

Meeting of the Board 14 September 2023

Update on action summary

Introduction

1. This paper provides an update to the Board on actions taken and planned actions to progress the agreed work plan as outlined in the action summary.
2. All other actions can be considered to be carried forward.

Completed actions

3. Action 11.06.2020(6.3) for the SAB to consider legal advice provided on retrospective action relating to pensionable pay decisions has been closed. At the meeting held on 23 January 2023, the Board discussed the content of the note. The SAB's Legal Adviser updated the note following that meeting. No further comments were received on this note and consequently this was published in the May FPS bulletin. At the meeting of 8 June 2023 it was confirmed that the same principles apply where an element of pay has changed from pensionable to non-pensionable.
4. Action 23.06.2022 (8) for Board members to nominate replacement committee members for each vacant position has been completed in respect of the vacancy for the Local Pension Board Effectiveness Chair.
5. The action of 23.01.2023 (2.8.10) asks that SAB members volunteer for the Matthews Technical Working Group. This action has replaced action 24.03.22 (5.16) and has now been completed. The Chair of the Board attends each meeting along with Glyn Morgan. If there are other members of the Board who would like to attend these meetings, please contact the Secretariat.
6. The action of 23.01.2023 (3.6) for the Home Office to invite SAB members to a Matthews informal briefing session ahead of consultation has been completed. This session took place on 25.05.2023 and enabled Board members to ask any questions that they had. It also gave an opportunity to formally agree that the GAD benefit calculator could proceed.
7. Action 23.01.2023 (12.10) to add the change to revaluation rates for the Police Pension Scheme and the corresponding affect that this may have on the delivery of remedy software by software suppliers to the risk register has been completed.
8. Action of 23.01.2023 (5.13) for Helen Scargill to share the communications which WYPF has issued to their FRAs in respect of year-end data with The Pensions

Regulator (TPR) has been completed. The relevant details were sent to TPR on 20 March 2023.

9. The action of 23.01.2023 (12.2) for the SAB's Legal Adviser and the LGA to monitor Pensions Ombudsman determinations so that any key determinations relating to FPS are noted accordingly and discussed at SAB meetings, is an ongoing action which will be considered at each SAB meeting as necessary. The action has been moved to the completed action summary.
10. The action of 23.03.2023 (7.7) for GAD to confirm if the data report can be shared earlier than the June 2023 SAB meeting has been completed and the draft data report was shared with SAB members on 5 June 2023.
11. The action of 08.06.2023 (7.9) for the Secretariat to submit the SAB's response to the Matthews consultation has been completed. The response was submitted by the deadline of 9 June 2023.

Actions in progress

12. Action 04.10.2018 (5) for the LGA to establish a working group on behalf of the SAB with the purpose of considering ill-health regulations and processes, is being progressed. The original intent was to establish a group with terms of reference in line with the 2008 ill-health review group. However, the LGA has since updated the IQMP guidance originally written in 2012 and this is with the Communications Group for review. Additional process guidance has been drafted for FRAs and published. Once the IQMP guidance has been reviewed, this can be submitted to the SAB for consideration at which time a task and finish group will be established to finalise and endorse the guidance.
13. Action 11.06.2020 (6.1) for the Board to consider legal advice provided on temporary in the context of the scheme is in progress. A comparison of LGPS, Police and FPS regulations has taken place in respect of the treatment of temporary contracts to consider whether it would be appropriate to consider making a request for a legislative amendment to the FPS. The SAB Chair has written a letter to the Home Office to request details of the policy intent to progress this action accordingly and provide clarity.
14. Action 10.12.2020 (5.1)-(2) to develop a modular training programme for SAB members is being progressed. The LGA ran the first induction and refresher SAB training sessions on 22 September 2022. A duplicate session was due to take place on 10 October 2022 but did not proceed due to lack of demand. Sessions can resume once LGA vacancies have been filled later in 2023.
15. Action 30.09.2021 (5.26) relates to the procurement of videos to explain remedy. From 20 March 2023, Tara Atkins became the Firefighter Pensions Adviser, to concentrate on communications. Tara obtained three quotes through the National Framework and the successful company was Aon who have been awarded the contract. Aon has worked with the LGA and Communications Working Group to

finalise scripts for the videos and these are due to be available at the end of September 2023.

16. Action 23.06.2022 (8):

(i) Board members/ advisers to check the SAB web page and advise the Secretariat of any changes which need to be made to their details. The LGA has received some amendments which have been updated on the SAB website. Board members are asked to advise the Secretariat of any further amendments which are needed as soon as possible.

(iv) Board members to complete training needs analysis document by 28 August 2022. The LGA has received eight forms back which will help to tailor training accordingly. Board members are asked to return any remaining outstanding forms as soon as possible.

17. Action 24.03.2022 (7.20) relates to seeking information on the effect of the removal of restricted commutation for FPS 1992 Scotland. Further details were provided in the meeting of 23 January 2023. If this is to progress any further the Board will need to consider what a robust business case would look like as this would be required by the Home Office to consider this proposal.

18. The action of 23.01.2023 (3.7) for Home Office to liaise with GAD on information which will be released on the 2020 valuation and the relevant timetable for this is in progress. The Home Office provided a verbal update of forthcoming engagement sessions on the draft Directions and assumptions at the meeting of 8 June 2023. The date for the publication of valuation results has not been finalised yet.

19. The action of 23.01.2023 (6.18) LGA and NPCC to work with Iain Coltman on contingent decision processes is in progress. The LGA has emailed Iain Coltman to progress this action and plan a way to move forward. Iain is intending to create a working group for this purpose and we are currently waiting for details of this.

20. The action of 23.01.2023 (5.11) for the LGA to request a copy of the draft re-engagement policy from NFCC for SAB is in progress. The NFCC Pensions Lead, Ian Hayton, is currently redrafting the retirement and re-engagement policy and is happy to share this at a future meeting.

Actions to progress

21. The action of 23.06.2022 (6.6) for the LGA to discuss the approach to contingent decisions with FSMC to ensure consistency of application is still to progress. Now that the formal consultation has been launched, the sector has greater clarity on where there may be gaps in policy or process which will allow more constructive discussion.

22. The action of 23.01.2023 (6.11) for LGA to liaise with FRAs and LPBs to ask what information they hold on the reasons why firefighters opted out with a view to creating a mechanism for dealing with contingent decision cases which do not form part of the automatic right is to progress.
23. The action of 23.01.2023 (6.13) for SAB members to highlight scenarios for contingent decisions to the Board is an action to progress.
24. The action of 23.01.2023 (6.16) for SAB to liaise with First Actuarial or GAD to commission added years scenarios to determine the most suitable date for the added years election is outstanding. First Actuarial have provided the LGA with a quotation for this work. This action was originally on hold until final legislation was available. As the regulations have been laid, the Board are asked if this action is still required.
25. The action of 23.03.2023 (5.11) for SAB to contact local pension boards to ask if they would like a SAB member to attend their pension board and SAB to consider the setting up of regional networks for local pension boards is an item to progress.

Board actions

26. The Board is asked to consider the next steps in relation to Action 11.6.20 (6.1).
27. The Board is asked to consider the next steps in relation to Action 23.6.22 (8).
28. The Board is asked to consider if Action 23.1.23 (6.16) should now be closed.
29. The Board is asked to note the contents of this paper.

Board Secretary
September 2023