

Local Pension Board

Virtual meeting held on 29 March 2021

Attendees: Jon Lacey (Chair), Andy Lowe, Tara Atkins, James Diston, Jon Simpson, Giles Sparkes, Jon Weir, Paul Mace, Garry Collins, Sreya Gofford (Note Taker)

1. Apologies: Daniel Jadzevics

2. Declaration of Interests & Gifts and Hospitality

N/A

3. Urgent Matters

N/A

4. Minutes from the meeting held on 14 December 2020 and Action report

Minutes from the last meeting which was held on 14 December 2020.

5. Administration Procedures and Performance

Appendix A - Membership Numbers

TA -- TA summarised the membership of the scheme to give the Board an idea of where we are across all three schemes as we still currently stand, and we are static with regards to that.

The purpose for having that within the report was obviously to see whether we saw any dramatic changes with regards to opt outs etc.

Compliance with Scheme Regulations – This is with regards to compliance to the Scheme regulations, so this is providing an update for the Govt Actuaries Department Valuation, which the deadline was 31 December and we submitted on the 18 December. This was good as we provided this ahead of time.

The Pension Regulator’s Governance and Administration Survey - The next part which is governance of Administration Survey., a link has been provided so that the Board members can look at that if they like. But the main part that has come out for the fire in particular which the LGA have provided a document on, is with regards to the six key processes. TA has set out here what those six key processes are.

A table has been provided just to show how we meet that criteria and to show that we are in compliance with those key areas. So that when we provide a response to that survey, we did not have any issues with regards to that and response was a joint response with regards to, the chief, the Chair and Tara herself putting that together.

The next part was just with regards to an update for the consultation as people will be aware there has now been a response to the consultation that we will be going for the deferred choice underpin and that Treasury have confirmed that the implementation date will be by October 2023.

The idea of that is to allow for administrators to see, go through and do what that

need to do with regards to the software updates and those sorts of things.

Obviously, there is still a number of things outstanding which need resolving before that can happen.

Andy L from Hampshire provided some update with regards to what they have been doing in the background.

Andy L- Andy said West Sussex have been in contact with his colleagues and he believes that we are able to progress very simple. He further said any cases that got any allowance issues are on hold at the moment from a progression point of view, in terms of not take those cases forward.

He said that the team have provided Tara with the information on the process and what Hampshire team have been doing and the success that they have in place. At the moment they are not progression any detriment cases for West Sussex.

Immediate Detriment - We have not made any decision in terms of immediate detriment. We are still waiting legal advice before a decision paper can be put forward. We were in a position that we were putting forward a decision paper, but then following the ruling with regards to the section 22 appeal, that brought a different viewpoint and therefore we are still waiting for the legal advice to back up our decision before we can take that forward.

Therefore, from that perspective, we are not processing any using the immediate detriment guidance, but the idea will be that once we have that legal advice, we will obviously be putting forwards the decision as to who that will apply to. And to go through on that basis of the matrix that is provided by the LGA.

Jo W mentioned, he is aware that West Yorkshire and West Midlands Fire regulations pensions are allowing immediate danger cases and wanted to know why it is taking time at West Sussex while a number of our neighbours are now allowing immediate detriment cases to be processed. He requested a discussion on this.

Tara said she was ready to put out some communication following legal advice but the information that came through to the service then changed, which meant we had to then re seek Legal advice again

TA said, we need the legal advice in the background to allow us to act in the way, rulings are in place, but there still is not actually other than for the claimant's side of things and obviously that the newest ruling with regards to section 22 side if things has changed that position. But collaboratively we as a fire authority, with other fire authorities are seeking wider legal advice –It is to make sure that we are covering everything that we need to, because there are so many complexities to it with regards to tax and all of the other things that are still outstanding that we need to be in a legal position where we can offer this to somebody.

GS – Giles S asked if Tara is able to share what the specific legal advice is and whether we have any time scale for getting this advice back?

TA replied that she is still liaising internally with the Head of Legal, and we will need our Head of Legal's advice as to whether we wait for the wider legal advice, or we could move forward based upon what we know at this point in time.

Action: TA will go back to legal, following this board meeting – it was raised and that we seek the legal advice from the legal team as soon as possible.

Action: The Chair also said that he would be happy (with Tara's guidance) to hold an additional board before the next in June to discuss this item, should we get the legal advice back which he would hope that is the case.

Pension Regulator – This part is with regards to the Pension Regulator and their pledge to combat pension scams, as obviously the report sets out the idea of this because of the number of pension scams that have been out there, even during COVID, those sorts of things were hyped up. Documenting the process is we have in place that then almost give us a self-compliance so that we can then self-certify that we are compliant with those.

Chair asked whether we are happy that we put enough messages out to members and that understand about the pension scams that are possible and how to avoid them?

TA said that this really only arises when you are looking at transfers out of the scheme, but because of the legislation itself, it would not necessarily allow people to do it. But when someone looking to transfer out of the scheme there are a number of different way that scam can take place – that is when someone can lose their benefits, they have with the fire service.

So, what the team goes though is a process of identifying whether there is anything that looks unusual. If any correspondence has been via a third party, then the team would look to contact the individual himself, and question how they have been contacting etc.

Performance – We are still seeing that consistency of 100 % in all areas, which is great. For the fire scheme itself m we do not have high numbers of cases going through but those cases are at 100 % and because of not having high numbers of cases that has a bigger impact if one case is not completed on time. This is positive considering the challenge that have been in the pension areas in the last 12 months.

Before with regards to breach reporting but within the last quarter there have not been any reports.

Communications – Appendix C – It just shows the communications that we have sent out since the last meeting. Mainly with regards to the update for the consultation and just letting people know what the outcome was and where we are with the process. There was a reminder sent out in the newsletter and Hampshire have updated their page as well.

Member portal access- which we are now starting to see an increase. It is not as bigger increase we had in the last quarter, but part of the process that we are engaging with is with regards to moving process is online more specifically though the Member Portal. So, like the starter process, leaver process, those sorts of things are being brought online, which will obviously encourage people to log on to the forms etc online rather than in paper format.

Although the paper formats are still available for people.

Chair Jon Lacey said that there has been an increase of 1.35% – and asked what caused this increase.

Tara answered that within the last quarter we would have had things like the annual benefit statements and the pension savings statements. Those might have driven

that increase at that point in time, but also, we moved over to the new starters that the process being online as well. Within the fire service, the new starter numbers are not necessarily steady. We may have seen the increase as we were doing a new recruitment process etc, but otherwise it is about us trying to get the existing members online. Payslips for fire will become online only, as of June. The default position will be online unless they opt out of it.

Appendix D – The table that is provided there is what Hampshire has provided.

To ensure that any of those actions come out of those bulletins or captured, they may need to implement or what we as the fire service need to pick up.

The key areas are covered within the report.

Jo Weir asked whether there will be any correspondence in regard to O'Brien and how we are going to manage that as a service or a local pension moving forward, given they are going to be running another options exercise, which is going to be a significant piece of work and whether the work behind the scenes has started on that.

Tara confirmed that communications have not gone out about the O'Brien yet. She would look into sending some communications out as soon as we have something to communicate.

Scheme Advisory Board – The Advisory Board held their meeting on the 10th of December. The draft minutes are not yet available, but the link there will be made available.

Scheme Year Cycle – This covers the deadline for the voluntary scheme pays, that any payments that will be due by 31st January have been paid and then the data preparations for the year end so the Annual returns template was sent out to our payroll team in February and the deadline for return for that is 30 April and they are on track for meeting the deadline. Therefore, in regard to Scheme Year Cycle, we are where we need to be.

We are currently liaising with Hampshire to start reporting on that to the Board.

6. Confidential Items for discussion

Jo Weir asked Tara about a health case that he did some time ago, which is a result of legal rulings. He said it got reassessed under the 92 Scheme. Jo asked has this case now been remedied and the higher tier element being paid to this individual? or has this not been resolved yet?

Tara mentioned this is still ongoing and would pick this up with Jo offline.

Action: Tara and Jo agreed to take this conversation offline.

7. Training Schedule Review

The schedule tells what training people have actually been on. So, the idea is that we are reviewing that as part of the meeting. Chair suggested that we will review the training schedule at the next meeting, also said that he hoped that everyone has returned their completed training schedule.

Action: Sreya to update the training schedule.

8. Date of Next Meeting

The next meeting of the Board will be held virtually at 11.30 am on Monday, 28 June 2021.