those in-scope for the remedy before the RSS deadline of 31 March 2024
- 2.4.5 The delay in the production of the ABSs has had a knock-on effect on Pension Savings Statements (PSS) as the information in the ABS is used to identify members who may require a PSS. WYPF have issued a PSS, where required, to those members who had annual allowance breaches during the remedy period in line with the deadline. However, they may come across additional members who are due a PSS for 2023/24 once the ABS data is produced. This may result in penalties for the scheme for failing to provide information on time and WYFRS will review the position once all PSSs have been issued.
- 2.4.6 The Pensions Regulator has confirmed that they will not be issuing their Governance and Administration Survey in 2024 due to other priorities. They are aiming to recommence this in 2025.

3. Financial Implications

- 3.1 There are no financial implications arising directly from this report.

4. Legal Implications

- 4.1 The Monitoring Officer has considered this report and is satisfied it is presented in compliance with the Authority's Constitution.

5. Human Resource and Diversity Implications

- 5.1 There are no HR and or Diversity implications arising directly from this report.

6. Equality Impact Assessment

- 6.1 Are the recommendations within this report subject to Equality Impact Assessment as outlined in the EIA guidance?: No

7. Health, Safety and Wellbeing Implications

7.1 There are no health, safety and wellbeing implications arising directly from this report.

8. Environmental Implications

8.1 There are no environmental implications arising directly from this report.

9. Your Fire and Rescue Service Priorities

9.1 This report links with the Community Risk Management Plan 2022-25 strategic priorities below:

- Encourage a learning environment in which we support, develop, and enable all our people to be at their best.
- Provide ethical governance and value for money.

10. Conclusions

10.1 This report is for information only.

Date	Request	Regulations	Mitigating Factors	Outcome
06/08/2024	Transfer request outside initial 12 months	FPS 2015 Regulation 141(3)	Thought he'd already transferred the policy to FPS 2015	Approved - No immediate cost to the Authority and risk of redundancy/ill- health minimal
25/10/2024	Transfer request outside initial 12 months	FPS 2015 Regulation 141(3)		Approved - No immediate cost to the Authority and risk of redundancy/ill- health minimal



Secretariat: bluelight.pensions@local.gov.uk

Breach Assessment Template

Date of assessment

11/10/2024

James Clarkson – Pensions Manager

Sonia Pawson – Director of People and Culture (Scheme Manager)

Introduction

The 2024 annual benefit statements (ABS) for members in-scope for the Sargeant/McCloud Remedy were not issued by the statutory deadline of 31 August 2024.

Identified

West Yorkshire FRS was informed by West Yorkshire Pension Fund, the pensions administrator, on 17 April 2024 that they were not going to meet this deadline.

Assessment

[Using the [TPR guidance](#) comment on the four areas and score red, amber or green

	Cause	Effect	Reaction	Wider Implications
Red	A delay in WYPF's software supplier providing the system updates to allow Sargeant/McCloud Remedy calculations to be performed.	597 members have not received their ABS by the statutory deadline, so they have not been able to check their details or correct or their projected pension on retirement. This amounts to 62% of active WYFRS members.		
Amber			<p>WYPF wrote to all affected members in July 2024 to inform them that their ABS would be delayed.</p> <p>WYPF are in regular contact with their software supplier, who plan to deliver the required update in mid-October 2024.</p> <p>Following installation, member data updates, and</p>	<p>The ABS production is used to identify members who must be issued a Pension Savings Statement by the following 6 October. It is possible some members have not been identified, which would result in a further breach.</p> <p>The ABS data will form the basis of the member 'view' data that must be uploaded to Pensions Dashboards by</p>

			calculation testing, WYPF aim to issue the ABSs on or after 31 December 2024. However, this is dependent on the accuracy the data uploaded and the results of testing and further delays may be possible.	October 2025. Any continued issues with ABS production may impact on this and lead to further breaches.
Green				

Action

WYPF wrote to all affected members in July 2024 to inform them that their ABS would be delayed.

WYPF are in regular contact with their software supplier, who plan to deliver the required update in mid-October 2024.

Following installation, member data updates, and calculation testing, WYPF aim to issue the ABSs on or after 31 December 2024. However, this is dependent on the accuracy the data uploaded and the results of testing and further delays may be possible.

History / Frequency

There have been previous breaches due to not issuing an ABS on time for small groups of members in 2018 and 2019. This was due to software issues with the specific scheme and manual calculations were required.

Once WYPF's software has been updated, it is not expected that this breach will occur in subsequent years.

Decision

Report as material breach	X
Recorded as breach	

Assessed by: James Clarkson

Date of assessment: 11/10/2024

Board Review:

Tabled at Board Meeting:

Agreed by board:

The Pensions Regulator

Breaches of Law (Disclosure breach)

Your scheme details:
West Yorkshire Fire 2015

1. Introduction

The details on the following pages are taken from the Breach of Law: Disclosure breach submitted on 03 December 2024 at 10:58 AM.

These details were submitted by Mr James Clarkson.

2. Scheme details

Scheme details	
Scheme name	West Yorkshire Fire 2015
PSR number	10276785
Benefit type	Defined benefit
Address	WEST YORKSHIRE FIRE & RESCUE SERVICE OAKROYD HALL BRADFORD ROAD BRADFORD BD11 2DY United Kingdom

3. Breach of law details

Breach of law details	
Breach details	
Breach date	01/09/2024
What type of disclosure has been breached?	Issuing of annual benefit statements
Details of the breach	597 members have not been issued with a 2024 annual benefit statement (ABS) by the statutory deadline of 31 August 2024. These are the members who are in-scope for the Sargeant/McCloud Remedy (the 'remedy') and represents 62% of current active membership. The reason for the breach is the delay in the provision of essential updates to our pension administrator, West Yorkshire Pension Fund (WYPF), by their software supplier that will enable them to perform the required calculations for the remedy.
Rectifying the breach	
Has this breach been rectified?	No
What steps are being taken to rectify the breach?	WYPF sent an individual communication to all members who are affected to inform them of the delay to their statement in July 2024. WYPF are in regular contact with their software supplier regarding their delivery plans to provide the necessary system updates that will allow statements to be produced. The latest delivery plan from the software supplier shows that they intend to deliver the update in mid-October 2024. West Yorkshire Fire and Rescue Service (WYFRS) has already provided administration and financial remedy data to WYPF so that this can be uploaded once the updates have been performed. This will enable testing to begin and minimise any further delays in the production of the statements.
What are the timescales for completion?	Following installation, member data uploads, and calculation testing, WYPF aim to issue the ABSs on or after 31 December 2024. However, this is dependent on the accuracy of the data uploaded and the results of testing and further delays may be possible. The latest date for issuing a remediable service statement (RSS) under the remedy regulations is 31 March 2025 and it is possible that the delay could extend to this date if there are any issues identified with the software updates or data uploads.
Additional breaches or any other information	
Breach details or additional information	HM Treasury are planning to amend the directions for the implementation of the remedy to allow active members to pay contributions that they may owe to their legacy pension scheme net of tax relief. This should be shown on the RSS and would be a new requirement. Any changes to the template may impact on the delivery time.

The statement production is used to identify members who must be issued a Pension Savings Statement by the following 6 October. It is possible some members have not been identified, which would result in a further breach. The statement data will form the basis of the member 'view' data that must be uploaded to Pensions Dashboards by October 2025. Any continued issues with statement production may impact on this and lead to further breaches. It was not feasible for either WYFRS or WYPF to investigate alternative supplier routes given the complex nature of the systems and calculations and the timescales involved.

4. Trustee/Scheme Manager details

Trustee/Scheme Manager details	
Company name	West Yorkshire Fire and Rescue Authority
Title	Mr
First name	James
Surname	Clarkson
Type of trustee	Other
Direct telephone number	01274682311
Email address	james.clarkson@westyorksfire.gov.uk
Address	WEST YORKSHIRE FIRE & RESCUE SERVICE BRADFORD ROAD BRADFORD BD11 2DY United Kingdom

5. Employer details

Employer details	
Employer name	West Yorkshire Fire and Rescue Service
Employer trading status	Active
Companies house number	None
Registered charity number	None
Title	Mr
First name	James
Surname	Clarkson
Direct telephone number	01274682311
Email address	pensions@westyorkfire.gov.uk
Address	Bradford Road Birkenshaw BRADFORD ROAD BD11 2DY United Kingdom

6. Reporter(s) details

Reporter's details	
Title	Mr
First name	James
Surname	Clarkson
Role in scheme	Scheme administrator
Role in scheme - further details	None
Direct telephone number	01274682311
Email address	james.clarkson@westyorksfire.gov.uk
Address	WEST YORKSHIRE FIRE & RESCUE SERVICE BRADFORD ROAD BRADFORD BD11 2DY United Kingdom

Risk Reference	Risk Area 1 - Regulatory and Compliance	Likelihood (1:least likely, 10:most likely)	Impact (1:least impact, 10:highest)	Score (likelihood x impact)	Main Control/Specific Risk Reduction Actions	Owner	Test	Next review	Comment
REG1	Failure to put appropriate governance arrangements in place and monitor risk	2	7	14	<ul style="list-style-type: none"> Scheme Manager and Pension Board awareness of legal responsibilities Pension Board given up to date information on legal responsibilities Terms of reference in place and under review Procedures for assessing and managing risk Procedure to identify, assess and report breaches Suitable frequency of Pension Board meetings 	<ul style="list-style-type: none"> Pension Board Chair Scheme Manager Scheme Manager Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> As Required Annual Annual Annual Annual 	<ul style="list-style-type: none"> Jul-25 Jul-25 Jul-25 Jul-25 	<ul style="list-style-type: none"> Risk Register Policy agreed in July 2019, reviewed July 2023 Breach Policy agreed in July 2019, reviewed July 2023
REG2	Failure to interpret rules or legislation correctly	2	7	14	<ul style="list-style-type: none"> Appropriate Pension Board Member training Up to date and documented training log, showing completion of scheme-specific training and The Pensions Regulator's educational material Technical advice and regular updates made available Ongoing process for acquiring relevant knowledge and understanding, with regular refreshers 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Annual Ongoing Ongoing As Required 	<ul style="list-style-type: none"> LPB Meetings LPB Meetings LPB Meetings LPB Meetings 	<ul style="list-style-type: none"> Training records reviewed and maintained Legislative update is a standing item on the agenda Encouraged to attend LGA seminars, provided with monthly bulletins and given an overview of recent PO decisions Provided access to TPR online training and training from LGA
REG3	Conflicts of Interest	2	5	10	<ul style="list-style-type: none"> All Pension Board members to declare any conflicts Conflicts of interest policy in place and fully understood Request for interests to be declared at each meeting 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Ongoing Ongoing 	<ul style="list-style-type: none"> Jul-25 LPB Meetings 	<ul style="list-style-type: none"> Standing item on LPB agenda
REG4	Failure to comply with TPR deadlines	5	7	35	<ul style="list-style-type: none"> All pension Board members to keep up to date with TPR compliance deadlines Training of new Pension Board Members Technical advice and regular updates made available at LPB meetings 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Ongoing Ongoing 		
Risk Reference	Risk Area 2 - Operations	Likelihood (1:least likely, 10:most likely)	Impact (1:least impact, 10:highest)	Score (likelihood x impact)	Main Control/Specific Risk Reduction Actions	Owner	Test	Next review	Comment
OPS1	Member data incomplete or inaccurate	5	7	35	<ul style="list-style-type: none"> Data management and monitoring requirements under SLA fully understood and deemed adequate Monthly processes to monitor records and carry out reconciliation Monthly KPI reporting on data issues – provide summary at each LPB meeting Data review arrangements in place including periodic address cleanse Process to enact a Data Improvement Plan and report breaches, if required 	<ul style="list-style-type: none"> Scheme Manager Administrator/Scheme Manager Administrator/Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Monthly Ongoing As Required As Required 	<ul style="list-style-type: none"> Jul-25 Jul-25 Jul-25 Jul-25 	<ul style="list-style-type: none"> Monthly return sent to WYFF for immediate reconciliation Monthly report received from WYFF Done via monthly return, WYFFS verify any changed addresses Breach Policy agreed in July 2019
OPS2	Administration process failure / maladministration	4	8	32	<ul style="list-style-type: none"> Formal SLA in place with third party administrator and monitoring arrangements assessed as adequate Quarterly client meetings and monthly reports including KPIs Ongoing dialogue between Scheme Manager and third party administrator, including process improvement plans Clear identification of roles, authority levels, data security and data protection processes Audit reporting on both third party administrator and Scheme Manager's processes Disaster Recovery Plans up to date and appropriate Ability to commission independent assurance report, if required 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager Scheme Manager Scheme Manager Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Monthly Ongoing Annual Annual Annual As Required 	<ul style="list-style-type: none"> Jul-25 Jul-25 Jul-25 Jul-25 Jul-25 Jul-25 	<ul style="list-style-type: none"> Quarterly meetings attended by Pensions Manager Monthly report received from WYFF
OPS3	Inadequate, late or inaccurate communications	5	7	35	<ul style="list-style-type: none"> Communication requirements fully understood and The Pensions Regulator's recommendations applied Communications provided under SLA fully understood and deemed adequate for basic requirements Ad hoc communications provided by LGA Pensions Adviser monitored, fully understood and tailored as necessary Develop Communications Strategy and keep under review Business continuity procedures in place 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Annual Ongoing Annual 	<ul style="list-style-type: none"> Jul-25 Jul-25 TBC 	<ul style="list-style-type: none"> To be developed
OPS4	Operational disaster	1	6	6	<ul style="list-style-type: none"> Third party scheme administrator Disaster Recovery Plan up to date and appropriate Scheme Manager Disaster Recovery Plan up to date and appropriate Contracts and other essential documents recorded on a central database 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Annual Annual Annual 	<ul style="list-style-type: none"> As per internal audit cycle As per internal audit cycle As per internal audit cycle 	
OPS5	Resignation/retirement of internal pensions practitioner	2	10	20	<ul style="list-style-type: none"> Succession planning All pension process and project information kept within HR Pensions shared area and is clearly indexed Process documents/checklists created Training and support available from administrator and/or LGA 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Annual Annual Annual 	<ul style="list-style-type: none"> Jul-25 Jul-25 Jul-25 	
Risk Reference	Risk Area 3 - Financial	Likelihood (1:least likely, 10:most likely)	Impact (1:least impact, 10:highest)	Score (likelihood x impact)	Main Control/Specific Risk Reduction Actions	Owner	Test	Next review	Comment
FIN1	Excessive charges by suppliers/additional liabilities on the operating budget	3	2	6	<ul style="list-style-type: none"> Regular checks of transactions and charges against contract terms/ robust methodology used to forecast pension accounting data Annual review of scheme budget, quarterly review of cost incurred against budget Periodic review of suppliers Processes in place to ensure robustness of method to forecast and calculate pension accounting data. Liaise with third party administrator when making forecasting assumptions 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Quarterly Annual Annual 	<ul style="list-style-type: none"> Jul-25 Jul-25 Jul-25 	
FIN2	Fraud/Fraudulent behaviour	1	10	10	<ul style="list-style-type: none"> Budget monitoring and appropriate payment processes including use of authorised signatories and data validation Monitor incoming and outgoing scheme funds and membership movements against scheme forecasts – reconcile actual transactions against forecasts Authorisation of transactions in accordance with audit requirements and carried out by authorised signatories only Robust data validation processes in place by third party administrator and Scheme Manager to ensure all transactions authentic Audit reporting on both third party administrator and Scheme Manager's processes 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager Administrator/Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Monthly Ongoing Ongoing Annual 	<ul style="list-style-type: none"> Jul-25 As per internal audit cycle As per internal audit cycle As per internal audit cycle 	
Risk Reference	Risk Area 4 - Funding	Likelihood (1:least likely, 10:most likely)	Impact (1:least impact, 10:highest)	Score (likelihood x impact)	Main Control/Specific Risk Reduction Actions	Owner	Test	Next review	Comment
FUN1	Employer failure to pay correct contributions into scheme	1	10	10	<ul style="list-style-type: none"> Contribution deductions and payments – monthly reconciliation of schedule of payments due and amount paid across Processes in place to comply with regulatory requirements on contribution rates and pensionable pay definitions Suitable reporting and reconciliation processes in place ahead of payment including checks on changes in contract and transition to 2015 Scheme 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Ongoing Monthly 	<ul style="list-style-type: none"> As per internal audit cycle As per internal audit cycle 	
Risk Reference	Risk Area 5 - Pension Remedy	Likelihood (1:least likely, 10:most likely)	Impact (1:least impact, 10:highest)	Score (likelihood x impact)	Main Control/Specific Risk Reduction Actions	Owner	Test	Next review	Comment
REM1	Failure to issue Remediable Service Statements by 31 March 2025	5	8	40	<ul style="list-style-type: none"> Provision of all data to administrator Financial data provided to administrator before deadline Contributions, tax and interest data prepared in advance of request from administrator Administrator providing monthly updates to allow effective monitoring 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Monthly Monthly Monthly 	<ul style="list-style-type: none"> Jan-25 Jan-25 Jan-25 	
REM2	Unable to supply contingent decision (opt out) information on Remediable Service Statement	5	6	30	<ul style="list-style-type: none"> Support from payroll provider, work planning Contribution and pay information requested from payroll provider in agreed format Robust records of contingent decision applications to enable planning and tracking of progress 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Monthly Monthly 	<ul style="list-style-type: none"> Jan-25 Jan-25 	
Risk Reference	Risk Area 6 - Pensions Dashboards	Likelihood (1:least likely, 10:most likely)	Impact (1:least impact, 10:highest)	Score (likelihood x impact)	Main Control/Specific Risk Reduction Actions	Owner	Test	Next review	Comment
PDB1	Failure to connect in line with DWP guidance	2	10	20	<ul style="list-style-type: none"> Administrator project management Administrator is responsible for multiple local authority and FRS schemes so has scale and expertise to implement requirements Administrator made early appointment of integrated service provider Administrator in regular contact with The Pensions Regulator and providing updates on connection progress 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Monthly Monthly Monthly 	<ul style="list-style-type: none"> Jan-25 Jan-25 Jan-25 	
PDB2	Insufficient matches from Find requests to member records	2	8	16	<ul style="list-style-type: none"> Administrator data quality and matching criteria Administrator has digitised all member data to allow effective flow through dashboard ecosystem Administrator has analysed member data and is testing of various matching scenarios 	<ul style="list-style-type: none"> Scheme Manager Scheme Manager 	<ul style="list-style-type: none"> Monthly Monthly 	<ul style="list-style-type: none"> Jan-25 Jan-25 	

PDB3	Unable to produce View data for matched records	3	7	21	<ul style="list-style-type: none"> • WYFRS supporting administrator with data cleansing; for example, address tracing for lost contact members • Administrator data quality and submission of data by employer • WYFRS provides monthly pay and service data in timely fashion to allow accurate benefit calculations • Administrator will need to hold annual benefit statement data electronically in future rather than on a PDF file 	Scheme Manager	Monthly	Jan-25	
Risk Reference	Risk Area 7 - Matthews Remedy	Likelihood (1:least likely, 10:most likely)	Impact (1:least impact, 10:highest)	Score (likelihood x impact)	Main Control/ Specific Risk Reduction Actions	Owner	Test	Next review	Comment
					Early and organised provision of statements by WYFRS				
MAT1	Failure to produce Statements of Service to allow elections by 31 March 2025	2	8	16	<ul style="list-style-type: none"> • Returns of expression of interest forms and statement deadlines are tracked on central spreadsheet to allow effective work planning • Calculation process devised and data prepared in advance of project to avoid delays in calculations 	Scheme Manager	Monthly	Jan-25	
MAT2	Policy changes mid-project implemented by Home Office	8	3	24	<ul style="list-style-type: none"> • Expectations of members are managed and future work planned • Likely affected members identified, communicated with and clearly labelled on data • Data prepared to allow quick processing of cases once regulations are amended 	Scheme Manager	Monthly	Jan-25	

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Agenda item: 08

Legislative Update

Local Pension Board

Date: 17/01/2025

Submitted by: Director of People and Culture

Purpose: To provide a legislative update to Members on matters related to the Firefighters' Pension Scheme

Recommendations: That the report be noted.

Summary: It is a requirement of the Public Service Pensions Act 2013 and subsequent 2015 Scheme regulations, for members of a Local Pension Board to have a knowledge and understanding of the law relating to pensions and such other matters. This report provides an update on the latest relevant legislative issues.

Local Government (Access to information) Act 1972

Exemption Category: None

Contact Officer: James Clarkson – Pensions Manager
James.Clarkson@westyorkfire.gov.uk
01274 682311 ext. 680157

Background papers open to inspection: None

Annexes: Annex A – Dashboards Preparation Checklist

1. Introduction

- 1.1 It is a requirement under the Public Service Pensions Act regulations that Members of a Local Pension Board have a knowledge and understanding of the governance and administration of the relevant pension schemes.
- 1.2 In accordance with this requirement an update has been provided on the following legislative issues:
 - Update to member contribution structure
 - Pensions Dashboards
 - 2024 Budget
- 1.3 Updates on the two pension remedies have been provided in separate dedicated reports.

2. Information

2.1 Update to member contribution structure

- 2.1.1 The Home Office [launched](#) an open consultation on proposed updates to the Firefighters' Pension Scheme member contribution structure on 20 November 2024.
- 2.1.2 An update to the contribution rates is required to ensure that the target average member contribution rate of 13.2% is met during the implementation period for the 2020 valuation. The current average rate is 13.0%.
- 2.1.3 The other aims of the changes are to encourage scheme participation, reduce opt-outs and future-proof any changes so that they are administratively sustainable.
- 2.1.4 HM Treasury have provided a deadline of **1 October 2025** for the commencement of any rate changes.
- 2.1.5 Several possible structures have been outlined, including
 - (1) Uplifting the current structure to reflect pay awards
 - (2) Introducing an additional tier and modifying gaps between rates
 - (3) Introducing a marginal rate structure that would work similarly to income tax rates
- 2.1.6 There are also questions on whether actual, rather than wholtime-equivalent, pay should be used for determining the contribution tier, and whether the pay within the tiers should be uplifted annually with pay awards or inflation.

2.1.7 WYFRS has made staff aware of the consultation so that they can respond if they wish. We are also liaising with Kirklees Council, our payroll provider, on the potential implications of some of the changes.

2.2 Pensions Dashboards

2.2.1 The Pensions Dashboards Programme (PDP) continues to publish regular [updates](#) and newsletters in the leadup to pension schemes beginning their connections in April 2025, including changes to the data standards that schemes will need to meet so that data can be transmitted through the 'ecosystem'.

2.2.2 The PDP has confirmed that the GOV.UK One Login will be the service individuals will use to prove their identity before using a pensions dashboard. This service is used for accessing other government services so if an individual has already registered and proved their identity using it, they will not need to undergo any further checks.

2.2.3 The Minister for Pensions made a written statement on 22 October 2024 reaffirming the government's commitment to pensions dashboards and confirmed that the MoneyHelper dashboard, which is being developed by the Money and Pensions Service, will be made publicly available before any commercial dashboards.

2.2.4 The government is yet to confirm when dashboards will be made publicly available but is required to give six months' notice. This is likely to be after WYFRS' connection date of 31 October 2025.

2.2.5 West Yorkshire Pension Fund (WYPF) provide us with regular updates on their preparation for connecting to the dashboard ecosystem in their client reports and meetings.

2.2.6 WYPF have begun testing the 'matching' process based on various iterations of data submitted by members and have been achieving matches in over 95% of cases. This indicates that WYFRS' data is in a good position to deliver matches when members start using dashboards; however, we will not be complacent and WYPF will continue to monitor data quality to ensure as many matches are made as possible.

2.2.7 A copy of WYFRS' dashboards preparation checklist can be found at **Annex A**.

2.3 2024 Budget – Inheritance Tax on Pensions

2.3.1 In the Autumn Budget 2024, the government announced that from 6 April 2027 pension death benefits will be included within the value of a person's estate for Inheritance Tax (IHT) purposes.

- 2.3.2 Under the current tax regime discretionary death benefits, such as a death grant payable under the 2015 Firefighters' Pension Scheme on death in service, are not considered part of a person's estate for IHT. Once the scheme manager has decided who should receive the death grant, it can be paid immediately.
- 2.3.3 Under the proposals, the death grant will be part of a person's estate for IHT from 6 April 2027. The deceased's personal representative will be required to calculate whether any IHT is due and then pass on the relevant information to the pension scheme administrator. The administrator will then need to deduct any IHT and pay and report this to HM Revenue and Customs.
- 2.3.4 These additional steps could result in delays in paying death grants to beneficiaries as the administrator will need to wait for the IHT tax position to be confirmed before making payments, even if no IHT tax is ultimately due.

3. Financial Implications

- 3.1 There are no financial implications arising directly from this report.

4. Legal Implications

- 4.1 The Monitoring Officer has considered this report and is satisfied it is presented in compliance with the Authority's Constitution.

5. Human Resource and Diversity Implications

- 5.1 There are no HR and or Diversity implications arising directly from this report.

6. Equality Impact Assessment

- 6.1 Are the recommendations within this report subject to Equality Impact Assessment as outlined in the EIA guidance?: No

7. Health, Safety and Wellbeing Implications

- 7.1 There are no health, safety and wellbeing implications arising directly from this report.

8. Environmental Implications

- 8.1 There are no environmental implications arising directly from this report.

9. Your Fire and Rescue Service Priorities

- 9.1 This report links with the Community Risk Management Plan 2022-25 strategic priorities below:

- Encourage a learning environment in which we support, develop, and enable all our people to be at their best.
- Provide ethical governance and value for money.

10. Conclusions

10.1 This report is for information only.

Preparation checklist	Relevant guidance	Your status comments	Complete
Start now: general tasks			
Establish pensions dashboards as a regular agenda item at board meetings	Overview – your role and legal duties		✓
Check your ‘connect by’ date	When your scheme needs to connect with dashboards	‘Connect by’ date is 31/10/2025	✓
Discuss pensions dashboards with your administrator and other relevant parties (such as software provider, actuary, legal adviser, employer, additional voluntary contribution provider) to develop and agree practical delivery plan according to your scheme-specific situation	Overview – working with advisers and providers	WYPF are providing regular updates in reports and meetings.	✓
Explore your route to connection – either building own interface or using a (new or existing) third-party solution	Connecting to pensions dashboards – choosing a digital interface	WYPF have appointed an integrated service provider.	✓
Decide when to connect your scheme, taking relevant guidance into consideration, and assessing the risks associated with your decision	When your scheme needs to connect with dashboards	By 31/10/2025	✓
If required, appoint new suppliers or revise contracts for existing suppliers	Connecting to pensions dashboards – choosing a digital interface	WYPF including dashboards work in shared service costs	✓

Preparation checklist	Relevant guidance	Your status comments	Complete
Start now: data tasks to match people with their pensions			
Understand what personal data you will receive from the digital architecture to help you match members to their pensions	Matching people with their pensions	WYPF have started testing matching criteria	✓
Assess the quality and digital accessibility of personal data in your records	Matching people with their pensions	Ongoing	<input type="checkbox"/>
Consider which data items you will use to confirm matches are made or that there are possible matches	Matching people with their pensions		<input type="checkbox"/>
Where your member personal data needs improving, put plans in place to deliver the improvements	Matching people with their pensions	Addressing tracing done	✓

Preparation checklist	Relevant guidance	Your status comments	Complete
Start now: data tasks to provide information to members			
Understand what data you will need to return to members and by when	Information to provide to members		✓
Assess the quality and digital accessibility of the data that will be provided to your members	Information to provide to members	Ongoing	<input type="checkbox"/>
Consider how you will calculate the value data so that it is provided in line with dashboard requirements – calculated in line with ASTM1 or scheme rules, and sufficiently recent	Information to provide to members	ABS data to be provided	✓
Where value data is not in line with dashboard requirements, put plans in place to ensure you can meet your dashboard duties	Information to provide to members	N/A	✓

Preparation checklist	Relevant guidance	Your status comments	Complete
Ongoing actions			
Stay up to date with developments to the regulations, Money and Pensions Service standards and relevant guidance	Stay in touch with developments	WYFRS is attending webinars from PDP and TPR	✓
Check that your team and suppliers are on track to deliver	Overview – working with advisers and providers	Ongoing	<input type="checkbox"/>
Record key decisions and progress as per your existing governance processes	Ongoing connection and record-keeping requirements	Ongoing	<input type="checkbox"/>
Review and update your Data Protection Impact Assessment (DPIA) in line with your data improvement plan	Matching people with their pensions – preparing your data for matching		<input type="checkbox"/>

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Agenda item: 09

Age Discrimination Remedy

Local Pension Board

Date: 17/01/2025

Submitted by: Director of People and Culture

Purpose: To provide an update to members on the implementation of the age discrimination remedy.

Recommendations: That the report be noted.

Summary: It is one of the requirements of the Local Pension Board that Members scrutinise areas relevant to the administration of the Firefighters' Pension Scheme.

Local Government (Access to information) Act 1972

Exemption Category: None

Contact Officer: James Clarkson – Pensions Manager
James.Clarkson@westyorksfire.gov.uk
01274 682311 ext. 680157

Background papers open to inspection: None

Annexes: Annex A – IC-RSS Red Mailing
Annex B – WYPF ABS Mailing

1. Introduction

- 1.1 Local Pension Boards are required to assist the Scheme Manager in securing compliance with the regulations that govern the Firefighters' Pension Scheme.
- 1.2 In accordance with this requirement, an update has been provided on the implementation of the legislation that provides for the age discrimination remedy.

2. Information

- 2.1 Immediate Choice Remediable Service Statements (IC-RSSs) (Retirements before 1 October 2023)
 - 2.1.1 Out of 36 WYFRS pensioners who are said to have a detriment, 8 are coded 'green' (can be processed) and 28 are 'red' (affected by the unauthorised payment issue) as per the Local Government Association (LGA) framing.
 - 2.1.2 West Yorkshire Pension Fund (WYPF) have issued 2 IC-RSSs to 'green' pensioners as of 31 December 2024.
 - 2.1.3 In July 2024 HM Treasury confirmed that the Economic Secretary to the Treasury had written to the fire minister to confirm that the government will be amending HMRC legislation to allow for offsetting of previously paid unauthorised payment charges. HMRC confirmed that this amendment would have retrospective effect to 1 October 2023.
 - 2.1.4 HM Revenue and Customs published a Public Service Pensions Remedy Newsletter in September 2024. This newsletter provided guidance on how to undertake the offsetting process for unauthorised payments charges.
 - 2.1.5 WYPF have informed us that the guidance does not provide enough detail or worked examples for them to start processing 'red' cases. Following an LGA working group that included WYPF and other administrators, the Home Office has requested that the Government Actuary's Department analyse the HMRC guidance and provide additional guidance to administrators, including a pro-forma and additional examples.
 - 2.1.6 As this is likely to mean an additional delay, WYFRS wrote to affected pensioners to inform them that their IC-RSS will not be issued until early-2025. A copy of the letter can be found at **Annex A**.
- 2.2 Deferred Choice Members
 - 2.2.1 Annual Benefit Statements for active and deferred members who are in-scope for remedy will be combined with their Remediable Service Statement (ABS-RSS) from 2024 onwards.

- 2.2.2 The ABS-RSS will show members their revised position following their rollback into their legacy final salary scheme for the remedy period (1 April 2015 to 31 March 2022) as well as their contribution adjustment information.
- 2.2.3 Due to the late delivery of software updates, WYPF were unable to issue the 2024 ABS-RSS by the statutory ABS deadline of 31 August 2024.
- 2.2.4 It was initially hoped that WYPF would be able to issue these by 31 December 2024; however, they have now confirmed that it will be after this date, but before the statutory RSS deadline of 31 March 2025.
- 2.2.5 WYFRS have communicated this further delay to staff in internal communications and WYPF have written to members separately to inform them. A copy of the letter can be found at **Annex B**.

2.3 Ill-Health Reassessments

- 2.3.1 The remedy regulations require FRAs to reassess the ill-health applications for individuals who retired under the 1992 Scheme or 2006 Special Scheme from 1 April 2015. This is because they are entitled to a choice of whether their current legacy scheme or the 2015 Scheme should apply for their remedy period service.
- 2.3.2 To perform a reassessment, WYFRS wrote to 15 affected ill-health pensioners to request their consent to reassess their case on 15 August 2023, followed by a reminder letter on 16 October 2023. The current situation is as follows.

Cases with IQMP	1
Cases decided – eligible for IHR under FPS 2015	9
Cases decided – not eligible for IHR under FPS 2015	2
Consent not received – will not be offered IHR benefits in the FPS 2015	3

2.4 Contingent Decisions

- 2.4.1 The firefighter remedy regulations provide for some decisions made by members during the remedy period to be revisited. This includes decisions to opt out of the pension scheme and whether a firefighter would have purchased additional years in their legacy scheme had they been allowed to remain in it.
- 2.4.2 WYFRS has received **25** contingent decision opt-out claims – 8 of these are individuals who have purchased their service to 31 March 2025 under the ‘Matthews’ exercise, 16 have been accepted as having opted out due to the 2015 reforms, and 1 remains pending a decision by the scheme manager.

- 2.4.3 WYFRS has received **1** contingent decision additional years claim. This has been rejected as the individual was unable to provide evidence that they would have purchased these had they been able to remain in their legacy scheme.
- 2.4.4 These individuals are due to be sent a contingent decision RSS so that they can decide whether to make an election to opt back into their legacy scheme for the remedy period. These are yet to be issued due to the delays in the IC-RSS and ABS-RSS rollouts. In addition, due to questions raised by the LGA, trade unions and employers about the contingent decision provisions in the remedy legislation, the Home Office has taken legal advice to provide clarity over which schemes are available for individuals to opt back into. Once this is received, the LGA will update their guidance to scheme managers, which will allow cases to proceed.

3. Financial Implications

- 3.1 There are no financial implications arising directly from this report. The government is funding the immediate cost of implementing the remedy, including back payments to pensioners and compensation, via the AME process.

4. Legal Implications

- 4.1 The Monitoring Officer has considered this report and is satisfied it is presented in compliance with the Authority's Constitution.

5. Human Resource and Diversity Implications

- 5.1 There are no HR and or Diversity implications arising directly from this report.

6. Equality Impact Assessment

- 6.1 Are the recommendations within this report subject to Equality Impact Assessment as outlined in the EIA guidance?: No

7. Health, Safety and Wellbeing Implications

- 7.1 There are no health, safety and wellbeing implications arising directly from this report.

8. Environmental Implications

- 8.1 There are no environmental implications arising directly from this report.

9. Your Fire and Rescue Service Priorities

9.1 This report links with the Community Risk Management Plan 2022-25 strategic priorities below:

- Encourage a learning environment in which we support, develop, and enable all our people to be at their best.
- Provide ethical governance and value for money.

10. Conclusions

10.1 This report is for information only.



West Yorkshire
Fire & Rescue Service

People and Culture
WYFRS Headquarters
Bradford Road
Birkenshaw
BD11 2DY

«AddressBlock»

Tel: 01274 682311 **Ext:** 680157

Email: pensions@westyorksfire.gov.uk

Our Ref: «PAYROLL_NO»

07 November 2024

Dear Mr «SURNAME»

Firefighters' Pension Schemes – Age Discrimination Retrospective Remedy

I refer to my letter of 14 June 2024.

This letter explained that we were unable to provide you with your Remediable Service Statement (RSS) because there was no process, under the current tax legislation, to 'offset' your previous unauthorised payment charge against the additional lump sum benefits you will be due when you are rolled back into your legacy scheme. As a reminder, this charge applied when you retired because you chose to receive the maximum lump sum and elected to have the charge deducted from it. Not being able to offset this original charge would mean paying a significant amount of extra tax on your new lump sum.

On 24 July 2024, following lobbying from the Fire Scheme Advisory Board and trade unions, HM Treasury confirmed in a letter to the fire minister that the tax legislation would be amended to deal with this issue by the end of the current tax year. HM Revenue and Customs (HMRC) also confirmed that the changes would have retrospective effect from 1 October 2023 and, on 26 September 2024, HMRC published guidance on how to administer the offsetting process.

Whilst WYFRS is comfortable with processing your case ahead of the tax legislation coming into effect we, like most FRSs, rely on our pension administrator to perform the relevant calculations. Our administrator, West Yorkshire Pension Fund (WYPF), has informed us that, unfortunately, they are not yet able to perform these offsetting calculations. This is because the HMRC guidance mentioned above is extremely complex and it does not provide enough worked examples to allow administrators to be confident in performing the calculations correctly.

The Local Government Association, on behalf of all FRS pension administrators, has requested that the Government Actuary's Department provide a calculation 'pro-forma'

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spreadsheet to enable all administrators to understand and perform these calculations correctly. We do not have a timescale as to when this will be received but it is likely to be several weeks. Unfortunately, this means that we will be unable to provide you with your RSS before the originally indicated date of 30 November 2024.

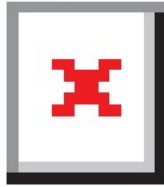
The legal deadline for issuing you with your RSS is 31 March 2025; however, both WYFRS and WYPF are committed to providing you with this as soon as possible after the calculation issues above are resolved. Realistically, this is likely to be early-2025.

I am sorry to have to inform you of yet another delay to this process given that you have already waited an extremely long time for your pension remedy. However, it is paramount that your revised benefits are calculated and paid correctly. If you have any questions or wish to discuss this letter, please contact James Clarkson, Pensions Manager, at James.Clarkson@westyorkfire.gov.uk or 07775 028035.

Yours sincerely,

A rectangular box containing a handwritten signature in black ink, which appears to read 'Sonia Pawson'.

Sonia Pawson
Director of People and Culture



E-mail: pensions@wypf.org.uk

19 December 2024

Dear 

Annual Benefit Statements and the impact of Remedy

This update is about the status of your Annual Benefit Statement (ABS) and our ongoing efforts to ensure you receive accurate information regarding your pension benefits and Remedy.

During the summer we explained that we would try to produce your statement by 31 December. Unfortunately, that will not be possible due to further delays updating our systems. On a positive note, we have now received all the required system updates and are working through our internal testing routines before applying the updates to live records from January.

We anticipate you should receive your ABS (including your Remedial Service Statement (RSS)) by 31 March statutory deadline.

We apologise for the further delay and appreciate your ongoing patience in this matter. Our website will continue to be updated with the latest status of your ABS here www.wypf.org.uk/fps-members/fps-knowledge-hub/annual-benefit-statements/ and we will continue to keep you and your FRA informed.

Kind regards,

Stuart Duncombe

**Head of Communications
West Yorkshire Pension Fund**

Contact Centre
Phone: 01274 434999

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Agenda item: 10

Matthews Remedy Update

Local Pension Board

Date: 17/01/2025

Submitted by: Director of People and Culture

Purpose: To provide an update to members on the implementation of the Matthews remedy.

Recommendations: That the report is noted

Summary: It is one of the requirements of the Local Pension Board that Members scrutinise areas relevant to the administration of the Firefighters' Pension Scheme.

Local Government (Access to information) Act 1972

Exemption Category: None

Contact Officer: James Clarkson – Pensions Manager
James.Clarkson@westyorkfire.gov.uk
01274 682311 ext. 680157

Background papers open to inspection: None

Annexes: Annex A – Current Position

1. Introduction

- 1.1 Local Pension Boards are required to assist the Scheme Manager in securing compliance with the regulations that govern the Firefighters' Pension Scheme.
- 1.2 In accordance with this requirement, this paper provides members with an update on the latest activity regarding the implementation of the second pension options exercise for current and former retained firefighters, following the coming into force of the legislation on 1st October 2023. The exercise will allow in-scope individuals to purchase pensionable service in the FPS 2006 as a Special Member. This scheme provides comparable benefits to the FPS 1992.

2. Information

2.1 Current Position

- 2.1.1 A table summarising the current position of the project can be found in **Annex A**.
- 2.1.2 An address trace was undertaken with a tracing company in October 2024, which located an additional 16 individuals where we had lost contact. There remains 1 individual for whom do not hold an address. An email address has been obtained and we are chasing the person for their address.
- 2.1.3 Most statement recipients (135 out of 173) have returned their election form to state that they wish to purchase their service. Regular reminders are being sent to those who have not returned either their expression of interest form or election form, reminder them that they must make an election by 31 March 2025.
- 2.1.4 WYFRS is prioritising those with an immediate entitlement to benefits when sending cases to West Yorkshire Pension Fund (WYPF) (68 out of 84 cases passed to administrator). The remaining active and deferred member information will be sent in early-2025.
- 2.1.5 WYPF have started making payments to those who have not received any benefits before but are yet to process payments for those who already have a pension in payment. This is because they are not clear on how to process these cases. WYPF have informed us that they expect these payments to start in early 2025.

2.2 Tax Issues

- 2.2.1 The Local Government Association (LGA) provided an update on the outstanding tax issues in August 2024.

- 2.2.2 The LGA received confirmation from HM Revenue and Customs (HMRC) that, if members are due an additional lump sum that is paid after 12 months of their original retirement, there will not be an unauthorised payment or scheme sanction charge. This is because the lump sum is treated new entitlement following the member's purchase of additional service.
- 2.2.3 HMRC confirmed that the tax treatment of interest on lump sums and pension arrears is like that for the age discrimination remedy. HMRC provided wording for administrators to use to notify members of how to inform them of any tax due on their interest.
- 2.2.4 HMRC confirmed that there is no 'spreading' mechanism for pensioners to allocate their arrears, which may cover over 20 years of pension payments, across multiple tax years. This means that arrears are treated as income in the tax year of payment and could result in pensioners being moved into a higher tax band. The Home Office is investigating whether there can be compensation scheme for pensioners who have paid more tax than if the arrears were allocated to previous tax years. LGA provided wording to use in pensioner confirmation letters informing them of the situation.

2.3 Death Grant Cases

- 2.3.1 WYFRS has identified 4 potential beneficiaries of an additional death grant under the options exercise. These were written to in July 2024 and 3 have returned forms to enable their death grant payment to be made. The remaining case will be chased and informed that the form must be returned by 31 March 2025.

2.4 Further Policy Considerations

- 2.4.1 The Home Office released a [consultation](#) on policy amendments relating to the Matthews Remedy on 23 December 2024. The proposed amendments include
- Whether individuals who could have received pension payments but died before having the opportunity to make an election in the 2014 and 2023 exercises should have pension payments made to their estate.
 - The extension of eligibility for death grants
 - Whether survivor benefits should be paid in respect of individuals who did not join during the 2014 exercise and died before having the opportunity to make an election for the 2023 exercise.
 - Whether individuals who have a deferred pension in respect of the standard 2006 Scheme should have the opportunity to convert it to special service
 - Whether individuals who opted out of the standard 2006 Scheme should have the opportunity to buy their opted-out service.
 - Extension of the deadline for the implementation of the remedy by 12 months

- 2.4.2 It is expected that these amendments will come into force from 1 April 2025. WYFRS has identified and stockpiled several cases that may be affected by these, and informed the individuals concerned that we are awaiting clarification on their situation.

3. Financial Implications

- 3.1 There are no financial implications arising directly from this report. Funding for immediate back payments of lump sums and pensions will be made available from the government via the AME process.

4. Legal Implications

- 4.1 The Monitoring Officer has considered this report and is satisfied it is presented in compliance with the Authority's Constitution.

5. Human Resource and Diversity Implications

- 5.1 There are no HR and or Diversity implications arising directly from this report.

6. Equality Impact Assessment

- 6.1 Are the recommendations within this report subject to Equality Impact Assessment as outlined in the EIA guidance?: No

7. Health, Safety and Wellbeing Implications

- 7.1 There are no health, safety and wellbeing implications arising directly from this report.

8. Environmental Implications

- 8.1 There are no environmental implications arising directly from this report.

9. Your Fire and Rescue Service Priorities

- 9.1 This report links with the Community Risk Management Plan 2022-25 strategic priorities below:

- Encourage a learning environment in which we support, develop, and enable all our people to be at their best.
- Provide ethical governance and value for money.

10. Conclusions

- 10.1 This report is for information only.

WYFRS - Matthews Remedy Exercise - Current Position December 2024

In-scope Individuals	Expression of Interest Letters Sent	No Address Held	Expressions of Interest - Yes	Expressions of Interest - No	Statements of Service Sent	Statements To Do	Election Forms Received - Yes	Election Forms Received - No	Cases Passed to Administrator
240	239	1	184	4	173	11	135	0	84

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Agenda item: 11

Pensions Ombudsman Update

Local Pension Board

Date: 17/01/2025

Submitted by: Director of People and Culture

Purpose: To present members with information on recent Pensions Ombudsman rulings related to the Firefighters' Pension Scheme and other relevant schemes.

Recommendations: That the report is noted

Summary: It is a requirement of the Public Service Pensions Act 2013, and subsequent 2015 regulations, for members of a Local Pension Board to have a knowledge and understanding of the law relating to pensions and such other matters.

It is advised by the Local Government Association that, to secure compliance with the legislation relating to the governance and administration of the Firefighter Pension Schemes, members should review Pensions Ombudsman cases.

Local Government (Access to information) Act 1972

Exemption Category: None

Contact Officer: James Clarkson – Pensions Manager
James.Clarkson@westyorkfire.gov.uk
01274 682311 ext. 680157

Background papers open to inspection: None

Annexes: Annex A – PO Decision CAS-61348-B1V7

1. Introduction

- 1.1 It is a requirement under the Public Service Pensions Act regulations that members of a Local Pension Board had a knowledge and understanding of the governance and administration of the relevant pension schemes.
- 1.2 Updates have been provided on 1 Pensions Ombudsman decision (see **Annex A**) that was published in the period 1 July 2024 to 30 November 2024.

2. Information

- 2.1 The complaint relates to an FRA's application of the 2019 Booth court ruling that stated that a training allowance should be considered pensionable under the 1992 Firefighters' Pension Scheme (FPS 1992).
- 2.2 The member concerned had opted out of the FPS 1992 in 2010 and partially transferred-out his benefits to a personal pension shortly after. He claimed that, because of the court ruling, a training allowance should have been included in his pensionable pay and his benefits and transfer value should be recalculated on this basis.
- 2.3 The FRA's position was that it was under no obligation to recalculate his benefits. The FRA had come to a negotiated settlement with the FBU about the implementation of the court ruling. This referred to the Limitations Act 1980 and it was agreed that a limit of 6 years for contribution repayments and benefit corrections would apply to scheme members. As the member opted out in 2010, his benefits would not be recalculated.
- 2.4 The ombudsman regarded the FRA's decision to backdate 6 years as being a reasonable application of the court ruling and concluded that no further action was required of it.
- 2.5 This case highlights the complications and strength of feeling surrounding pensionable pay in the FPS 1992, which can have a significant impact on a member's final pension benefits. It also shows the importance of considering relevant case law and legal precedents when making decisions on pensionable pay.

3. Financial Implications

- 3.1 There are no financial implications arising directly from this report.

4. Legal Implications

- 4.1 The Monitoring Officer has considered this report and is satisfied it is presented in compliance with the Authority's Constitution.

5. Human Resource and Diversity Implications

5.1 There are no HR and or Diversity implications arising directly from this report.

6. Equality Impact Assessment

6.1 Are the recommendations within this report subject to Equality Impact Assessment as outlined in the EIA guidance?: No

7. Health, Safety and Wellbeing Implications

7.1 There are no health, safety and wellbeing implications arising directly from this report.

8. Environmental Implications

8.1 There are no environmental implications arising directly from this report.

9. Your Fire and Rescue Service Priorities

9.1 This report links with the Community Risk Management Plan 2022-25 strategic priorities below:

- Encourage a learning environment in which we support, develop, and enable all our people to be at their best.
- Provide ethical governance and value for money.

10. Conclusions

10.1 This report is for information only.

Ombudsman's Determination

Applicant	Mr S
Scheme	The Firefighters' Pension Scheme 1992 (the Scheme) The New Firefighters' Pension Scheme (Wales) (the Scheme)
Respondents	Mid and West Wales Fire and Rescue Service (the Fire and Rescue Service) Mid and West Wales County Council (the Authority)

Outcome

1. I do not uphold Mr S' complaint and no further action is required by the Fire and Rescue Service or the Authority.

Complaint summary

2. Mr S has complained that following a High Court judgement the Fire and Rescue Service has not agreed to recalculate the CETV he received in 2010 to include a training allowance as part of his pensionable pay. He does not think that his situation has been fairly considered and says he has been discriminated against.

Background information, including submissions from the parties

3. The sequence of events is not in dispute, so I have only set out the key points. I acknowledge there were other exchanges of information between all the parties.
4. Mr S served as a firefighter in the Fire and Rescue Service. He was a member of the Scheme when it closed to future accrual in 2006 and he then joined The New Firefighters' Pension Scheme (Wales).
5. In January 2010, Mr S sent a letter to the Fire and Rescue Service in which he said:
"I would like to confirm that I wish to opt out of the Scheme on the 4th February 2010. Please can you inform County Hall pension administration of this decision as it is my intention to transfer the post 88 benefits into a private pension scheme."

6. On 4 February 2010, Mr S transferred his post-88 pension benefits into a private pension scheme and became a deferred member of the Scheme with regard to his pre-88 benefits.
7. On 29 March 2019, the High Court issued a judgment¹ relating to the Fire and Rescue Service. As part of its decision the High Court held that the training allowance would be considered pensionable in circumstances where an employee was employed permanently in a training role.
8. On 18 September 2019, Mr S sent a letter to the Fire and Rescue Service's Human Resources (**HR**) department. He said he wished to raise a complaint with regard to the Fire and Rescue Service's application of the High Court's ruling on pensionable pay. He said in summary:-
 - According to the High Court ruling his CETV calculation from 2010 should have included his training allowance.
 - He was aware that the Fire and Rescue Service were redressing members back to 2013. The Fire and Rescue Service withheld his pre 1998 pension benefits until he retired in 2015. This meant he was within the relevant time period for redress following the High Court ruling.
 - It appeared that the final decision regarding how to redress members did not account for the differing circumstances relating to a member of staff who opted out of the Scheme.
 - The Fire and Rescue Service had negotiated with the Fire Brigades Union (**FBU**) without any information regarding his situation. The Fire and Rescue Service should have discussed the matter with him and his legal representative.
9. On 2 October 2019, HR sent Mr S a letter. It said in summary:-
 - The High Court judgment was specific to the cases of four individuals. The ruling determined that the training allowance should, in certain specified circumstances, be considered pensionable. However, it was for the Fire and Rescue Service to determine the wider application of the High Court ruling, including, amongst other things, the limitations on repayment.
 - The Fire and Rescue Service did not withhold his pre 1988 pension benefits. When he opted out of the Scheme and transferred his post 1988 accrual in 2010, his pre 1988 accrual became deferred in accordance with the Scheme Regulations.

¹ *Booth & Others v Mid and West Wales Fire and Rescue Fire and Rescue Service* [2019] EWCH 790 (Ch)

- The value of his pension benefits was determined in 2010 at the point he opted out. This was outside the time limit for recovering sums set out under section 9² of the Limitation Act 1980.
 - The Fire and Rescue Service had considered all circumstances including past judgments such as *Norman v Cheshire Fire & Rescue Service*³ (**Norman v Cheshire**) and the agreements reached for retrospective treatment in the application of those judgments. The Fire and Rescue Service was acting consistently in the use of the Limitation Act 1980.
 - The Fire and Rescue Service was fully aware of Mr S' situation. His situation was not unique and there were others who would be similarly affected. The Fire and Rescue Service had identified all persons in receipt of the allowances that were the subject of the High Court judgment and reviewed each individual's circumstances on their own specific merits.
 - Mr S was not a party to the High Court proceedings and so there was no obligation for the Fire and Rescue Service to discuss this with either Mr S or his legal representative. The implementation of the High Court's decision was for the Fire and Rescue Service to determine, and the agreement reached with the FBU was consistent with the retrospective application of similar judgements issued nationally. The Fire and Rescue Service was satisfied that it had dealt with Mr S' circumstances fairly and in accordance with the High Court's findings.
10. Mr S remained unhappy with the Fire and Rescue Service's response and asked that his complaint be considered further.
 11. On 15 July 2020, the Authority sent a letter to Mr S and said that the Authority's Investigating, Disciplinary and Disputes Committee had considered all his complaint points and the information he had supplied. Its response was the same as that provided in the letter of 2 October 2019.
 12. Following the complaint being referred to The Pensions Ombudsman, the Fire and Rescue Service and Mr S made further submissions.

The Fire and Rescue Service's position

13. The High Court judgment was not a collective action. It was only directly applicable to the named Claimants in relation to each of the respective allowances that formed the basis of their complaints. Mr S was not a party to the High Court proceedings, therefore there was no obligation to discuss this matter with him or any representative

² Section 9, 'Time limits for actions for sums recoverable by statute', provides:

"(1) An action to recover any sum recoverable by virtue of any enactment shall not be brought after the expiration of six years from the date on which the cause of action accrued."

³ *Norman v Cheshire Fire & Rescue Service* [2011] EWHC 3305 (QB)

acting for him. The manner of the implementation of the High Court's judgment was for the Fire and Rescue Service to determine in accordance with the ruling, relevant case law and the relevant Regulations.

14. Nevertheless, the Fire and Rescue Service considered whether it would be appropriate and fair to give wider retrospective application of the judgment in respect of those individuals who were, or had been, in receipt of the allowances in question, including the training allowance.
15. In carrying out this assessment the Fire and Rescue Service also considered the outcome of similar cases including Norman v Cheshire. It understood that the Limitations Act 1980 was relevant to the implementation of that judgment. An agreement was reached with the FBU as to how to fairly apply the decisions in the High Court case retrospectively to relevant employees of the Fire and Rescue Service. It was agreed that setting a limit of back payments due to members of the scheme to six years from the date of the High Court ruling in 2019 was fair, transparent, and appropriate.
16. Mr S opted out of the Scheme in 2010, the Fire and Rescue Service anticipated that Mr S would have undertaken financial advice at that time. The opt out documentation confirmed that those opting out knowingly give up the opportunity to participate in the Scheme which would provide a guaranteed package of benefits which are backed by law. Nevertheless, Mr S opted out of the Scheme. It is the Fire and Rescue Service's position that this opt-out must also limit any obligation on it to apply retrospective case law. The position was confirmed by the Local Government Association Firefighters' Pension Scheme Adviser who advised that members who had opted out should not have their CETV recalculated on the higher pay,
17. The Fire and Rescue Service did not consider that the date when Mr S' employment came to an end to be relevant. Mr S' CETV was calculated in 2010 when he opted out of the Scheme and transferred his post 1988 pension accrual. Mr S' pre 1988 accrual was deferred in accordance with the Scheme Regulations until retirement.
18. Mr S had not specified the grounds upon which he perceived the Fire and Rescue Service had discriminated against him. The Fire and Rescue Service was satisfied that no discrimination had occurred.

Mr S' position

19. He was unable to do anything with his pre 1988 benefits, they were deferred and remained in the pension fund until his retirement date in 2015.
20. He received the training allowance afforded to his role up until his retirement in 2015. The High Court judgment deemed this to be pensionable. Yet he was not allowed to participate in any negotiation or allowed any representation regarding this court ruling. This was because he was not a member of the FBU at the time of the decision on retrospective awards. His case was not fairly negotiated.

21. He did not recall a form that stated he had knowingly given up benefits that would be backed by law or any retrospective case law.

Adjudicator's Opinion

22. Mr S' complaint was considered by one of our Adjudicators who concluded that no further was required by the Fire and Rescue Service or the Authority. The Adjudicator's findings are set out in paragraphs 23 to 26 below.
23. Mr S opted out of the Scheme in 2010 and transferred his post-1988 benefits to a personal pension scheme. His pre-1988 benefits were deferred. The Fire and Rescue Service has not provided any documentation that specifically said that Mr S was giving up benefits backed by law or any retrospective case law. However, in the Adjudicator's opinion, Mr S should have been aware at the time that he opted out that he was giving up his benefits in the Scheme and that would put him in a different position to active members. It should also have been clear that if there were changes to the Scheme in the future these would not impact the benefits he transferred out.
24. The Fire and Rescue Service said that as Mr S was not a party to the High Court judgment there was no need to specifically discuss the outcome and apply it to his circumstances. In addition, it negotiated what it considered to be a fair way of applying the judgment with the FBU. In the Adjudicator's view the involvement of the FBU was to ensure the views of impacted firefighters were taken into consideration when deciding how redress should be applied. Mr S was not a member of the Scheme at the time of the High Court judgment and so in the Adjudicator's opinion it was not necessary for the Fire and Rescue Service to specifically discuss the outcome of the High Court judgement with him.
25. The Fire and Rescue Service applied the provisions of the Limitation Act 1980 to the award of the training allowance as a pensionable amount and the recovery of the additional contributions needed to support the award of the benefit. In the Adjudicator's opinion the decision to backdate the training allowance as pensionable for the six years prior to 2019 was reasonable and one that had been taken in consultation with the FBU. It was also in line with other previous decisions that required redress such as *Norman v Cheshire*. Mr S was not an active member of the Scheme in the six years prior to 2019 as he had transferred his pension benefits in 2010. Mr S' pre-1988 benefits were deferred and so had been accrued outside the redress period. In the Adjudicator's view, Mr S was not entitled to have his 2010 CETV recalculated.
26. Mr S said he had been discriminated against by the Fire and Rescue Service. Discrimination occurred when a person was treated less favourably than another in the same category. Mr S had not specified how he has been discriminated against. In the Adjudicator's view there was no indication that he had been treated differently from other former and deferred members of the Scheme who were in the same situation.

27. Mr S did not accept the Adjudicator's Opinion and the complaint was passed to me to consider. Mr S provided his further comments which do not change the outcome. I agree with the Adjudicator's Opinion and note the additional points raised by Mr S.
- He still had funds in the Scheme at the time of the High Court judgment and this was not considered.
 - He was treated unfairly as the FBU would not represent him, so his position had not been put across to the Fire and Rescue Service.

Ombudsman's decision

28. The High Court judgment referred specifically to whether training allowances should be considered as pensionable. Following the judgment the Fire and Rescue Service determined how the judgment should be implemented in accordance with the decision itself, relevant case law and the relevant Regulations. The Fire and Rescue Service decided that it would carry out a retrospective application of the judgment to training allowances that had been earned in the six years prior to the judgment in 2019. Mr S has not raised as an issue whether the six year period was appropriate, in accordance with Section 9 of the Limitation Act 1980, and I have not considered this any further.
29. The fact that Mr S had deferred funds in the Scheme at the time of the judgment does not mean that he should be included in the retrospective application of the judgment. Mr S transferred part of his pension benefits in 2010 and those that remained were deferred. Mr S did not have any pensionable service that fell within the scope of the retrospective application of the judgment. There was no evidence that Mr S' position (in general terms), was not considered by the Fire and Rescue Service in its discussions with the FBU. The decision of The Fire and Rescue Service to rely on the Limitation Act 1980 to limit the scope of the application of the judgment meant that Mr S did not have any relevant pensionable service. This was regardless of whether Mr S was still working for the Fire and Rescue Service at the time of the judgment.
30. I do not uphold Mr S' complaint.

Dominic Harris

Pensions Ombudsman

8 July 2024

OFFICIAL

Agenda item: 12

West Yorkshire Pension Fund – Key Performance Indicators

Local Pension Board

Date: 17/01/2025

Submitted by: Director of People and Culture

Purpose: To inform members of West Yorkshire Pension Fund's performance in key areas for the periods 1 July 2024 to 30 November 2024.

Recommendations: That the report is noted

Summary: This report informs Members of the Authority's key areas against which West Yorkshire Pension Fund measure their level of service.

Local Government (Access to information) Act 1972

Exemption Category: None

Contact Officer: James Clarkson – Pensions Manager
James.Clarkson@westyorksfire.gov.uk
01274 682311 ext. 680157

Background papers open to inspection: None

Annexes: None

1. Introduction

1.1 The KPI report presents performance data from West Yorkshire Pension Fund in several key areas. Some of the areas included are as follows:

- Transfer in and out quotes
- Divorce quotes
- Pension estimates
- Deferred benefit set up
- Retirement quotes
- Retirement actuals
- Payroll changes
- Death notifications

2. Information

2.1 The table below provides KPI data for the period 1 July 2024 to 30 November 2024.

Work Type	Total Cases	Target Days	Target met cases	Minimum Target Met	Target met percent
Age 55 Increase to Pension	16	20	16	85%	100%
Change of Address	18	20	18	85%	100%
Change of Bank Details	11	20	11	85%	100%
Death in Retirement	17	10	7	85%	41%
Deferred Benefits Into Payment Quote	7	35	7	85%	100%
Deferred Benefits Into Payment	19	3	19	85%	100%
Deferred Benefits Set Up on Leaving	38	20	18	85%	47%
Dependant Pension To Set Up	11	10	11	100%	100%
Divorce Settlement	2	80	2	100%	100%
General Payroll Changes	73	20	73	85%	100%
Initial letter Death in Retirement	17	10	16	85%	94%
Injury Review	3	20	3	100%	100%
Life Certificate	18	10	17	85%	94%
NI adjustment at State Pension Age	25	20	25	85%	100%
Pension Estimate	34	10	21	90%	62%
Pension Set Up/Payment of Lump Sum	15	3	13	85%	87%
Retirement Actual	15	10	15	90%	100%
Set Up New Spouse Pension	11	5	10	85%	91%
Transfer In Quote	12	35	12	85%	100%
Transfer Out Quote Fire	3	35	3	85%	100%
Update Member Details	26	20	26	100%	100%

2.2

- 2.3 Death in retirement did not meet target due to continuing high workloads.
- 2.4 Deferred benefits set up did not meet target due to the volume of higher priority work. The members did receive confirmation within 2 months of WYPF receiving the leaver information that they have a deferred benefit. This meets the statutory requirements
- 2.5 Pension estimates where the date is more than three months in the future are treated as a lower priority so are only looked at when nearer dates are completed. This results in a significant number of breaches

3. Financial Implications

- 3.1 There are no financial implications arising directly from this report.

4. Legal Implications

- 4.1 The Monitoring Officer has considered this report and is satisfied it is presented in compliance with the Authority's Constitution.

5. Human Resource and Diversity Implications

- 5.1 There are no HR and or Diversity implications arising directly from this report.

6. Equality Impact Assessment

- 6.1 Are the recommendations within this report subject to Equality Impact Assessment as outlined in the EIA guidance?: No

7. Health, Safety and Wellbeing Implications

- 7.1 There are no health, safety and wellbeing implications arising directly from this report.

8. Environmental Implications

- 8.1 There are no environmental implications arising directly from this report.

9. Your Fire and Rescue Service Priorities

- 9.1 This report links with the Community Risk Management Plan 2022-25 strategic priorities below:

- Encourage a learning environment in which we support, develop, and enable all our people to be at their best.
- Provide ethical governance and value for money.
- Collaborate with partners to improve all of our services.

10. Conclusions

10.1 This report is for information only.

OFFICIAL

Agenda item: 13

Firefighters' Pensions Bulletins 83-87

Local Pension Board

Date: 17/01/2025

Submitted by: Director of People and Culture

Purpose: To inform Members of the contents of the bulletins published since the last Local Pension Board meeting.

Recommendations: That the report is noted and any actions arising from the bulletins are acted upon (where appropriate).

Summary: Included in this report are the actions arising from each bulletin and an update of the status of the actions.

Local Government (Access to information) Act 1972

Exemption Category: None

Contact Officer: James Clarkson – Pensions Manager
James.Clarkson@westyorkfire.gov.uk
01274 682311 ext. 680157

Background papers open to inspection: None

Annexes: None

1. Introduction

- 1.1 The Local Government Association (LGA) produces a monthly bulletin which provides pension practitioners with updates on various pension related issues.
- 1.2 The bulletins are sent to Administrators, Scheme Managers, FRA pension contacts and LPB chairs as a matter of course.
- 1.3 There is an expectation of members to scrutinise each bulletin and seek assurance from the Scheme Manager that all actions arising have been identified and acted upon.

2. Information

- 2.1 [FPS Bulletin 83 - July 2024](#) contained the following actions for scheme managers:

Action	Status
Annual Benefit Statements: to liaise with their administrators to understand the timetable to produce ABS statements. If an ABS RSS is not being produced for 2024 and report any breaches, should they occur	Complete
Age Discrimination Remedy – Annual Benefit Statement Remediable Service Statement (ABS-RSS) expectations: to liaise with their administrators to ensure that they are using various means of communications to make sure that all members receive an ABS-RSS.	Complete
Age Discrimination Remedy – Contingent Decisions: to: <ul style="list-style-type: none">• ensure that they have read the updated guidance and are signposting members to the revised member guidance.• communicate with any individuals who are affected by this change in position.	Complete
Matthews – GAD calculator - Manual case update: to review the GAD update and begin to collect, prepare and format this information.	Complete
Matthews – GAD calculator: should ensure that they are using the most up to date version of the calculator.	Complete

<p>Matthews – Coding of payments for accounting/valuation purposes: to be aware of the coding requirements needed for valuation purposes for the Home Office and GAD and to:</p> <ul style="list-style-type: none"> • have discussions with their own auditors to determine internal accounting requirements. • have conversations with their Administrators to discuss and agree any potential requirements. 	Complete
<p>Matthews - Processing priority order: progress with the implementation of Matthews cases using the suggested priority order.</p>	Not applicable – enough early progress made to enable cases to be dealt with in order of receipt.
<p>Matthews – Statutory deadlines: to familiarise themselves with the statutory deadlines, to ensure that where possible they are adhered to. This may require discussions with your administrator to agree deadlines if this has not already taken place.</p> <p>If a statutory deadline cannot be met, it is important that this is reported accordingly as per the guidance within the factsheet.</p>	Complete

2.2 [FPS Bulletin 84 – August 2024](#) contained the following actions for scheme managers:

Action	Status
<p>Firefighters Pension Scheme Valuation 2024 - GAD data request: should ensure that high quality, timely data is shared with the administrator who will be doing the extract on their behalf.</p>	Complete
<p>Age Discrimination Remedy – ABS-RSS statutory deadlines: should familiarise themselves with the statutory deadlines, to ensure that they are adhered to.</p> <p>If a statutory deadline cannot be met, it is important that, as per instructions from TPR, all breaches are reported, regardless of their materiality.</p>	Complete
<p>Age Discrimination Remedy – Treasury Directions (tax relief on contributions for active members): to inform</p>	Complete

the LGA should they have any objections to the recommendations set out in the scheme manager paper.	
General Code: should ensure that review their compliance against the code.	Incomplete
Firefighters' Pensions AGM 18 and 19 September 2024: are encouraged to book onto Day one and Day two of the AGM.	Complete
Firefighters' Pensions: DELTA returns – collection of data: should ensure that they have prepared the information. The deadline for submission of both requests is 17:00 on Wednesday 18 September 2024	Complete

2.3 [FPS Bulletin 85 – September 2024](#) contained the following actions for scheme managers:

Action	Status
Firefighters' Pensions - McCloud compensation arrangement claims for Q2 FY24/25: should prepare themselves to submit their compensation data by 31 October 2024	Complete
Age Discrimination Remedy – Immediate Choice Remediable Service Statements (IC-RSS) Rollout: are encouraged to read the guidance ahead of the meeting.	Complete
Matthews – Project implementation data request: are asked to complete and return the template which can be accessed via this link Project Implementation data request .	Complete
Matthews – GAD calculator – Manual case update: should ensure that they review the GAD update and begin to collect, prepare and format this information.	Complete
Local Pension Board – Knowledge and Understanding: are asked to make their LPB members aware of the new content of the training section of the FPS Board website.	Complete

Firefighters' Pensions Team: before raising a query, please ensure you: <ul style="list-style-type: none"> • review the query logs • complete a query form • use the Bluelight inbox 	Complete
Pensions Dashboards: should familiarise themselves with the guidance and to their duties.	Complete
Local Pension Board Training: are asked to make their LPB members aware of the training sessions and encourage them to book onto a session.	Complete

2.4 [FPS Bulletin 86 – October 2024](#) contained the following actions for scheme managers:

Action	Status
Age Discrimination Remedy – Tax treatment for top up death benefits: should ensure that they are aware of this and confirm the tax position with beneficiaries.	Complete
Age Discrimination Remedy – Immediate choice remediable service statements – Rollout: should ensure that they update their administrators should their position change.	Not applicable
Age Discrimination Remedy – Immediate choice protected members: should ensure that their administrators are producing a remediable service statement for all eligible members for remedy.	Complete
Age Discrimination Remedy – Interest payments: should ensure that members are directed to the member FAQs on the FPS member website.	Complete
Age Discrimination Remedy – Contingent Decisions (Authorised absences): Scheme managers to provide details of authorised absences for eligible members of remedy for the period from March 2012 to March 2022 to bluelightpensions@local.gov.uk by 13 December 2024	Complete

Matthews – Fire and Rescue Services Association podcast: are encouraged to direct members to the podcast on the FPS member website.	Complete
Matthews – Clarification on outstanding HMRC issues: should ensure that they have read the relevant emails and have taken the appropriate actions.	Complete
Matthews Manual Cases update: FRAs who have processed any such cases to date please contact GAD at firematthewscalculator@gad.gov.uk.	Complete
Age Discrimination Remedy request for data: are asked to populate the RSS spreadsheet and return to bluelightpensions@local.gov.uk by 30 November 2024.	Complete
Pensions Dashboards Readiness Survey: are encouraged to complete and submit the surveys.	Complete
Age Discrimination Remedy – Public Service Pensions Remedy (PSPR) Scheme Pays Election: should ensure that their SPoCs are aware of this new process, and should agree their internal process, to ensure that once a notification is received the relevant action is taken.	Complete

2.5 [FPS Bulletin 87 – November 2024](#) contained the following actions for scheme managers:

Action	Status
GAD Tax and Contributions calculator: should ensure they are using the correct version of the calculator.	Complete
NS&I Direct Saver Interest rates: should ensure that they have updated the new NS&I rate in the calculator for any calculations on or after 20 November 2024.	Complete
Immediate Detriment: are encouraged not to take any actions to rectify members benefits where they are affected by immediate detriment, until we have provided further guidance.	Complete
Matthews death cases: to progress with making the relevant payments to survivors of retained firefighters who are eligible under 2006 Scheme rules.	Complete

<p>Matthews 2 calculator forthcoming update:</p> <ul style="list-style-type: none"> • should recalculate any cases processed to date where pension was purchased in the Matthews first exercise, but standard to special conversion was not chosen until this Matthews second exercise, using this new Matthews 2 Calculator (version 2.5) • should wait for updated factors before processing any non-accrued benefit conversions as per Matthews 2 calculator forthcoming update. 	Complete
<p>Amendments to The Firefighters' Pension Scheme Regulations 2014: are encouraged discuss with the relevant areas of their FRA including but not limited to HR, Finance and Payroll and provide a response to the consultation by the deadline of 29 January 2025.</p>	Incomplete
<p>SAB Levy 2024-25 – Request for Purchase Order numbers: to arrange for the form on page 6 of the letter to be completed and returned to bluelightpensions@local.gov.uk by 2 December 2024, with a valid purchase order number made payable to the 'Improvement and Development Agency'.</p>	Complete
<p>Age Discrimination Remedy – Request for data: should liaise with their administrator to obtain the outstanding information requested in FPS Bulletin 86 – October 2024 by 9 December 2024 and ensure that this month's data is provided by the deadline of 3 January 2025.</p>	Complete
<p>Budget 2024: we encourage all stakeholders to read this consultation and consider whether they wish to provide a response.</p>	Complete
<p>Local Pension Board Training – Help needed: if your FRA or Local Authority have a training space that we would be able to use, please do contact us at bluelightpensions@local.gov.uk</p>	Complete

3. Financial Implications

3.1 There are no financial implications arising directly from this report.

4. Legal Implications

4.1 The Monitoring Officer has considered this report and is satisfied it is presented in compliance with the Authority's Constitution.

5. Human Resource and Diversity Implications

5.1 There are no HR and or Diversity implications arising directly from this report.

6. Equality Impact Assessment

6.1 Are the recommendations within this report subject to Equality Impact Assessment as outlined in the EIA guidance?: No

7. Health, Safety and Wellbeing Implications

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8. Environmental Implications

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9. Your Fire and Rescue Service Priorities

9.1 This report links with the Community Risk Management Plan 2022-25 strategic priorities below:

- Encourage a learning environment in which we support, develop, and enable all our people to be at their best.
- Provide ethical governance and value for money.
- Collaborate with partners to improve all of our services.

10. Conclusions

10.1 This report is for information only.



Actions and agreements

18 June 2024

Location: MS Teams

PRESENT

Joanne Livingstone	SAB Chair
Philip Hayes	Scheme Member Representative (FRSA)
Des Prichard	Scheme Member Representative (FLA)
Tony Curry	Scheme Member Representative (FBU)
Glyn Morgan	Scheme Member Representative (FOA)
Cllr Hennessey	Scheme Employer Representative (LGA)
Cllr Chard	Scheme Employer Representative (LGA) (MS Teams)
Cllr Phillips	Scheme Employer Representative (LGA)
Helen Scargill	Technical Advisor
Craig Moran	First Actuarial
Jane Marshall	Legal Advisor
Claire Johnson	LGA – Senior Firefighter Pension Advisor
Sandra Sedgwick	LGA – Firefighter Pension Advisor (minutes)
Tara Atkins	LGA - Firefighter Pension Advisor
Jo Donnelly	LGA – Head of Pensions
Jamie Osowski	LGA – Fire Workforce Advisor
Tom Appleyard	Home Office
Antony Mooney	Home Office
Simon Primmer	Home Office
Helen Fisher	Home Office
Brian Allan	Government Actuaries Department (GAD)

Rob Fornear	Government Actuaries Department (GAD)
Emma James	TPR
Yunus Garja	West Yorkshire Pension Fund (WYPF)
Kevin Sheil	XPS
Jo Darbyshire	Local Pension Partnership Administrators (LPPA)
Matthew Armitage	Heywood Pensions Technologies
Tim Hill	Heywood Pensions Technologies
Jay Little	Heywood Pensions Technologies
Richard James	Civica
Dawn Docx	NFCC
Kerry Citric	Welsh government
Siobhan McKelvey	Northern Ireland
James Allen	First Actuarial
Karen Gilchrist	SPPA

1. Introductions, apologies, and conflict of interest

1.1 Joanne Livingstone (JL) welcomed everyone to the meeting and confirmed that Mark Rowe had sent apologies.

1.2 JL confirmed that the FBU had been through a reshuffle resulting in Andree Scattergood and Pete Smith being replaced by Adam Taylor and Andrew Fox-Hewitt, neither of which were able to attend today's meeting.

1.3 JL thanked Weightmans for their previous service, she added they had not been able to extend their tenure as part of the LGA procurement process.

1.4 JL welcomed Jane Marshall back as legal adviser for DAC Beachcroft. JL confirmed that DAC Beachcroft had satisfied the procurement process to provide legal advice to the SAB.

1.5 JL welcomed Dawn Docx (DD) as the new pension lead for the NFCC who will attend the SAB meeting in an observer capacity.

1.6 JL welcomed Jamie Osowski – Workforce Advisor from LGA to the meeting.

1.7 JL commented that due to absences we were not quorate, but any decisions taken at the meeting would be ratified with the full Board after the meeting.

1.8 JL reminded members of the Board to declare if any new conflict has arisen. No conflicts were declared.

2. Actions arising (21 March 2024) and Chair's update.

2.1 JL introduced the actions from the last meeting.

2.2 Claire Johnson (CJ) then went through and confirmed that there were five actions from the last meeting and provided the current position on each action.

2.3 Induction template for new recruits – LGA to draft a targeted factsheet based on an WYPT precedent for firefighters moving from trainee on a lower salary to competent to explain the benefits of joining the FPS. Work is ongoing and the LGA will look to cover this at the September meeting. **Action (ongoing)**
LGA to update the Board at the next meeting.

2.4 Home Office action to establish the parties to be involved in the consultation on contribution rates – deferred to the September meeting following the calling of the General Election.

2.5 JL to draft a letter to HMT to highlight the concerns over the outstanding tax on interest issue. Completed - letter sent to Henry Elks on 12.04.2024

2.6 LGA to take forward the options on IC-RSS rollout with scheme managers. Completed – email sent to scheme managers on 25.03.2024 and discussed at their meeting on 27.03.2024

2.7 First Actuarial had also completed their action to feedback to GAD their findings on the Matthews calculator.

3. Home Office update

- I. Employee contribution rates review
- II. [Impact of General Election on ongoing work](#)

II. Impact of General Election on going work was covered first.

Simon Primmer (SP) provided an insight on the impact of calling a general election and the SAB discussed the effect this might have on the ongoing work of the SAB.

I. Employee contribution rates review

3.1 Further to the presentation delivered to SAB at the previous meeting Rob Fornear (RF) from GAD reminded the SAB that as part of the recent valuation an estimated undershoot was identified in the member contribution rate and they have been instructed to look at methods to close the gap.

3.2 RF proceeded to explain that a wider review was deemed necessary as the current structure has been in place since 2015 / 2018. At the previous SAB meeting RF said he had presented guidance on potential variations in respect of the structure.

3.3 RF presented an interactive version of a tool which is designed to show a selection of models and provided a flavour of what can change in the model. He further explained that currently the expected yield target rate is 13.03%, where the target rate needs to be at least 13.2%.

3.4 RF modelled examples showing the effect of changing the contributions structures and rates associated with different bands. He reiterated that 2015 was the last change to contribution rates and looking now at these bandings, the lower banding shows no figures as no one is in the lower salary band. This demonstrates the need to future proof. The SAB agreed that future proofing was important.

3.5 The modelling and discussions included such matters the number of salary bands, the treatment of part-timers, use of an approach similar to tax bandings, and comparison with other sectors. It was recognised that the latter had different benefits.

- 3.6 The SAB discussed the best way to take this forward. HF noted that the work would continue with GAD before any formal consultations could take place, but she hoped that a user-friendly version of the model could be made available to the various groups involved in the public consultations.
- 3.7 Further discussion took place on the timings for implementation and the short time until April 2025 with Board members concerned about both the practicalities of administering the change and the need to give members notice of any such changes. The SAB reiterated their concerns to ensure that any changes should not impact on career progression i.e. the need to avoid the position where Firefighters may not take promotion due to contribution increases leading to a diminution in take-home pay. GAD agreed that this would need to be explored.
- 3.8 CM then asked if there is a need to increase the yield in particular years to absorb previous undershoots. HF confirmed that there have been live conversations with Treasury colleagues, and this will continue. She added that there is a need to play catch up and as part of this exercise there will be a need to use up-to-date data as the data currently used is based on 2022.
- 3.9 CM asked if the 13.2% may need to be higher or lower. HF replied by confirming that this is possible.
- 3.10 CJ raised her concern about the pre general election period impacting timings. With a need for full consultation, as we are now in June there is only 10 months to implementation. Payroll systems would need to be amended and the message from discussions within the industry forums is that introducing these software changes could result in an implementation delay. Members would not be happy having to make up their missed contributions.
- 3.11 HF responded that making decisions on this must be a priority for both HMT and HO; they are aware of the sensitivity but again their own and lead in times for payroll providers would also need to be considered. She noted that we need to be mindful about managing expectations.

3.12 JL commented that it would be helpful if a question were included in the consultation to make sure the point about ability for payroll providers to amend their systems in time is covered.

3.13 JL questioned what actions are necessary from the SAB and was anything needed in this period.

3.14 The SAB then discussed member communications and what had/could be said to the members at the current time. A range of views were expressed. It was noted that the issue was not confidential but that the ongoing uncertainties about what changes may be made and indeed the impact of the election makes it difficult to be able to say anything substantive. HO noted that the target yield had not been met and there are difficulties in how to solve this. This was also the case in 2016; however, contributions were not increased as Government took a different approach in covering this short fall in the last valuation round.

3.15 It was noted that whilst the shortfall in yields is in the actuarial valuation and hence in the public domain not all parties may be aware of this. Kerry Citric (KC) and Siobhan McKelvey (SK) indicated that the position may be similar in the devolved nations. JL asked whether it might be possible to design some form of communication for members to increase awareness. **Action SAB to consider member communications, await more input from the HO and First Actuarial to review the model with GAD.**

3.16 JL said the discussion was helpful and thanked those who have attended from the devolved nations who left the meeting at this point.

4. LGA general update

4.1 CJ provided a summary of the paper on the ongoing implementation of remedies. She took the Board through the current position on the various issues.

4.2 **Interest** – The initial stance was that whilst the interest rate on arrears and lump sums had to be applied at 8%, anything over the commercial rate of

base rate plus 1% would be classed as unauthorised and taxed accordingly. HMRC have since changed their approach - their legal advice has confirmed that all interest on authorised payments can be treated as authorised.

4.3 Maximum lump sums - HMRC have identified another issue relating to members who have taken the maximum lump sum (anything over the HMRC limit of 25%). It was assumed, incorrectly, that when recalculating members benefits the procedure would be to compare what has already been put into payment against what is due, work out the lump sum top--up and the difference would be taxed accordingly. HMRC responded saying an offsetting approach is not allowed. It was also confirmed that HMRC does not allow for this to be paid through compensation. Conversations with HMRC and HMT are ongoing to address this.

4.4 CJ explained that this meant a member who took the maximum lump sum and consequently paid tax cannot be provided with an IC /RSS at this time. CJ added that conversations have been held with the sector so they can make informed choices on how to proceed. There was a traffic light process of Red / Amber/ Green, with those cases in the green category able to be processed and those in the red category needing to be communicated with appropriately.

4.5 CJ reassured the group that there was a promise that we would get additional legislation to address these issues in early 2025. HMT initially said they would provide a ministerial statement which would give enough comfort to the sector. However, due to the calling of a general election the position changed.

4.6 Following further discussion with HMT, they said they could provide an officer statement to give some comfort to Scheme Managers. This proposal was shared with Scheme Managers and the feedback was that they would be happy to receive this, if it wasn't going to prevent a Ministerial statement backdated to the 5 July. HMT's response was that we are unlikely to receive both. Scheme Managers have now taken the decision to wait for the Ministerial statement.

4.7 CJ asked the SAB to consider what lobbying could be done from a SAB perspective and whether, come the 5 July, we could have some pre-arranged communications setting out the frustrations and impact on members and, also the wider impact on the legislative timeframes.

4.8 CJ informed the group that the LGA are having regular conversations with –

- FRAs and Administrators – to support as much as possible.
- TPR to discuss potential breaches, where certain dates in legislation may not be achieved.
- HMRC – to discuss practical solutions and what mitigations can be put in place regarding the issuing of the Pension Saving Statements which are due on 6th October, where administrators are unlikely to meet the deadlines.

4.9 **Matthews** – CJ explained that the LGA continue to liaise with FRAs and stakeholders. She provided an overview of the implementation process, commenting that, as with the Sargeant remedy, we are experiencing issues relating to tax and the LGA have asked to meet with HMRC to considering potential solutions.

4.10 FRAs are struggling with the volume of cases and would welcome a suggested priority timetable. JL asked the group to consider how the Matthews cases should be prioritised. CJ suggested those who have an immediate entitlement should be a priority.

4.11 CJ said although timetabling had been omitted from the paper, she was able to outline the suggested priorities which would be confirmed with the Board. **Action CJ to share suggested priorities for approval from the Board**

4.12 CJ then raised several issues where legal advice would be necessary due to either not enough clarity or not enough consistency in the sector. Paragraph 39 details the areas where we are proposing to seek legal advice.

4.13 Cllr Hennessey (NH) asked if there will be a cost implication for this advice. CJ confirmed there would be a cost and this would be shared. NH thanked

CJ for all the hard work carried out. **Action CJ to reach out via email to get agreement that legal advice can be sought.**

4.14 RP agreed that legal advice and clarity is needed. He suggested that a letter should be waiting on the desk of the new minister. RP stressed that the severity of this issue should be pointed out, adding that it is important to the integrity of the board and the timescales involved.

4.15 JL agreed with the suggestion of preparing a letter to the new minister.

Action letter to be drafted by SAB / LGA.

5. SMA committee update

5.1 CJ introduced the SMA committee update paper which she had shared ahead of the meeting.

5.2 CJ reminded the group that the Administrator survey results update was provided in March, at which point we had only received four responses, with only Hampshire Pension Fund declining the invitation to complete the survey.

5.3 CJ commented that areas of identified good practice will be shared with the other Administrators.

5.4 CJ highlighted some key points from the feedback which were included in the paper.

6. AGM

6.1 CJ reflected, historically, LGA (Fire) have held an AGM over 2 days which has proven to be successful and she would like permission from SAB to repeat this event in 2024. The provisional dates are 18-19th September 2024. CJ asked SAB to provide financial support of £2,800 towards the running costs.

6.2 CJ talked through the proposed draft agenda.

Day 1 (PM) Wednesday 18 September – Scheme Managers - focus on governance

- TPR - Breaches and governance needed for pension dashboards (Awaiting confirmation from TPR re attendance).
- Followed by a networking event in the evening.

Day 2 (all day) Thursday 19 September - FRAs – various speakers and technical workshops

- Home Office – attendees to be confirmed.
- First Actuarial - Craig Moran
- Technical workshops and possibly software providers to seek feedback from FRA.
- Legal update - Jane Marshall
- TPR - Pension dashboard updates
- Aon and Isio

6.3 CJ asked for approval and JL noted that this has been a previous arrangement, the agenda seemed reasonable and as in the past, SAB should agree to provide funding. JL also added the LPB training will be delivered in the afternoon ahead of the networking session. **Action CJ to reach out via email for consent to progress the AGM.**

7. TPR – Dashboards (Emma James from TPR provided a verbal update)

7.1 Emma James (EJ) delivered a presentation setting the scene on ‘Why dashboards are important’. This provided a generic background to the dashboard requirements. In particular, it covered dates for connection, work needed ahead of connection, data issues and TPR’s approach to engagement and ensuring compliance.

7.2 Scheme managers need to be confident that all involved can meet the delivery plan. TPR worries about capacity constraints, in particular if information is needed from AVC providers.

7.3 She noted that:

- Local Pension Boards need to have Pensions Dashboards as a regular agenda item.
- The TPR will be publishing a data policy document and holding a webinar on the content in Oct 2024. (2.54) the link will be shared.
- Nudge campaign will start 18 months ahead of connection, running alongside the preparations for connection.
- Continue to engage with all stakeholders.

7.4 EJ highlighted that there is a lot of work required so they are urging schemes to pick up the work needed to deliver, emphasising that data is key to this exercise. Checklists and audit trails are important, confirming the TPR will consider breaches but will also monitor non-compliance. EJ reiterated that there is a principle-based policy on compliance and enforcement.

7.5 JL asked about any contact between TPR and the Fire sector. JL noted that the Fire Sector had known about data issues due to remedy and that administration is local. The administrators are already at a pinch point and the additional work involved in delivering dashboards will be difficult. She expressed concerns on how everyone will manage this piece of work.

7.6 EJ responded saying TPR will look at the audit trail and consider competing factors. She added that they meet regularly with the LGA and provide information to filter down.

7.7 CJ commented that due to local administration, there is a concern that some FRAs are more advanced than others. She noted that dashboards are part of a national initiative and that there are deadlines which scheme managers and administrators need to be mindful of. She asked EJ whether SAB/LGA should be providing anything? JL noted that LGA support was available where possible but acknowledged the strains on the sectors.

7.8 NH asked if the TPR would be presenting at the AGM commenting that it would be beneficial to have them there.

7.9 DP noted that the SAB cannot instruct FRAs, but can provide strategic guidance, encouragement, and support. He added that it would be beneficial to use the channels such as NFCC DP also commented that we need to encourage strategic managers and LPB members to come to the AGM and listen to these sessions.

7.10 JL thanked EJ who said she would be happy to attend periodically. EJ left the meeting. JL noted that more tailored input might be needed in the future.

8. Administrator updates: Position statements (verbal)

- **Yunus Gajra (YG) - Assistant Director (Finance, Administration and Governance) - West Yorkshire Pension Fund**

8.1 JL thanked Yunus Gajra (YG) for attending.

8.2 YG provided a summary from WYPF on the Sargeant project. He started by commenting that things were progressing slowly due to both the complexity of the project and completion for resources on both Fire and WYPF. He updated on the Civica systems and noted that automation has required the development of solutions by Civica, not all of which are yet implemented into the WYPF system and hence have not yet become live. He estimated that this had led to a 6-month delay.

8.3 YG further explained that WYPF are presently working on Oracle but will be moving over to SQL; however, this is currently resulting in a duplication of work due to what is involved in testing.

8.4 This has had a major impact on their delivery resulting in not being able to meet the statutory deadline for the ABS, due to not being able to roll back.

8.5 Presently, they are having to process cases manually, fortunately they have staff with the required expertise involved to help. The position with Civica however, is different as they have lost experienced staff to LPPA.

8.6 NH acknowledged the difficulties and asked if the numbers of case involved, could be shared. Helen Scargill (HS) provided the breakdown as follows:

- IC RSS - 150 ill health retirements
- Unprotected and taper protected - 600 approx.
- Fully protected - 3500

8.7 JL asked about the breaches and HS confirmed that there will be breaches relating to issuing the IC RSS, but the ABS RSS and PSS should be delivered without a breach. HS followed this up by explaining that a letter will be sent to every active member and informed the group that WYPF have also been in touch with TPR.

8.8 JL questioned whether there will be a conflict between the work required for the Local Government Pension Scheme and Fire. YG responded by saying that the Fire side has its dedicated resources.

8.9 YG explained, there are other conflicting pressures such as Dashboards. JL asked, were they confident in delivering on Dashboards. YG said that they are confident.

8.10 YG highlighted that although some of their clients (FRAs) have not yet provided data due to lack of resources WYPF would work with them.

- **Kevin Shiel – Head of Public Sector Business Development, XPS**

8.11 JL thanked Kevin for attending. Kevin Shiel (KS) introduced his presentation and provided an update on the implementation of remedy. The presentation started with an indication of the structure of the teams at XPS.

8.12 KS then outlined the data position as of 13 June 2024

- Financial data – XPS have received everything.
- GAD calcs - not yet been delivered, currently working with clients to resolve this by the end of the month.
- Matthews cases - conversations with clients to identify cases.
- Ill health RSS's - will be issued if not affected by the tax implications.

It is for FRAs to identify vulnerable members, such as end of life cases, and they are encouraging the FRA to prioritise these and highlight to XPS.

8.13 Test window for the ABS / RSS from Heywoods - they are working towards the timeline and feeding back to Heywoods on the functionality.

8.14 Mindful of the communications strategy re how the project is progressing, they are using their website and are looking at tailoring this information for Fire and Police separately.

8.15 BAU challenges - They haven't had the benefit of the automation as soon as they would have welcomed. There are some outstanding issues, but they are providing manual workarounds and to mitigate against this risk they are exploring their own automated tools.

8.16 Structure change - Currently reviewing their operational model, which may result in gaining additional resources such as client managers.

8.17 Areas they are working on – They are committed to improving the customer journey and believe there has been a significant improvement in this citing their revisiting of the process for producing estimates for members.

8.18 JL asked how the XPS specific workarounds might impinge on the work Heywoods are delivering and asked how the SAB can provide support. KS commented that the problem areas are external issues i.e. tax.

- **Jo Darbyshire – Managing Director, LPPA**

8.19 JL thanked Jo Darbyshire (JD) for attending. JD provided an update on the implementation of remedy.

8.20 LPPA are progressing and have processed 276 lump sums for remedy and 5 death cases to date. JD explained the delays are where are complications, inter-brigade or data missing from FRA or pension sharing orders.

8.21 Retirement quotes were being released very close to retirement dates; this seems to have been addressed.

8.22 LPPA completed roll back in early January 2024.

8.23 Civica have recently provided system updates. JD sympathised with providers in respect of the difficulties they have encountered.

8.24 Data is a major issue, two of LPPA's clients have not yet been able to provide the data required. This will impact on the ABS / RSS issue.

8.25 For the FRA clients who have their data - the ABS/RSS will be going out.

8.26 Interest rate change has caused an issue. LPPA have approached those clients with data as to whether they want to re-run the calculations based on the interest rate change or do they want LPPA to do this.

8.27 Problem areas are -

- Social Media
- Sharing data between FRAs & Administrators etc.
- Collaborative working - communication to be improved.

8.28 Summarising, JD commented that LPPA are not too concerned about their systems, it is more an issue of data.

8.29 NH asked whether SAB could assist with the issues raised by JD, particularly regarding sharing. HS added they haven't had a problem with the process of data and sharing.

9. Software supplier updates:

- **Heywood Pensions Technologies** - Matthew Armitage, Tim Hill, Jay Little

9.1 Matthew Armitage (MA) on behalf of Heywood, delivered a presentation which was an update since last meeting. He noted that with regards to the McCloud project phases 1 & 2 were complete, 3 was in testing with clients and 4 was approved and in development.

9.2 Remedy will only be delivered will only work if the data collection exercise is complete. They are regularly meeting with stakeholders, customers and LGA and have dedicated support teams to deal with issues as they arise.

9.3 JL asked are they expecting to be on track. Tim Hill (TH) answered yes, they have had to reprioritise but generally are on track.

9.4 Key risks & issues –

- Testing has been difficult; 5 customers have volunteered.
- Resources have been realigned to cover some pressure points.
- ABS/RSS Active members - Interim release. This is all subject to data being provided and loaded into the system.
- Valuation - ready but again reliant on the data

9.5 JL asked what proportion of data is missing. MA replied by saying there was only a few clients who have so far been able to run these as data is not available.

9.6 MA confirmed that Heywood are supporting collaborative testing with their clients through their “testing working party”. They also hold technical meetings and have monthly calls.

9.7 Out of 215 incidents raised 175 have been resolved.

- **Civica (verbal)** - Richard James

9.8 Richard James (RJ) provided a recap regarding the software updates noting that Drop 1 related to the Drop 1- identification of members, Drop 2- their status, Drops 3 & 4 - priority calculations changes. RJ explained that the latest release of UPM in April allowed the release of ABS and DBS statements, also AA, LTA? and contribution changes. He confirmed that Civica would be going live with this functionality at the end of the week.

9.9 Next deliverables - Working with customers on delivery of the ABS/DBS, now that the final format of the ABS/DBS statement is available. RJ explained they had experienced some software issues due to some of the changes to the statement, which were not expected. Client feedback suggests a preference to remove additional data to de-risk the delivery.

- 9.10 The aim is to run complete RSS statements by 31st August. This is likely to be covered by a further software release around July. There is no provision for a rolled back ABS.
- 9.11 There is no functionality specific for IC- RSS and customers are processing manually for the first cohort.
- 9.12 JL raised concerns relating to the timeframes, commenting that if the software update for DBS is not available to clients until July this would not allow for testing. JL commented that the statements need to be released by August 2024 which does not allow much time should there be problems.
- 9.13 JL asked RJ that if there are any further delays in issuing the software updates, could they highlight them. RJ left the meeting. JL suggested writing a letter to Civica about this delay. **Action SAB to consider highlighting any issues to Civica**
- 9.14 CJ commented that Civica have not been as engaging with the LGA as Heywoods. There is a mixed picture across the sector. It appears to depend on what version of the software the customer is using. HS added that Civica are delivering the updates to all their clients at the same time; however, depending on where the client is in the process, they may not be able to implement the drop.
- 9.15 Civica have provided a tool for actives' cases.
- 9.16 There is a problem with the DBS/RSS as the system does not hold the data which needs to be presented on the templates.
- 9.17 NH reflected that she was confused with the actual picture. HS replied by saying that all the clients are at different stages and if we do ask the software suppliers for comments, they would say they have delivered.
- 9.18 CJ informed the group that Civica raised the DBS issue with the LGA. Civica were part of the working group but did not come forward with

comments until the document had been signed off. CJ said that it is very disappointing and frustrating that they did not feedback sooner.

10. AOB and date of the next meeting

10.1 The next meeting is due on 12 September 2024 and will take place virtually via MS Teams.

10.2 No other items of AOB