

FIRE FIGHTERS PENSION BOARD - MINUTES
NOTES of Meeting Held 7th July 2022 – 13:00
MS Teams

Attendees:	
Glynn Luznyj, (GL), Chair	Ralph Butler, (RB)
David Greensmith, (DG)	Lee Russell, (LR)
Irina Volkova-Heath, (IVH)	
James (Jim) Bywater, (JB)	
Minutes: Carol Golcher, (CG)	
Apologies:	
Helen Scargill, (HS)	Matt Mott, (MM)
Susan Wilkinson, (SW)	Sukhjot Kaur, (SK)

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 also advised that the minutes are made available on the internet so accessible to staff and members of the public.

2. Minutes and Actions Arising

Minutes were reviewed and taken as a true and accurate reflection of the meeting held on the 7th April 2022.

Action 41: Further discussion around temporary contracts, options being put forward to the FBU have not been agreed by them. Nothing has been agreed at this moment and staff already on temporary contracts will still be pensionable. **Ongoing.** Pick up after the meeting to firm up agreement on current and future.

Temporary contract being pensionable issue has still not been addressed and no progress has been made since the last meeting. SW and DG to meet outside of the meeting with GL to review the position and provide any advice that needs to be shared to the Scheme Manager and update to SGB-Fire. **On-going.**

07.04.22 – A number of options have been considered and a consensus for an agreed way forward hasn't been reached. There has been a change in the recruitment process which means the number of casual contracts has been reduced. A paper regarding temporary contacts and pensions will need to go to SGB, a paper on Immediate Detriment is due to be submitted to the next SGB on the 3rd May so it may be at the July SGB. HS provided her view from a Scheme Managers point of view.

Board in agreement on the need to have the scheme Manager's agreement on any change to the ID process **Ongoing - review after next SGB-Fire on 3/5/22**

07.07.22 – The number of individuals undertaking temp contracts has been reduced, there is a business need to cover for the longer/short term gaps and the option put forward to put them in LGPS scheme doesn't fit. SW working on a potential option with other FRA, make a temp adjustment so they can work for 42 hours – question however around overtime it does however address the issue. That looks like a preferred option. Did put a collective agreement to the FBU but have not accepted. **Ongoing**

Action 47: GL will pick up with FBU and other trade unions within the service to assess if further Employee representatives wish to attend the board.

07.04.22 Jim Bywater has been invited as an employee representative. The Board is quorate with three members attending and so it is effectively discharging its duties. **Ongoing.**

07.07.22 The risk register is now an agenda item. **Closed**

Action 48: DG/SW will provide a paper to go to the scheme manager on the process/actions taken with Immediate detriment on straight forward and complex cases by end of Jan.

07.04.22 **Ongoing** but discuss in agenda.

07.07.22 **Ongoing** but discuss in agenda

Action 50: GL to speak to the Scheme advisory board regarding induction and refresher training and board for Board members.

07.07.22 Still on-going and linked to risk register. We have Lee representing the employee rep and FBU and Jim as employee rep. Confirmation from FBU that they are happy they are represented. Organise induction and refresher training. Louise Clayton will now be attending instead of RBU as the Commissioners' Office representative. LGA rep comes to do a ½ day training to discuss pensions and responsibilities. **Ongoing**

ACTION 51: - **GL/DG** to speak to the Scheme Manager with **RB** and the next 2:2 (Wednesday 13/04/22) to update the commissioner on the concern and what will be proposed at the 3rd May SGB-Fire

07.07.22 The communication around the need to pause the process due to advice received from HM Government - this has been through the Strategic Governance Board and agreement reached until further clarification is received from HM Government. **Closed.**

3. Strategic Risk Register – Pensions **Pension Board Risk Register**

Each Risk was reviewed and discussed relevant with the current period.

1. High Gross Risk rating work that have been undertaken with WY around Disaster recovery reduced to 8.
2. IVH carries out extensive checks on a monthly basis and mitigated risk. Agreed to reduce to XX.
3. WY Taken on extra staff and this is a fair and true reflection of the situation.
4. Same Gross and Net risk as number 2. Last 2/3 years so the risk is reduced. Agreed to reduce the risk. This to be kept as an individual risk.

5. TOR have been updated and competencies are to be reviewed and training. GL asked this to be increased as new members to the board and are still awaiting training. Increase risk to 3x3 =9 and net to 3x2=6. JB asked for an example and GL provided an overview of the nature of the work of the boards TOR.
6. No changes and appropriate checks and balances are in place to ensure that all are correct.
7. Discussion undertaken about Police and various differences, MOU and why this is a risk. Agreed this should be increased in line with the immediate detriment of 4.3.12.
8. Agreed to keep scores as they are. Work is ongoing to do the best we can but matters are out of the service and Pension Board control. Risk to be update to show that the Scheme Manager has been updated and agreement to pause has been reached, also the are FBU may be looking to raise a legal challenge to this decision Nationally.
9. Revised case law is affecting the service. The latest addition of the Matthews' vs O'Brien and the extension of Pensions prior to 2000. IVH has already started to pull together the date. No changes to made to this Risk.
10. Checks and balances of audit in place and if this needs to remain, agreed to show due diligence and highlighted it is a risk.

GL raised that the issue of Temporary contracts has not been raised and could this be included under risk 3 under administration. To be reviewed following the work that SW is undertaking.

4. Immediate Detriment Update

DG advised the Pension board of the current position of the Scheme Manager and the history of the ID process. Following a report delivered to the SGB on the 3rd May which included the Legal and Home office advice and BA and meeting agreed that due to support being withdrawn and advised we shouldn't be carrying on with no clear guidelines on what a legitimate pension payment is due to tax/financial implications to the Fire Authority and Pension members. Also discussed that the FBU legal challenge and possible legislation changes and updated guidance from the Home office.

5. Update from Administrator

No one present from WY – question re annual benefits statements and will they be due in August. They will contain further information on ID but it will be under the current arrangements.

No other issue raised in the meeting. Increase in resourcing and performance figures.

6. Any Other Business

Question re Louise Clayton the new Chief Executive or RBU on board going forward. RBU confirmed it will be Louise who attends the meetings going forward. GL thanked RBU for his contribution.

DG advised that he had attend a PFCC Treasurers meeting and they discussed the success of FBU and British Medical council re cost cap breaches in 2016 and hadn't implemented benefits accrual rate.

Judicial review will be put in place to ensure younger members aren't footing the bill. DG will circulate the details to the board. Still awaiting the outcome of the 2020 valuation.

IVH advised that discussion regarding Matthew cases for retained fire fighters who were employed in 2000, legislation will not be in place until Oct 2023 and consideration may need to be taken to send early correspondence to members advising we are waiting on legislation as we have no further updates.

GL asked if LR was receiving copies of the monthly Pension bulletins. LR to double check and advise GL.

Meeting concluded.

Next Meeting date: 6th October 2022 at 10am.