

FIRE FIGHTERS PENSION BOARD - MINUTES
NOTES of Meeting Held 9th August 2021, 13:00
MS Teams

Attendees:	
Glynn Luznyj, (GL), Chair	Glynn Dixon, (GD)
David Greensmith, (DG)	Helen Scargill, (HS)
Irina Volkova-Heath, (IVH)	Susan Wilkinson, (SW)
Minutes: Carol Golcher, (CG)	
Apologies:	
Richard Mortimer, (RM)	Richard Walsh, (RW)

1. Attendance and Apologies

Documents referred to in these notes are not appended but will be attached to the signed copy of the minutes. Copies, or specific information in them, may be available on request.

GL welcomed the group to the call, and informed the meeting that there is an issue today with our member representation. **RM/RW** are both unable to attend because they are both FBU members and National FBU have raised a concern about membership of the board which is being discussed with the Scheme Manager so we are not quorate. Recognise not fulfilling the TOR but still useful to go ahead today to ensure we are still functioning share important information and updates.

Amendment to minutes 02.09.21 - The chair was advised that Union representation were not going to be attendance, RM wished for the minutes to reflect that he would not be able to attend the meeting because it was scheduled between his night shifts.

TOR is on the agenda today, it expedites the urgency around the review and ensuring it is also open to other representative bodies because that has shown an issue with the resilience of the current membership.

GD made comment that **GL** had covered the situation and that he had received a message from **RW** and talked to him and he is clearly keen to continue to be involved however is currently in a difficult position and explained looking to resolve and address what we feel is a misunderstanding rather than anything fundamental.

2. Minutes and Actions Arising

Minutes were reviewed and taken as a true reflection of the last meeting.

The action log was reviewed and updated as follows:

ACTION 25. – Commit to do a full review of ToR in May once the new PFCC is in post. Included in the agenda for today now that we have a new commissioner in position.

Action 41: Information was shared around temp contracts actions are being undertaken and progressing. Will be reviewed again at next meeting. **SW** updated the board that she has reviewed the letter and not clear if Temp contracts cover On-call contracts or Fire Fighters that are on a temp contract under their employment status. An on-call on a whole time contract are classed as permanent. Sort advice from Shropshire and Cheshire and On-call is classed as whole time pensionable care scheme. HS advised that if on a contract they need to be in a Pension scheme as it goes on employment status. LGPS is the default if they are not entitled to Fire Fighters Pension scheme if they work for more than three months on a casual contract.

More advice and guidance is due from the Scheme advisory Board around the meaning of Temporary contracts and which scheme each should belong to.

HS confirmed the definition of temporary contracts in the 2015 Regulations states that a Regular fire fighter (casual assignments) means a person employed whether whole time and Part-time by an authority as a FF but not retained or volunteers there is another definition for those, in terms under which they are required/or may have to engage in fire fighter or without a break in continuity such employment may be request or other duties appropriate to role as fire fighter whether instead of or in addition to engaging fire Fighting and otherwise then in a temporary capacity.

HS to send definitions found in the 15 regulations put with package of information on temporary roles for when you have to make a decision.

ACTION 42: **GL** and **DG** to amend the Risk Register and present it to the next meeting. HS advised that there is not a separate risk register, agreed to log as one item to reduce complexity. Closed

3. Review of the Pension Board Terms of Reference

Terms of Reference were provided for information.

Tenure on Board – Membership Employer/Member representative not all Associations represented
Fire Officers Association to be invited

Fire Leaders Association – GL is a member

Fire Brigade Union – two representatives.

GD advised the meeting that BA is keen to progress and learn from other boards and consider every aspect from start to finish and address any/all issues are identified.

Action 43: Creation of a Task and Finish Group to revisit the Terms of Reference in a short time frame. **GD/VF** and **HS** to attend the first meeting and ask for Fire Service volunteers. To be progressed outside of this meeting to agree way forward.

4. Immediate Detriment

Immediate Detriment was discussed at an Extra Ordinary SGB on the 18th June 2021. Guidelines were agreed upon for implementation. There are twelve people in process and none of these are on Legacy Pension scheme. One just under new guidelines and **SW** has worked with **IV/HS** to use as a test case. There are still some outstanding technical issues that are being worked through which presents a challenge and some won't be possible to do. GL informed that he had good feedback from Pension members and accepting that trying to do the right thing.

5. Immediate Detriment Process

The FBU have been involved from the beginning and a good working relationship is established, they are fully aware and communications are open and working.

Only one person has currently gone through the process and two of the seven are being used as part of the pilot. This worked well and they understood what was happening throughout.

A letter will be sent to all of those members that are due to retire by March 2022 to explain and ask them to confirm/advise of their intention. When this has been received then work can commence on working out figures.

SW explained the paperwork, there is some overlap and the letter has been reviewed and simplified. There is a document to help individuals to understand what happens. SW has created a decision log of anyone due to retire with all the information/rationale so if we get challenged we have an audit trail.

GL agreed that this was good to know and really important part for assurance to the Scheme Manager if we have to go back retrospectively.

Question was asked if the letters had already been sent to the six staff members identified. **SW** advised that the letter will be sent out two-three months prior to them being eligible to retire, calculations cannot be sought from West Yorkshire until an exact date is known.

As we get closed to the March 22 deadline are there any trend with the rule 75 to retire, need to associate this with recruitment.

HS yes officers are getting in contact but mainly around a lack of understanding of the process and questions being asked around understanding the less than 55 and not 30 years Fire Regulation Position.

There is a Q&A of examples that has come from the LGA to be issued globally request for HS to share this.

Action 44: HS to share question and answer sheet and examples which explains fully the new regulations. This will be shared if anyone has questions with the caveat that it may be superseded.

HS advised that the board should be aware of the Retrospective Immediate detriment for those already retired as a transition member where their 2015 benefits are deferred as not entitled to payment. Now need to be recalculated as current members are being worked out under immediate detriment. This is being pushed by the FBU and the framework is still running behind the scenes. Court case FBU put forward, something will be shared sometime in October expectation (2 ill health and a normal retirement). Likely that the FBU will win and that will mean each case will need a spreadsheet and data to update. Currently know of 300. Will impact Payroll and internally for Comms.

GL advised that the board are aware that this would be the case and need to pull together the data.

6. Update from the Administrator

Main topics being discussed at meetings are remedy and immediate detriment. Communications meeting held on the 13th July, where there was an update on the member website. Launched in May Claire Hay had some feedback positive. Remedy collection document issued in May still waiting with WY. No issue at the moment as we need it for the 21/22 year and not be able to produce until Month 12 which is Jan 2022 so no real time pressures.

The update on the pension admin strategy was published with the July Bulletin and then the remedy communication will have one centralised and same message communicated. First thing is to get the Q&A's onto the member website and expand the transitional area of the website as every active member of the scheme will be a transferee on the 1st April 2022 and then eligibility letters for the 1st April 2022 to go to those that are fully protected and are moving into the 2015. Letter for those in scope for remedy and those that aren't in scope. Public sector schemes with a gap of 5 years will also get a letter as this is something we are not aware of. Many joined Feb 2021 and have got 6 years in a LG scheme but chose not to transfer but could put them in scope.

Technical meeting 15th July was a remedy meeting – primary legislation bill which is now out and the scope of remedy is Feb 2022 and closing the old scheme and new members from the 1st April and the retrospective remedy. 1st October 2023 is the main cut off day so formal engagement by end of 2021.

Update on Matthews, Home office confirmed they are working with a number of claimants from the FBU, LGA and fire authorities, will be agreed in the next couple of months. Extended stay of 12 -18 months for the consultation. FRA will have 18 months to complete the exercise.

WYVS – send document (Staffs version) CoVid, staffing massive recruitment two more FRA now at 21 end of July. Monthly returns received and produced. Annual Benefits statement Staffordshire's all completed. 99.4% 540 eligible and 537 have gone.

SW asked if we can share the timescales of Matthew given by HS – **HS** Yes nothing specific and FBU and HO are working together.

Irina – annual benefit statements are they on-line or posted. HS advised all online unless member opted out. Need to communicate that they are available and how to view. All registered on portal will get an email to say they are available latest on Wednesday. Those not signed up will have a paper letter through the post and where it is and how to log in to access.

HS will send a copy of the text that can be sent out, **GL** will make sure it is included in the Weekly INews.

The calculations for lifetime and allowance breaches, will be calculated manually, comms already gone out and step by step how these have been calculated, 3 weeks ago. INews and front page of staffnet. Still worth repeating.

No KPI breaches – monthly client report. Pension's dashboard the scheme advisory board submitted a response for the staff consultation and this will be linked in the last bulletin and in paper sent.

HM treasury consultation on cost control mechanism and discount rate methodology which is to do with the valuation and how. Confirmed that remedy will be included in it. Looking at change on they assess things in the process. Won't be sending anything and the Scheme advisory board will and HS will provide.

Data scores update will be sent, and explained why not at 100% and that there is no problem with Staffs Data.

7. Any Other Business

No other business presented at this meeting.

Next Meeting date: 6th October at 13:00