



# Minutes

## Local Pension Board

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Date: 31 January 2020

Time: 12 noon

Venue: Fire and Rescue Headquarters, Birkenshaw

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Present: Councillor Peter Harrand (Scheme Manager representative – Chair), Chris Lawton (Scheme Member representative) and Councillor Angela Wenham (Scheme Manager representative)

In Attendance: Claire Johnson - Technical Adviser  
Ian Brandwood – Chief Employment Services Officer  
Andrew Bosmans – Chair of South Yorkshire Fire and Rescue Local Pension Board

Apologies: Paul Drinkwater (Scheme Member representative)

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### **17 Minutes of the last meeting**

#### **RESOLVED**

That the Minutes of the meeting held on 5 July 2019 be signed by the Chair as a correct record.

### **18 Matters arising**

None.

### **19 Urgent items**

None.

### **20 Admission of the public**

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

## **21 Declarations of interest**

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

## **22 Local Pension Board Activity report**

Members considered a report submitted by the Chief Employment Services Officer concerning performance in key areas for the period 1 June to 30 November 2019.

Members raised the following specific issues;

- the number of, and possible reasons for, opt-outs from the Firefighters' Pension Scheme process

### **RESOLVED**

That the report be noted.

## **23 Scrutiny and review**

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

- Discretions made by the Scheme Manager – used on three occasions since the date of the last meeting. The Chief Employment Services Officer provided an update on the suspension of a higher tier ill health pension as detailed in the report now submitted
- Breaches register – one additional breach to report related to failure to comply with the TPR (The Pensions Regulator) deadline related to submission of Additional Benefit Statements. Members were advised this had been due to issues related to the software used by the administrators (West Yorkshire Pension Fund)
- Pension Risk register – Members were reassured that arrangements were being put in place with a report to the Authority's Human resources Committee related to the provision of additional resources to allow for the pension appeal remedial actions to be implemented
- Compliance deadlines
- Data Improvement Plan (administered by West Yorkshire Pension Fund) – It was reported that the information related to Data Quality Scores and Errors was relevant to June 2019 and not as detailed in the report now submitted

### **RESOLVED**

- a) That the report be noted;
- b) That the issue of Additional Benefit Statements be included on the Risk Register;

- c) That the Chief Employment Services Officer formally requests assurance from the West Yorkshire Pension related to compliance with regard the future issue of Benefit Statements and the impact of new ICT software; and
- d) That West Yorkshire Pension Fund be requested to provide an explanation for the high number (80) of missing beneficiary links to pensioners

## **24 Pension Ombudsman – update**

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

- Mr I – ill health benefits
- Mr N – widow benefits
- Mr N – administration
- Mrs H - payments

### **RESOLVED**

That the report be noted.

## **25 Legislative update**

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

- Transitional protections / legal challenge – it was reported that more than 900 West Yorkshire pensioners would be affected by the Appeal Court adjudication and no formal decision had been taken with regard to who would make these additional payments. Members were provided with information on how the ruling was being communicated with those affected in West Yorkshire together with relevant information published by the Home Office
- Revised GAD factors – these had been circulated in December 2019 following a factor review

### **RESOLVED**

- a) That the report be noted; and
- b) That Members be advised of how the legal challenge implications were provided for within the West Yorkshire Fire and Rescue Authority annual accounts.

## **26 Firefighter Pensions England bulletins update**

Consideration was given to the content of bulletins 22 – 27, which had been circulated to Members upon issue by the Scheme Advisory Board (SAB).

The following issues were highlighted;

- Steps being taken in-house to identify relevant pension scheme members following publication of the Employment Tribunal ruling in the Sargeant legal case.

Members were advised that there were currently no cases with the Independent Qualified Medical Practitioner (IQMP) and that one former employee was affected who did not meet tier 1 of ill-health pension payments following an IQMP assessment under the 2015 Firefighters' Pension Scheme. 145 employees were eligible for immediate retirement and 40 individuals in West Yorkshire who would taper into the 2015 Scheme from January 2020 to January 2022 with an additional 8 transfers into the Scheme.

It was reported that 20 firefighters now eligible for immediate retirement had not been accounted for under the Authority's retirement profile. There was capacity within the system to cover these posts in the short-term and recruitment figures would be amended accordingly.

- SCAPE factors and how this would be accounted for in the 2020 – 21 financial year accounts

## **RESOLVED**

- a) That the content of Bulletins 22 – 27 be noted; and
- b) That the Scheme Manager be requested to write to West Yorkshire Pension Fund to ascertain what plans had been put in place to manage the demands of remedy made by the Employment Tribunal in the Sargeant legal case.

## **27 Scheme Advisory Board**

### **RESOLVED**

- a) That the Minutes of the Effectiveness Committee meetings held on 7 August and 14 November 2019, the Minutes of the Administration and benchmarking / cost effectiveness Committee at a meeting held on 15 August 2019 and the Minutes of the Scheme Advisory Board at meetings held on 13 June, 3 October 2019 and 9 January 2020 be noted; and
- b) That it be noted that one of the Local Pension Board's Scheme Member representatives (Chris Lawton) had been appointed to sit on the Scheme Advisory Board's Benchmarking and Effectiveness Committee.

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

Consideration was given to a report of the Chief Employment Services Officer which advised of West Yorkshire Pension Fund (WYPF) performance in key areas for the periods 1 June – 30 November 2019;

Members were advised that there had been no areas of concern during the period 1 June to 30 November 2019 but sought specific information on the following;

- Payment of spouses child benefits

## **RESOLVED**

That the performance of West Yorkshire Pension Fund in key areas 1 June to 30 November 2019 be noted.

## **29 The Pensions Regulator survey 2019 – response**

Consideration was given to a report which detailed the responses provided to the Pensions Regulator Survey 2019 following consideration and completion by the Pensions Technical Adviser (Claire Johnson), the Chief Employment Services Officer (Ian Brandwood) and the Chair of the West Yorkshire Fire and Rescue Authority's Local Pension Board (Councillor Peter Harrand).

It was reported that some Fire and Rescue Authorities had been challenged on their responses but that no such challenge had been received in West Yorkshire.

## **RESOLVED**

That the responses to The Pensions Regulator survey 2019 be noted.

## **30 Local Pension Board training - requirements**

The Chief Legal and Governance Officer submitted a report which advised of the requirement for Local Pension Board member training as confirmed by the Local Government Association which would equip them with sufficient knowledge of the respective pension schemes and associated administration procedures.

This was followed by a member training session.

## **RESOLVED**

That it be confirmed that members of the West Yorkshire Fire and Rescue Authority Local Pension Board had undertaken, or were in the process of completing, all required training to date.

## **31 Any other business**

Members raised the following concerns;

- West Yorkshire Local Pension Board succession planning
- Constitution of the Board

## **RESOLVED**

- a) That the Chief Employment Services Officer submit a request at the Authority's Annual meeting in June 2020 that consideration be given to increase the size of the Board with the addition of one Scheme Manager representative and one Scheme Member representative; and
- b) That consideration be also given by the Authority to the appointment of independent member(s) to the Board.

Chair