

FIRE FIGHTERS PENSION BOARD - MINUTES
NOTES of Meeting Held 23rd August 2023
Hybrid

Attendees:	
Glynn Luznyj, (GL), Chair	Irina Volkova-Heath, (IVH)
David Greensmith, (DG)	Helen Scargill, (HS)
Lee Russell, (LR)	Louise Clayton, (LC)
James (Jim) Bywater, (JB)	Susan Wilkinson, (SW)
Minutes: Helen McKenzie (HMc)	
Apologies: None	

1. Attendance and Apologies

Attendance and apologies were noted as above.

2. Minutes and Actions Arising

Minutes were reviewed and taken as a true and accurate reflection of the meeting held on the 9th June 2023. With the exception of HS who didn't attend. She was represented by Matt Mott. Actions were updated as follows:

Action – 52 Closed

Action – 53 Closed

3. Pension Remedy Manager Update

SW gave the following update:

The Remedy data template is in progress with 50-100 records still outstanding. These are mainly casual contracts, where the same person may hold multiple pension records. This process should be complete next week.

HS and SW reviewed the files sent over to WYPF and agreed which files had been received and now under review ready to be uploaded.

GL asked how SFARS is progressing with this matter, when compared with other Services. HS indicated that SFRS was in good shape, with data submitted accordingly. GL asked if there was anything coming up that would have the potential to create future risk. SW noted that succession planning in future proofing the process needs to be planned. HS indicated that resources could create an issue. DG expressed his thanks to HS and IV-H for their support in this process and the work completed on the remedy project to date. IV-H noted that the process hasn't been assisted by the government having changed the contribution rates or the change in payroll provider during the remedy period.

GL asked if West Yorkshire have any administration issues that could impact upon data analysis. HS noted that there are two new staff appointed and there is a good Fire team.

It was stated that coping with the volume generated by remedy could be an issue were everyone to return their forms quickly on mass. This could result in some delay in processing and updating records. SW suggested that if the ID spreadsheet for the Cat 2 people was forwarded on quickly, this could help to speed up the process. HS agreed that this would be helpful as they would be looking at completing this process manually, on a case by case basis. HS will send the Cat 2 spreadsheet over to IV-H. GL noted that the remedy aspect was proving difficult as there was lots of information coming in from LGA. Interpretation of this is challenging in line with the new regulations. SW noted that the summary report should be available soon. DG indicated that the latest legislation is not easy to read now that government had laid [The Public Service Pension Schemes \(Rectification of Unlawful Discrimination\) \(Tax\) \(No.2\) Regulations 2023](#), which will come into force on 14 September 2023. GL asked SW if the casual contracts had been concluded with HR. SW noted that she has met with HR representatives and they were progressing the matter in order to address any contractual issues.

Action 55 – JB to confirm with HR if the solution has been addressed.

IH-V has got action sheets for new starters joining the scheme in July. SW indicated that they need to check how they are coming in on action slips to clarify that the trail is followed through using consistent language.

4. WYPF Monthly reports June & July

GL asked if the 3 monthly reports have been coming in from West Yorkshire. LR confirmed that these are sent out on a regular basis.

5. Fire Safety Officers

GL briefed the Board on a decision made by the Service Management Board which explored in detail how fire safety officers will be remunerated and the pensionable status of roles in this department.

6. Pension Board Risk Register

DG informed the board that the risk register has been updated to include statements for the post Remedy period. He asked if the board had any concerns regarding the current situation with pensions. GL asked if the police were in a comparable position to the FARS. He asked if there were any legal cases that would pose a risk for immediate detriment cases. A number of Employment Tribunal claims have been received in relation to the Matthews case. This is being dealt with collectively. SW noted that this has been stayed until the new legislation comes out.

HS indicated that WYPF are producing some warm-up communications from the Local Government Association (LGA). This will inform individuals of the window for when their case will be actioned. 8% interest will be paid on arrears.

There are a small number of people who retired on ill health who will be affected and need to be reviewed by an Independent Qualified Medical Practitioner (IQMP). SW highlighted that there are two cases to be addressed under scenario 1. Two names have been sent to occupational health and IQMP have been informed that these will be coming in.

7. Pension Board Training Log

GL informed the board that the Pensions AGM will be held in London on 19th & 20th September 2023. GL requested that the board be represented and SW volunteered to attend on day 2. LR was also given the opportunity to also attend.

8. Update from Administrator

HS provided the client reports for June and July. The key points were summarised. July's Client Report shows that KPIs are at 100%. Changes in web membership vary from month to month. The percentage of active members is approximately 70%. The August update provides the most recent data. KPIs relating to the processing of pension estimate certificates indicate that some are processed out of time. The WYPF actions those with intended retirement dates as a priority. The average turn around is 7 ½ days.

Warm-up letters prepared by WYPF Comms and will be sent out by WYPF and stored on the individual's members pensions record. FRAs still need to collaborate with modified members.

GL asked if the annual benefit statement process had been checked. SW indicated that this had been undertaken and there were no problems with the process. There is 1 case holding up the 100% relating to modified service and contributions under the 2015 scheme.

GL noted that there would need to be a manual calculation for individuals who breach the Annual Allowance. HS indicated that where the system locates a breach, this goes into a process. Where it looks like there is a tax charge to be paid or previous breaches have occurred, the exact amount of pay it relates to is requested, prior to the pension statement being sent out.

Where people are thinking of retiring in the next 12 months please ensure an estimate request is sent to WYPF as we are in a position to provide legacy figures.

Actual retirements after 30/09/2023 will need both legacy & reformed figures being supplied on an IC/RSS (Immediate Choice/Remediable Service Statement in accordance with the PSPJO Act 2022. LGA and NPCC have jointly procured Clay10 to produce the IC/RSS to be used by all pension administrators. HS is unsure as to when this statement will be available.

If it isn't available in time when the legislation comes in on 01/10/23 members will be 'rolled back' into their legacy scheme from that date & legacy benefits become the default option.

The Fire amendment regulations include

1. The legislation [12(8)] for both [Police](#) and [Fire](#) allows legacy benefits to be paid, without a choice if it was not **reasonably practicable** for the scheme manager to provide a remediable service statement

"M has notified the scheme manager that they intend to claim benefits under a police pension scheme in respect of their remediable police service and it was not reasonably practicable for the scheme manager to provide a remediable service statement in respect of M in accordance with [regulation 4\(2\)\(c\)\(i\)](#) before the date on which such benefits become payable, or"

This means that if the IC/RSS is unavailable WYPF will be able to pay members under the regulations in force at the point of retirement and therefore pay legacy retirement benefits (No RSS available initially will be classed as an exceptional circumstance)

Once the IC/RSS is available, these members will then be sent their choice under the legislation & can then elect their desired option.

There is nothing here that would be at the detriment of the members.

9. Any Other Business

Annual Allowance Breach process for tax year 2022-23

DG asked how the process will work when a member is notified of an allowance breach. Currently they don't have to take any action. SW explained that the allowance has to be reassessed from 2015 right through. These will be held on the system. Those that do breach will receive a pension statement that goes back to 2015. There are a number of tax years that HMRC are closing as these fall out of scope. HMRC will only consider remedy (e.g. refunds) for the current year and the previous 4 years. Everybody has the same in scope and out of scope years. HS confirmed the first year in scope would be 2018-19. GL pointed out that this puts pressure on those individuals who need to do self-assessment for tax returns. SW informed the board that timings have now been extended. HMRC is intending to produce some member guidance, informing members of when they need to make self-assessments based upon estimates or when they may not need to take further action. LC queried the time line for this information coming out, but this is yet to be determined.

CETV Transfers into the FPS

GL queried transfers into the 2015 scheme. HS explained if a member has transferred in and is active at 01/04/22 the Care pension entitlement will remain as 2015. Anyone who is retired and doesn't have the 2015 care period will be awarded a compensatory pension amount to be paid alongside 2022 pension rights. There is generally a factor that will convert the care transfer amount to the value at the age of retirement. Early retirement reduction factors are all based on the dates that they are being paid from. IV-H asked if there will be guidance and will GAD produce a calculator. HS noted that data can be dropped in in bulk and it can be added manually. The responsibility for this would be with FARS.

HS will require contribution data prior to giving this to Remedy.

Action 54 – The risk register has been covered. CLOSED

JB – HR update indicates that contracts have been updated and have gone out.

Action 55 - CLOSED

Next Meeting date: 15th November 2023 – 2pm