



## LOCAL FIREFIGHTER PENSION BOARD

to be held on  
**Thursday 24 October**  
**at 1400 hrs**

Willow Room, Headquarters

## AGENDA

### PART 1 (OPEN TO PUBLIC)

- 1 Declarations of Potential Conflicts of Interest (see note 1)
- 2 Apologies for absence
- 3 Confirmation of Notes and adopting recommendations of Informal Meeting 25 June 2019
- 4 Confirmation of Minutes 13 March 2019
- 5 Current Issues
- 6 Risk Register
- 7 Report from Pension Administrators
- 8 Review of Conflict of Interest Policy
- 9 Review of Training Policy
- 10 Firefighter Pension Scheme Bulletin
- 11 Any Other Business

### PART 2 (CLOSED TO PUBLIC)

- 1 Pension Administration
- 2 Training
- 3 Any Other Business

Date of next meeting      1330   6 December 2019  
   1400   9 March 2020

### Notes

- 1 LFPB members will need to have read the Conflicts of Interest Policy before the meeting and considered whether or not they have any potential conflicts of interest. If they believe that there may be a potential conflict of interest, members must contact Becky Smeathers [becky.smeathers@notts-fire.gov.uk](mailto:becky.smeathers@notts-fire.gov.uk) prior to the day of the meeting to discuss.

Invited

Attendees:

#### LFPB Members

Employer Reps:      Craig Parkin (DCFO)  
                                 Cllr Sybil Fielding  
                                 Cllr Toby Neal (sub)

Employee Reps:      Mark Stilwell (FBU)  
                                 Bryn Coleman  
                                 Stephen Tucker (sub)

#### Other Attendees

Scheme Manager      Becky Smeathers

HR Adviser              Nick Linthwaite  
Scheme Administrator    Ian Howe  
Asst. Scheme Admin      Elena Johnston



## **Notes of Inquorate Meeting**

### **Local Firefighters Pension Board**

**Tuesday, 25 June 2019 at 2pm**  
**Rowan Room, HQ**

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**Attendees:**

**Board Members:**

DCFO Craig Parkin – Employer Representative (CP)  
Mark Stilwell (FBU) –Employee Representative (MS)  
Cllr Toby Neal – Substitute Employer Representative (FP-H)

**Board Advisers**

Becky Smeathers – Scheme Manager (BS)  
Elena Johnston – Assistant Scheme Administrator (EJ)  
Nick Linthwaite – HR Adviser (NL)

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
1	<b>Declarations of Potential Conflicts of Interest</b>			
	BS sent out the potential conflict of interest form. <b>Action: All to return completed form to BS</b>	<b>All to return completed form to BS</b>	<b>All</b>	

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
2	<b>Apologies for absence</b>			
	Dean Gillen (FBU) – Employee Representative (DG) Ian Howe – Scheme Administrator (IH) Cllr Sybil Fielding – Employer Representative (SF) Andrew Kelly – Employee Representative (AK)			
3	<b>Minutes of the last meeting</b>			
	<p><u>Presentation on 2016 Valuation Results</u></p> <p>It has been agreed by Derbyshire, Nottinghamshire and Leicestershire Fire Services that future year projections should be included in the annual benefit statements but should be accompanied with a note to say that they may be subject to change is current legislation is amended. Similarly, it had been agreed that all information should be included in the member online portal but users would be required to confirm that they were aware or areas where calculations may be subject to change or subject to tax.</p> <p><u>Current Issues</u></p> <p>There has been no progress to date regarding the 27 cases being dealt with by HMRC.</p> <p><u>Risk Register</u></p> <p>BS met with auditors regarding cyber security and it will be picked up as part of the data audit being undertaken by Leicestershire Internal Audit team on behalf of the 3 authorities (Derbyshire, Leicestershire and Nottinghamshire).</p>			
4	<b>Internal Audit Report – Pension Governance Audit</b>			

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
	An internal audit of the governance of the pension scheme was undertaken in March 2019 which judged the governance arrangements to provide substantial assurance. Areas for recommendation are to be found on page 6 of the report. The report will go to Policy and Strategy in July to reflect the recommendations. Contract management meetings will be picked up in regional meetings and will feed into the Joint Pension Board.			
<b>5</b>	<b>Amended Annual Report for Policy and Strategy Committee</b>			
	2.18 – The report had previously been considered at the meeting on 13 March 2019. However, the Policy and Strategy meeting due to be held on 5 April 2019 was cancelled so the report will now be considered at the meeting on 12 July 2019. Since March the internal governance arrangement audit had been undertaken and the recommendations of this audit have been actioned - this included some amendments to the Policy and Strategy report which has been amended accordingly. This included additional information on the role of Scheme Manager and inclusion of the internal audit report.			
<b>6</b>	<b>Review of Pensions Regulator Survey</b>			
	The key points that came out were regarding cyber security issues, the number of pension board meetings being held per year – the regulator advised it should be four – the board may consider moving to four meetings per year when the move takes place to Joint Pension Board. There is confidence in the Pension Administrators and BS did not currently see a requirement for four meetings per year.			

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
7	<b>Risk Register</b>			
	<p>The request for the approval for the creation of the Joint Pension Board has been sent to the Home Office and BS is awaiting information from them. The question was asked whether to hear confirmation from the Home Office or start doing some of the required work in readiness for the move? – all agreed to gather board members from the three current boards together to commence work, with the possibility of including a member from LGA – this could take place at a forthcoming workshop at LFRS.</p> <p>Exit payments have a cap of £95k in the public sector which includes the pension strain. LGA have added an exemption to the FF Pension Scheme. BS has added this to the risk register should there be any changes. Part of the legislation will require changing as currently it contradicts itself.</p> <p>The High Court has made a judgement of specific allowances deemed as pensionable (specific to Mid and West Wales FRS but requires consideration). BS / NL have met and are undertaking an exercise to review current Additional Responsibility Allowances for NFRS. LGA are holding a workshop in July and all are welcome to attend.</p>			
8	<b>Current Issues</b>			
	<p>The member self-service portal is being developed and is in the final stages, testing is currently taking place. It should go live this year. It is hoped that monthly data should be available by the end of the year so that up to date information is available to members.</p> <p>The ABS paper copies will go out in August along with information on member self-service. There are issues with the online ABS available on the portal as they are not being correctly calculated in all cases. The online ABS function will therefore not be available until the issues</p>			

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
	<p>are resolved.</p> <p>2.13 – 2.15 – The outcome of the Government’s request to appeal against the transitional protection Employment Tribunal outcome is still being awaited.</p> <p>2.19 – 2.20 – LFRS organised a regional pension roadshow but only had 18 attendees. It was informed at a regional meeting that roadshows will be available on the internet going forward. It was also discussed whether roadshows should be in a different format – all agreed this would be beneficial.</p>			
<b>9</b>	<b>Member Self Service Presentation</b>			
	Postponed.			
<b>10</b>	<b>Report from Pension Administrators</b>			
	<p>The ABS is currently being worked on, some testing has been completed which showed up some errors. The Annual Allowance taxation statements have beeg started. The ABS will be sent out by the end of August and the annual allowance by 6 October.</p> <p>Following the last board an amendment order has gone out to remove the limits of civil partnership where the membership is prior to 1988, this is in line with other schemes. The LGA issued an example of information that could go out and sent it to the Fire Authority’s.</p> <p>System updates were discussed regarding the member self-service and its full features and projections for the future. EJ can show the presentation of this at future meetings if required.</p>			
<b>11</b>	<b>Firefighter Pension Scheme Bulletin</b>			

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
	BS attended training for the pension board members where it was suggested that the bulletin is shown at meetings for members to scrutinise and ask questions – item to be brought forward to next meeting.			
<b>12</b>	<b>Any Other Business</b>			
	<b>None.</b>			

#### Pension Board Meeting Actions (as at 25 June 2019)

	SMF Discussion Date	Subject	Commentary	Due Date	By Whom	Comp	Over due	Comment
23	14/03/2018	Link to Administrators page	A link to the Pension Administrator's page to be added to MyNet so that the form can be accessed easily. EJ to send a copy to NL.		EJ/NL	<b>25/06/2019</b>		
31	13/03/2019	Presentation on 2016 Valuation Results	BS to discuss with other scheme managers to establish their viewpoints and feedback the consensus to EJ		BS	<b>25/06/2019</b>		
32	13/03/2019	Current Issues	BS to remove 2.1 for the next report		BS	<b>25/06/2019</b>		
33	13/03/2019	Current Issues	BS to keep Board informed of the 27 cases		BS			
34	13/03/2019	Risk Register	BS to bring the audit findings to the next board meeting	Next Board Meeting	BS	<b>25/06/2019</b>		
35	13/03/2019	Risk Register	EJ will check on cyber security		EJ	<b>25/06/2</b>		

	<b>SMF Discussion Date</b>	<b>Subject</b>	<b>Commentary</b>	<b>Due Date</b>	<b>By Whom</b>	<b>Comp</b>	<b>Over due</b>	<b>Comment</b>
						<b>019</b>		
36	13/03/2019	Annual Report	Any comments on the report to be fedback to BS		All	<b>25/06/2019</b>		
37	25/06/2019	Declarations of Potential Conflicts of Interest	All to return completed declaration of potential conflicts of interest form to BS		All			



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## Local Firefighters Pension Board

Wednesday 13 March 2019 at 2pm

Oak Room, HQ

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### Attendees:

#### Board Members:

DCFO Craig Parkin – Employer Representative (CP)  
Andrew Kelly – Employee Representative (AK)  
Mark Stilwell (FBU) – Employee Representative (MS)  
Cllr Francis Purdue-Horan – Substitute Employer Representative (FP-H)

#### Board Advisers

Becky Smeathers – Scheme Manager (BS)  
Elena Johnston – Assistant Scheme Administrator (EJ)  
Nick Linthwaite – HR Adviser (NL)

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
1	<b>Declarations of Potential Conflicts of Interest</b>			
	None submitted.			
2	<b>Apologies for absence</b>			

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
	Dean Gillen (FBU) – Employee Representative (DG) Ian Howe – Scheme Administrator (IH) Cllr Sybil Fielding – Employer Representative (SF)			
<b>3</b>	<b>Minutes of the meeting on 12 October 2018 and Matters Arising</b>			
	<u>Joint Pension Board</u>  BS has the submission ready to be signed by SF. It has been agreed by three FRS's and has gone through the scheme advisory board who have checked it.			
<b>4</b>	<b>Presentation on 2016 Valuation Results</b>			
	<p>BS did a presentation and discussed recent scheme news regarding valuation of the pension scheme. The average rate of employer contributions has increased is to increase from 24% to 30.2%. The Home Office issued a £2m section 31 grant to cover 90% of costs. NFRS included £200k to cover remaining costs. However, the individual scheme rates have now been released and total additional costs are just below £2.6m. All Fire Authorities are similarly affected – the Fire Finance Network are working with the Home Office to request additional grant to cover the shortfall.</p> <p>In addition, the scheme valuation has breached the cost cap which had resulted in anticipated increases to the accrual rate. These changes have been paused pending the outcome of the transitional protections court case where the Government have sought approval to appeal to the Supreme Court.</p> <p>A way forward for transitional provisions is being sought with compensation payments to those affected being considered.</p>			

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
	<p>A discussion took place regarding those that transitioned and compensation costs.</p> <p>The outcome of the breach and court case will impact on pension projections which are normally included in the Annual Benefit Statements (ABS) that are due to go out in August. A discussion took place regarding whether projections should be included or not given the likelihood of changes to the scheme which would make these projections incorrect. The administration team had proposed that forward projections could be left of the ABS as this information will be available on the Members Self Service Portal which is due to go live in the new financial year, albeit with strict caveats regarding future likelihood of changes to benefits should scheme rules change.</p> <p>The views of the Board were that:</p> <ul style="list-style-type: none"> <li>• The ABS should reflect any information available on the MSS portal so long as the information had the same caveats clearly visible;</li> <li>• The ABS should reflect current pension rules;</li> <li>• Members valued this information and the service has a duty to provide information;</li> <li>• Changes in the pension scheme were always possible but we have provided this information in the past;</li> <li>• The situation may not be resolved within a year and we could be looking at a second year without providing this information if the decision was made not to provide it.</li> </ul> <p>EJ stated that other authorities are concerned that they may be legally challenged if changes do occur. BS stated that DFRS and LFRS are keen that the statement goes out without any projections on – this will be going to the DFRS board for a final decision and LFRS has decided not to project. There is a possibility that without projections this would create more queries.</p> <p><b>Action: BS to discuss with other scheme managers to establish their viewpoints and feedback the consensus to EJ</b></p>	<p><b>BS to discuss with other scheme managers to establish their viewpoints and feedback the consensus to EJ</b></p>	<p><b>BS</b></p>	

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
<b>5</b>	<b>Current Issues</b>			
	<p>BS discussed the report on Current Issues.</p> <p>Section 2.1 – This is unlikely to be changed in the future.</p> <p><b>Action: BS to remove 2.1 for the next report</b></p> <p>Section 2.9 – Should have been completed by the end of December. HMRC are still dealing with queries regarding 27 cases.</p> <p><b>Action: BS to keep Board informed of the above</b></p> <p>Section 2.19 – LFRS have arranged the roadshow for 27 March 2019 – information is available on the intranet. There were very few numbers attending the roadshow in 2018. A review will take place after the forthcoming one. Consideration will be given to holding one at NFRS and timings of the roadshow will be reviewed.</p>	<p><b>BS to remove 2.1 for the next report</b> Part time workers prevention less favourable treatment compensation</p> <p><b>BS to keep Board informed of the above</b></p>	<p><b>BS</b></p> <p><b>BS</b></p>	
<b>6</b>	<b>Report from Pension Administrators</b>			
	<p>Quarterly returns have been submitted.</p> <p>There have been changes in regulations for the 1992 scheme, following a court case – civil partnerships didn't get benefits however this has now been included.</p> <p>There was an amendment of wording of split pensions.</p> <p>System updates have progressed with pension / payroll – they are all paid on one system now – the member self-service can now be viewed. The next phase is to do the missed phase for local government pensions.</p> <p>Awaiting feedback on member self-service.</p> <p>EJ discussed key performance indicators – details of estimates were</p>			

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
	<p>provided.            There have been no charges for estimates.            Communications will go out to staff once the system has been tested – estimated to be April / May 2019.            The goal for the online service is that it its relevant details / information is updated in a timely manner to ensure accuracy.</p>			
<b>7</b>	<b>Risk Register</b>			
	<p>Section 2.1 – An audit is being produced on the three services and has been prioritised for quarter one in 2019 – 20.            Governance audit – NFRS has gone ahead and completed the audit.            BS anticipates no major findings.</p> <p><b>Action: BS to bring the audit findings to the next board meeting</b></p> <p>Section 2.9 – Added to the risk register to ensure all are aware.</p> <p>CP questioned the impact of Brexit and Cyber secure.</p> <p><b>Action: EJ will check on cyber security</b></p>	<p><b>BS to bring the audit findings to the next board meeting</b></p> <p><b>EJ will check on cyber security</b></p>	<p><b>BS</b></p> <p><b>EJ</b></p>	
<b>8</b>	<b>Annual Report</b>			
	<p>Each year the report goes back through the Policy and Resources Committee.            The scheme advisory asked if they could use NFRS's report as a template.            BS updated the committee on current business to give them the opportunity to ask questions.</p> <p><b>Action: Any comments on the report to be feedback to BS</b></p>	<p><b>Any comments on the report to be feedback to BS</b></p>	<p><b>All</b></p>	

Agenda Item	Commentary	Outcome	Decision log. Action . . .	
			By Whom	By When
9	<b>Any Other Business</b>			
	<p><u>Constitution</u></p> <p>MS asked whether the constitution was agreed for the Joint Board. BS confirmed that these discussions would take place when the submission has been approved by the Secretary of State.</p> <p>The Scheme Advisory Board had made some suggestions for minor changes to the Joint Board submission – the main one of these was that the letter be signed by the Chairs of each Fire Authority.</p>			

#### Pension Board Meeting Actions (as at 14 September 2016)

	SMF Discussion Date	Subject	Commentary	Due Date	By Whom	Comp	Over due	Comment
23	14/03/2018	Link to Administrators page	A link to the Pension Administrator's page to be added to MyNet so that the form can be accessed easily. EJ to send a copy to NL.		EJ/NL			
31	13/03/2019	Presentation on 2016 Valuation Results	BS to discuss with other scheme managers to establish their viewpoints and feedback the consensus to EJ		BS			
32	13/03/2019	Current Issues	BS to remove 2.1 for the next report		BS			
33	13/03/2019	Current Issues	BS to keep Board informed of the 27 cases		BS			
34	13/03/2019	Risk Register	BS to bring the audit findings to the next board meeting	Next Board Meeting	BS			

	<b>SMF Discussion Date</b>	<b>Subject</b>	<b>Commentary</b>	<b>Due Date</b>	<b>By Whom</b>	<b>Comp</b>	<b>Over due</b>	<b>Comment</b>
35	13/03/2019	Risk Register	EJ will check on cyber security		EJ			
36	13/03/2019	Annual Report	Any comments on the report to be feedback to BS		All			



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**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

Local Firefighter Pension Board

# **CURRENT PENSIONS ISSUES**

Report of the Scheme Manager

**Agenda Item No:** 5

**Date:** 24 October 2019

**Purpose of Report:**

To update Board members on current and recent pension issues affecting the Nottinghamshire firefighter schemes.

**Recommendations:**

That Board members note the content of this report.

## **CONTACT OFFICER**

**Name :** Becky Smeathers, Scheme Manager

**Tel :** 0115 967 0880

**Email :** [becky.smeathers@notts-fire.gov.uk](mailto:becky.smeathers@notts-fire.gov.uk)

## **1. BACKGROUND**

- 1.1 The Local Firefighter Pension Board is responsible for assisting the Scheme Manager in ensuring the effective governance and administration of the firefighter pension schemes. In order to fulfil this responsibility, it is important that Board members are aware of significant pension issues and can be assured that these issues are being dealt with.
- 1.2 Pensions have grown in significance over past few years. Nationally the Hutton review brought about changes to public service pensions and the introduction of a new firefighter scheme (FFPS 2015). Legal challenges have resulted in redress for some employees with retrospective membership allowed, as well as compensation payments. The outcome of the McCloud case is likely to add further complexities.
- 1.3 The purpose of this report is to inform members of the Board of all current and recent pensions issues which are being or have been dealt with, and the implications of these issues. This report is an update on the report of the same title presented to the Board in June 2019.

## **2. REPORT**

### **Pension Scheme Administration**

- 2.1 The Leicestershire County Council Pension Manager has terminated the pensions administration function for Nottinghamshire, Leicestershire and Derbyshire Fire Authorities with effect from the 31 March 2020. This is due to the increasing complexity in this area of work as a result of the introduction of the Career Average Revalued Earnings scheme, which is now compounded by the recent McCloud Supreme court judgment on age discrimination.
- 2.2 The Pension Scheme Managers for the three Authorities are continuing to work collaboratively to appoint new administrators. An update report will be taken to Policy and Strategy Committee on 8 November 2019.

### **East Midlands Joint Pension Board**

- 2.3 The request for approval by the Secretary of State to set up an East Midlands Joint Pension Board consisting of Nottinghamshire, Leicestershire and Derbyshire Fire Authorities was submitted in June 2019. There has been some delay at the Home Office in dealing with the request due to the summer recess, Brexit and the delayed spending review.
- 2.4 The required change in administrators (see sections 2.1 -2.2) now means that the request will need to be re-submitted once new administrators are appointed. Whilst the delay is disappointing, it does provide the opportunity

to demonstrate how effectively the three Fire Authorities are working together to address the required change in administrators.

### **Transitional Protection for FFPS 2015 Claims - McCloud**

- 2.5 The FBU raised an employment tribunal claim against Fire Authorities claiming that the transitional protection arrangements in the FFPS 2015 were discriminatory on the grounds of age, race and gender.
- 2.6 The case was heard early in 2017 and the finding of the court was that the transitional protections related to the 2015 Firefighters' Pension Scheme were 'objectively justified' and therefore did not amount to unlawful discrimination. The FBU appealed against this ruling and won their appeal. The Government then appealed, but lost and the Supreme Court have refused permission to further appeal this decision.
- 2.7 The case has now been referred back to the Employment Tribunal to determine the remedy. The form that this will take is still uncertain and the hearing is expected to last up to a year. It may then require further legislation to go through Parliament which would cause further delays. Until the remedy has been determined, current legislation remains in place.

### **Firefighters Pension Scheme Valuations**

- 2.8 The firefighter pension schemes are subject to an actuarial valuation every four years. The valuation is carried out by the Government Actuary Department (GAD) with the purpose being to assess the total future liabilities of the schemes as at the valuation date. The results of the 2016 valuation were announced in the Autumn 2018 following several delays.
- 2.9 The regulations for the 2015 scheme include provision that if the cost of the scheme changes by 2% or more then corrective action needs to be taken to bring costs back in line. The valuation fell below the 2% cap and as a result, changes to employee contributions or benefit accruals were initially proposed. However, any changes have been suspended by the Government pending the outcome of the McCloud remedy (see section 2.5 -2.7).
- 2.10 The 31 March 2020 valuation is now due and this is expected to be further complicated by the McCloud judgement. The valuation is still due to commence, but the results may be delayed as a consequence.

### **Impact of Reduced in Discount Rates**

- 2.11 The Treasury reduced the discount rate used to calculate present values of future pension contributions from 3% to 2.4% at the back end of 2018. This substantially increased the future cost of the pension scheme and, as a consequence, the 2019/20 employer superannuation rates were increased substantially as detailed in the table below.

<b>Scheme</b>	<b>Old Rate</b>	<b>New Rate</b>
1992 Scheme	21.7%	37.5%
2006 Scheme	11.9%	27.4%
2015 Scheme	14.3%	28.8%

- 2.12 The 2019/20 additional cost to the Authority of these increase is £2.58m, with £2.34m of this being covered by a grant from the Home Office. A flat level of grant is expected for 2020/21 but funding beyond this is still unclear.

### **Annual Benefits Statements**

- 2.13 The production of an Annual Benefits Statement (ABS) for every pension scheme member is required by the statutory deadline of 31 August following the end of the financial year. It is a breach of legislation reportable to the Pensions Regulator if this deadline is not met. The ABS deadline has been met for all members for the 2018/19 and 2017/18 financial years. Taxation statements were also issued by the deadline of 6 October.
- 2.14 This is a key area of service provision which will need to be closely monitored for 2019/20 when the responsibility will fall to the new pension administrators.

### **Checking and Reconciliation of HMRC Pension Records**

- 2.15 The State Pension has been reformed, with a new single tier State Pension which came into force on 6 April 2016. The old system had become very complex with the “State Earnings Related Pension Scheme (SERPS)”, the “State Second Pension” and the “Additional Pension” as well as the basic State Pension. The new State Pension removes these complexities and consists of one flat rate pension.
- 2.16 As reported to the Board in previous meetings, a national guaranteed minimum pension (GMP) reconciliation exercise has now started, which involves all occupational pension schemes. Her Majesty’s Revenue and Customs (HMRC) is sharing its pension records with pension administrators and asking them to check this data for individuals against their records and investigate and resolve any discrepancies.
- 2.17 As a direct result of this reconciliation exercise, the Pension Administrator has identified 9 cases of small errors. All of these have been previously reported to the Board. To date 543 records have been reviewed and there are outstanding queries on 27 of these.
- 2.18 The government’s deadline for completion of the whole exercise was December 2018. This has clearly been missed but HMRC staff are working hard to turn queries around as quickly as possible and the Pension Administration team has a dedicated member of the team to work on this

issue. This will need to be monitored if these cases are not resolved at the time then new administrators take over.

### **Taxation of Ill Health Pensions**

- 2.19 In March 2017, the Pension Administrator informed the Scheme Manager that ill health pensions awarded to Retained Duty System employees on the grounds of injury should not be taxed at source. This followed a communication from the LGA's national fire pension technical adviser on the matter. Ordinarily ill health pensions are taxable, but there is a tax regulation which provides an exemption in these few cases.
- 2.20 For Nottinghamshire, 8 cases have been identified, the individuals' pensions were corrected from April 2017. The LGA issued guidance around this issue in September 2017, which indicated that only 4 years may be claimed back from HMRC. This has been claimed back by the Authority on behalf of members and has been refunded to members accordingly. Any years going further back would be a cost to Fire Authorities although there remains some confusion regarding when the additional liability first started and this is making the matter difficult to resolve since the LGA have been unable to negotiate a common position.

### **Communications with Scheme Members**

- 2.21 The detail within this report indicates that the area of fire pensions remains high profile, with a great deal of work currently in progress. In addition to the issues outlined above there are also some potentially significant taxation issues for individual members arising from their fire pension scheme membership. Whilst it is outside of the remit of Officers of the Authority to provide advice on personal taxation issues to pension scheme members, the Pension Ombudsman has made it clear that employers are expected to provide sufficient information to members on such issues to enable members to make their own decisions on matters which affect their personal finances.
- 2.2 A regional pension roadshow was organised by Leicestershire Fire Service on 27 March 2019. Employees of all 3 regional Fire Services were invited to attend, although the offer was only taken up by 18 members of staff (3 from Nottinghamshire). Whilst this is a disappointing turnout, it did provide the opportunity for the roadshow to be filmed and made available to staff via the intranet. This will make it more widely accessible.
- 2.23 The next regional roadshow was due to be organised by Nottinghamshire Fire and Rescue Service. Given the low turnout, consideration is now being given to providing information sessions using technology, such as interactive question and answer sessions or e-learning type packages. This will be reviewed with the new pension administrators, once appointed.

## **Independent Disputes Resolution Procedure (IDRP) Cases**

2.24 There have been no new IDRP cases during this financial year to date.

## **Pension Discretions**

2.25 There have been two pension discretions in the financial year to date.

2.26 The first related to a firefighter wishing to transfer in a private pension beyond the one year time limit. The request was only marginally outside of the one year time limit and was within one year of a reminder letter being sent, and for this reason the discretion was granted.

2.27 The second related to a decision not to abate a pension following a change to a role on a temporary basis. The decision was made as it was not a material substantive change to the role.

## **Significant Breaches Reported to the Pensions Regulator**

2.28 There have been no breaches identified in this financial year to date. The Breaches Register is attached at Appendix 1.

## **Returns / Surveys Completed**

2.29 The TPR Annual Pension Return is due for all the Firefighter Pension Schemes by 19 November. Failure to submit the returns on time is a breach of pension legislation. The returns provide basic information regarding Pension Board make up and number of members within the scheme. All returns have been submitted by the Scheme Manager.

## **Training / Events**

2.30 The Scheme Manager has attended the following pension related events since the last Pension Board meeting:

<b>Event</b>	<b>Date</b>
LGA Pensionable Pay Workshop	18 July 2019
Scheme Advisory Board Effectiveness Committee	7 August 2019
LGA Pensions Conference	25 September 2019
Fire Finance Conference	10 October 2019

2.31 Forthcoming events that would be of interest to Board Members are:

<b>Event</b>	<b>Date</b>
Pension Tax Seminar	12 November 2019
Firefighters' pension scheme AGM / Conference	22/23 September 2020

### **3. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report. Any financial implications for the Authority will be reported to the Finance and Resources Committee.

### **4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS**

There are human resources implications arising directly from this report, in that pension matters affect most employees. HR department staff are fully involved in pension issues to ensure that human resources implications are taken into account.

### **5. EQUALITY IMPACT ASSESSMENT**

An equality impact assessment has not been carried out as this is not a new policy.

### **6. CRIME AND DISORDER IMPLICATIONS**

There are no crime and disorder implications arising from this report.

### **7. LEGAL IMPLICATIONS**

The Public Service Pensions Act 2013 introduced a framework for the governance and administration of public service pension schemes. This report aims to fulfil the requirement for Pension Board members to assist the Scheme Manager in ensuring that effective administration arrangements are in place.

### **8. RISK MANAGEMENT IMPLICATIONS**

There are a number of risks relating to the firefighter pension schemes, and these have been presented to the Board in the form of a risk register. The Scheme Manager is responsible for ensuring that the risks identified are appropriately managed. All of the issues outlined in this report are being, or have been dealt with by close co-operation between the pension administration team and Officers.

### **9. RECOMMENDATIONS**

That Board members note the content of this report.



**10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)**

None.

**BECKY SMEATHERS  
SCHEME MANAGER**



## NFRS Register of Fire Fighter Pension Fund Breaches

Number	Date	Brief Description	Red / Amber / Green Assessment	Officer Responsible for Assessment	Outcome	Date Reported to TPR
001	31/8/16	Failure to meet ABS deadline – all employees due to system failure	Red	Head of Finance / Scheme Manager	Breach	31 August 16
002	31/8/17	Failure to meet ABS deadline – 5 employees in transition	Green	Scheme Administrator	No Breach	N/A
003						
004						
005						

Last updated: 18 June 2019

Updated by: Becky Smeathers, Scheme Manager

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**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

Local Firefighter Pension Board

# **FIREFIGHTER'S PENSION RISK REGISTER**

Report of the Scheme Manager

**Agenda Item No:** 6

**Date:** 24 October 2019

**Purpose of Report:**

To update Board members on current status of the Risk Register.

**Recommendations:**

That Board members note the latest Risk Register attached at Appendix 1.

## **CONTACT OFFICER**

**Name :** Becky Smeathers, Scheme Manager

**Tel :** 0115 967 0880

**Email :** [becky.smeathers@notts-fire.gov.uk](mailto:becky.smeathers@notts-fire.gov.uk)

## 1. BACKGROUND

- 1.1 The Pension Regulator recommends that the pension scheme manager must establish and operate adequate internal controls that enable them to manage the risks that relate to the scheme. The scheme should also have a process to identify, evaluate and manage risks on an ongoing basis.
- 1.2 The Pension Risk Register is a key document to identify areas of risk, identifying appropriate actions to mitigate this risk and to manage the process. The document is a live document, continually being updated and reviewed.

## 2. REPORT

### Developments since last meeting

- 2.1 The current risk register is attached at Appendix 1. Changes and updates to the risks are highlighted in grey on the risk register.
- 2.2 The risks which score Very High on the Risk Matrix at the end of Appendix 1 are identified below:

Risk Number	Risk	Comments
1	Transfer to new administration provider	This is a new risk added to the register following the notice to withdraw services received from the current providers. Work is underway to seek new administration providers and the risk factor should reduce as this is progressed.
2	Member data and records incomplete or inaccurate.	This has been reviewed and the risk level increased until all data is transferred to the new administration provider and accuracy of data can be assured. The data audit that had been due to commence in November has been cancelled and will be re-procured once new administrators are in place.
3	Administration process failure/ maladministration	Again, this risk level has been increased pending the appointment of new administrators and will be reviewed once proper arrangements are in place and are felt to adequately address the risks.
8	Four Yearly Pension Scheme Valuation – Risk	This follows the increase in employer contribution costs caused by the changes in the discount rates. The date of the next

	of increased contributions and affordability.	valuation is 31 March 2020. This could have a major impact on costs as it will need to reflect the McCloud judgement. For this reason, it may be some time before the results and likely impact are known.
9	Failure to interpret rules or legislation correctly.	This risk has been left in the “very high risk” category until the new administrators are appointed and the risk is felt to be adequately addressed.
15	McCloud Transitional Protection Arrangements discrimination case.	In addition to the potential additional cost which will be reflected in the pension scheme valuation (Risk 8), there could be considerable work to be undertaken to unpick current arrangements and implement the remedy put in place by the Employment Tribunal. This will have an impact on both internal staff and the administrators of the scheme. Additional costs may be incurred.
16	Communications with Members may not meet statutory requirements.	This has been left in the “very high risk” category until the new administrators are appointed as they undertake the majority of communications with members.
17	Failure to interpret rules or legislation correctly.	This continues to be a high risk area given the complexity of the Firefighters’ Pension Scheme rules and regulations.

2.3 Other significant changes to risk are identified in the following paragraphs.

**2.4 Risk 4 - Termination of Contract with Administrators**

A new risk has been added to reflect the risk of future administrators withdrawing from the market and terminating their contract with the Service.

**Risk 26 – Pensionable Allowances**

2.5 The High Court made a judgement on the Booth vs Mid and West Wales case which considered whether some specific allowances should be pensionable or not. The ruling was specific to this case and similar allowances may still be treated differently in other services where minor differences in the contract may impact on whether the allowance is pensionable or not.

2.6 The Local Government Association (LGA) advised Fire and Rescue Authorities to review all contracts and allowances in place following the judgement. All NFRS allowances have now been reviewed as part of an

internal review process. All were judged to be correctly treated and no further action is being taken.

**2.7 Risk 18 - Training and understanding of members of the pension board  
Risk 27 - Potential conflict of interest for members of Pension Board.**  
Revised Training and Conflict of Interest Policies are included on the agenda for this meeting. These will assist with risk management in these areas.

**2.8 General**  
The termination of the administration contract has impacted on several lower level risks. The data audit was due to be undertaken in November. This has now been cancelled until new administrators are in place. There is an impact on several risk areas which were to be covered as part of the audit and will delay the completion of a data improvement plan.

### **3. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report. Any financial implications for the Authority will be reported to the Finance and Resources Committee.

### **4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS**

There are human resources implications arising directly from this report, in that pension matters affect most employees. HR department staff are fully involved in pension issues to ensure that human resources implications are taken into account.

### **5. EQUALITY IMPACT ASSESSMENT**

An equality impact assessment has not been carried out as this is not a new policy.

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There are no crime and disorder implications arising from this report.

### **7. LEGAL IMPLICATIONS**

The Public Service Pensions Act 2013 introduced a framework for the governance and administration of public service pension schemes. This report aims to fulfil the requirement for Pension Board members to assist the Scheme Manager in ensuring that effective administration arrangements are in place.



## **8. RISK MANAGEMENT IMPLICATIONS**

There are a number of risks relating to the firefighter pension schemes, and these have been presented to the Board in the form of a risk register. The Scheme Manager is responsible for ensuring that the risks identified are appropriately managed. All of the issues outlined in this report are being, or have been dealt with by close co-operation between the pension administration team and Officers.

## **9. RECOMMENDATIONS**

That Board members note the content of this report.

## **10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)**

None.

**BECKY SMEATHERS**  
**SCHEME MANAGER**

Appendix 1

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
	<b>Operational Risks</b>									
1	Transfer to new administration provider.	4	5	20VH	<p>Planning already underway. Joint exercise being undertaken with Leicestershire and Derbyshire Fire Services.</p> <p>Existing suppliers included in project team and working effectively alongside the 3 organisations.</p> <p>Involvement of all key staff across 3 organisations.</p> <p>Using framework to ensure process is clear and documents already tried and tested.</p>	4	5	20VH	<p>Quality of supply to form major part of evaluation criteria.</p> <p>Ability to deliver in timelines required will be essential part of evaluation criteria.</p> <p>Effective performance monitoring to form part of contract.</p> <p>Security of service to form part of contract.</p> <p>Specific arrangements to be agreed for those retiring close to cut over date.</p> <p>Will create a separate project risk register.</p>	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
2	Member data and records incomplete or inaccurate.	3	4	12VH	<p>Full review of records undertaken post transfer of pension administration from NCC to LCC.</p> <p>Pension benefit statements issued on annual basis. Errors in records rectified and identified.</p> <p>Reconciliation to HMRC records 2017.</p> <p>Reconciliation between payroll and Administrator records.</p> <p>Internal Pension Audits undertaken 2017/18.</p>	23	4	12VH	<p>Introduction of monthly returns from NFRS (Iconnect) to reduce risk of data errors or missing data and reduce impact of year end work. This is being progressed.</p> <p>Improved recording of data within ITrent.</p> <p>Will need reviewing once new administrator in place.</p> <p>Complete Data Audit with new admin supplier.</p> <p>Implement Data Improvement Plan once data audit complete.</p> <p>Data audit to be undertaken during 2019/20.</p> <p>Data cleansing can be undertaken as part of transfer to new administration supplier.</p>	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
3	Administration process failure/ maladministration	3	4	12VH	<p>Regional quarterly client meetings to discuss current pension issues.</p> <p>National advice and guidance from Pensions Adviser at the Local Government Association.</p> <p>Review of pension administration by internal auditors in March 2018 provided substantial assurance.</p> <p>Quarterly meeting with NFRS and Service pension administrators.</p> <p>Completion and feedback from TPR Scheme Return</p> <p>Pension Governance Audit judged as Substantial Assurance</p>	23	4	12VH	<p>Formal agreement in place with administrator to include SLA and performance indicators against defined criteria.</p> <p>Will require reviewing once new administrator in place.</p>	LCC Pensions Manager  Scheme Manager
4	Termination of contract with administrators	2	5	10H		2	5	10H	<p>Build adequate securities into contract.</p> <p>Take into consideration when evaluating tender exercise</p>	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
5	Incorrectly applied Tax Rules, including incorrect advice given to members.	3	3	9H	<p>Periodic national pension training organised by scheme advisory board.</p> <p>Attendance at training / conference events.</p> <p>Keeping up to date with information provided through circulars.</p>	3	3	9H	<p>Scheme Advisory Board looking at developing common list of benefits to be included in pensionable pay.</p> <p>Attendance at Pension Tax Seminar 12 November 2019.</p>	Scheme Manager
6	New General Data Protection Regulation (GDPR)	2	3	6M	<p>Staff being provided with appropriate training</p> <p>Covered within organisation's wider GDPR controls.</p> <p>Working with other Regional Fire Authorities to ensure compliance.</p> <p>Privacy Notice in place</p>	2	3	6M	<p>Consider as part of Data Audit being undertaken November 2019.</p> <p>Data Improvement Plan being developed regionally.</p> <p>Will need to be reviewed once new administrator in place.</p>	Scheme Manager
7	Operational disaster fire/flood for example.	1	5	5M	<p>Business continuity procedures in place for NFRS Pensions Administrator (LCC).</p> <p>Business continuity plans in place Finance and Payroll Team (NFRS). These were</p>	1	3	3M	<p>Will need to review arrangements once new admin provider in place</p>	<p>Pensions Admin Manager</p> <p>Scheme Manager</p>

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
					<p>reviewed in September 2018.</p> <p>Business Continuity Plans for the administrators are embedded in their corporate plans.</p>					
	<b>Financial Risks</b>									
8	4 Yearly Pension Scheme Valuation – Risk of increased contributions and affordability.	4	4	16VH	<p>LGA have sub group who work on behalf of authorities to challenge any assumptions made that will affect valuations.</p> <p>LGA have appointed independent Actuaries to verify figures and challenge GAD if necessary.</p> <p>Revised Firefighter Pension Employer rates announced 1 March 2019. Increases resulted in additional budget requirement of £2.6m, of which £2.3m is to be funded by grant.</p> <p>Funding continuing in 2020/21.</p>	4	4	16VH	<p>Funding beyond 2020/21 still to be determined – will be included in spending review.</p> <p>The date of the next valuation is 31 March 2020. This may again have a major impact due to McCloud. The results may not be known for some time.</p>	Scheme Manager
9	Failure to interpret rules or legislation	4	5	20VH	Regional quarterly client meetings to discuss current	3	4	12VH	LGA Bulletin to be reviewed by Pension Board.	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
	correctly.				<p>pension issues.</p> <p>National technical advice and guidance from Pensions Adviser at the Local Government Association and CLG.</p> <p>Attendance at national training events.</p> <p>Advice and guidance from pension regulator.</p> <p>Policies and procedures in place.</p> <p>Formal IDRP process in place for addressing individual pension disputes</p>				Will need reviewing once appointed new administrators.	
10	Pension Fund Accounting mistakes	3	4	12VH	<p>Checks undertaken by accountancy and HR of ill health and injury charges which has shown they are charged to the Authority, not the Pension fund.</p> <p>GMP checks have highlighted prior year errors that have been</p>	2	4	8H	Keep under review using national guidance, audits and reconciliations.	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
					corrected.  Internal audit reports provide substantial assurance.					
11	Excessive charges by NFRS Pension Administrators.	2	4	8H	<p>Annual review with NFRS Pension Administrators in relation to costs of service provision.</p> <p>Software providers now selected — will provide stability for 5 years with option to extend a further 5 years.</p> <p>1 year SLA implemented September 2017. It is intended that this will be replaced with a 2 year agreement.</p>	2	34	8H	Cost will form part of evaluation for new tender, although quality of service will also be a major element given risk of financial loss should maladministration occur.	Scheme Manager



Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
12	Sole pension software supplier. NFRS lack control over increase in costs for development work.	2	3	6M	<p>NFRS pension administrators consult with NFRS when pension software development work required and the likely financial impact.</p> <p>Annual meeting with NFRS Pension Administrators to discuss potential development work required in next financial year and likely costs to be incurred.</p> <p>Existing software provider have been awarded contract for next 5 years, with option to extend for further 5 years, which would take the end date of the contract to March 2029.</p>	2	3	6M	This will form part of the new contract	Scheme Manager
13	Collection of Incorrect Employer Contributions	2	3	6M	<p>Ensure correct procedures in place – especially surrounding tapering between schemes.</p> <p>Received positive Internal Audit assessment.</p>	2	3	6M	Include in future audits.	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
14	Fraudulent behaviour, including members forgetting to provide updated information	1	4	4M	<p>NFRS Internal financial processes.</p> <p>Check incoming and outgoing scheme funds against schemes forecast – reconciliation process.</p> <p>Internal audit have reviewed processes as part of their pensions audit which was judged to provide substantial assurance</p>	1	3	3M	<p>Conduct regular fraud monitoring process of incoming contributions payments against the schedule of contributions.</p> <p>Consider periodic information check with retired members.</p>	Scheme Manager
	<b>Governance, Regulatory and Compliance</b>									
15	McCloud Transitional Protection Arrangements discrimination case.	4	4	16VH	Ensuring information available to respond as required to outcome of appeal. Difficult to put controls in place until the required response is determined.	4	4	16VH	Awaiting remedy judgement from employment tribunal	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
16	Communications with Members may not meet statutory requirements.	4	4	16VH	<p>The Annual Benefits Statement is one form of communication, and this is already shown as a separate issue on the risk register.</p> <p>Information is sent to those members who are breaching or close to breaching the Annual Tax Allowance.</p> <p>Communications to starters, leavers and those whose circumstances change are generally good, with processes embedded.</p>	3	4	12VH	<p><del>Information about the Local Pension Board needs to be published.</del></p> <p>Probably could have revised downwards due to continued high performance of existing administrators but left as will need reviewing after new administrators take over.</p>	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
17	Failure to interpret rules or legislation correctly.	4	5	20VH	<p>Regional quarterly client meetings to discuss current pension issues.</p> <p>National technical advice and guidance from Pensions Adviser at the Local Government Association and CLG.</p> <p>Attendance at national training events.</p> <p>Advice and guidance from pension regulator.</p> <p>Policies and procedures in place.</p> <p>Formal IDRP process in place for addressing individual pension disputes</p>	3	4	12VH	LGA Bulletin to be reviewed by Pension Board.	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
18	Training and understanding of members of the pension board	4	4	16VH	<p>National training provided by LGA</p> <p>Regional training on key topics.</p> <p>Training session undertaken as part 2 of each Pension Board</p> <p>Training Register kept up to date</p>	3	3	9H	<p>Provide training to address knowledge gaps identified: on-going.</p> <p>Skills and knowledge audit of the Board and key staff.</p>	Scheme Manager
19	Annual Benefits Statements to be issued by statutory deadline	2	4	8H	<p>Regular liaison between pension administrator and software supplier</p> <p>Data supplied by NFRS in accordance with template and subject to checking by pension administrator</p> <p>ABS 2017,2018 and 2019 statutory deadline achieved.</p>	2	4	8H	<p>Moving towards implementation of IConnect and monthly inputting.</p> <p>Will need to be monitored with new administrators.</p>	Scheme Manager

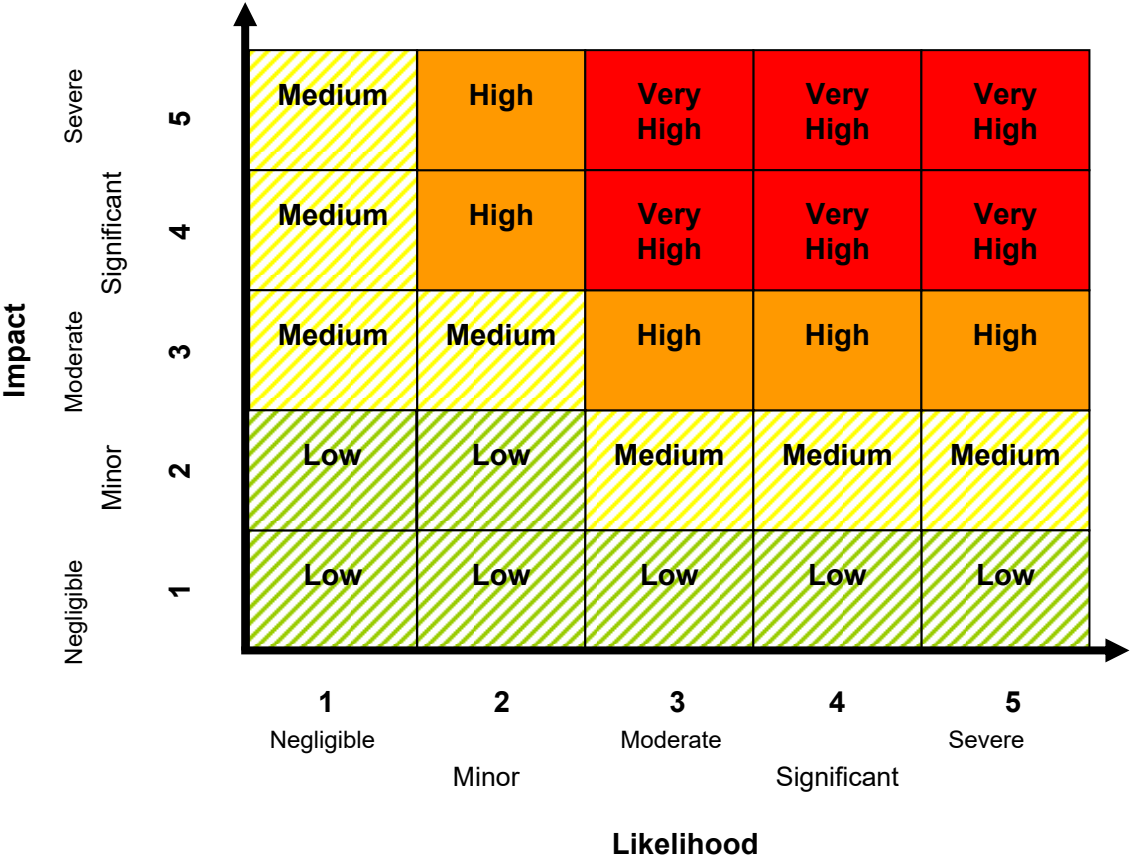
Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
20	National GMP Reconciliation – risk that exercise will not be completed by December 2018 and errors remain in the system.	4	4	16VH	<p>Progress on pensioner and deferred member cases has been good so far.</p> <p>Regional quarterly client meetings to discuss current pension issues will highlight any concerns at an early stage</p> <p>The Pensions Administrator has a dedicated resource working on this, and HMRC has outsourced some of the work to improve the timeliness of responses.</p>	2	4	8H		Scheme Manager
21	High turnover of Board members	2	3	6M	Ensure initial training available to new members to maintain knowledge of Board.	2	3	6M	Will improve if Joint Board is set up successfully	Scheme Manager
22	Creation of Joint Pension Board – impact on scheme governance / reputational risk	2	2	4L	Working closely with Derbyshire and Leicestershire Pension Boards to ensure governance of individual scheme is not weakened through creation of joint board	2	2	4L	This is on hold pending appointment of new pension administrators.	Pension Board
23	Systems failures	2	4	8H	Back up and Business Continuity plans	1	4	4M		Scheme Manager
24	Cyber Risk	2	4	8H	Fire Walls / ICT processes / accreditation	1	4	4M	Include in data audit	Scheme Manager

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
25	Restricting Exit Payments – the proposed new cap on exit payments to £95k will be insufficient to meet statutory pension payments.	1	4	4M	Response to consultation exercise	1	4	4M		Scheme Manager
26	Classification of pensionable allowances	2	4	8H	All allowances were reviewed against Blackburn principles when initially paid.  Attendance at LGA training seminar July 19.  Internal Review of pensionable allowances July 19.	21	4	4M	Attendance at additional training put on by LGA.  Further legal advice to be taken in this area following ruling Booth vs West Wales pensionable pay ruling.	

Number	Risk	Level	Impact	Risk Score	Existing Controls	Revised Level	Revised Impact	Revised Score	Further Controls Required	Risk Owner
27	Potential conflict of interest for members of Pension Board.	2	4	8H	<p>Pension board members to declare any conflicts and potential conflicts of interest on appointment to the Board and on an ongoing basis.</p> <p>Pension Board conflict of interest register to be completed by Pension Board members.</p> <p>Members of Pension Board to declare any potential conflict of interest at Pension Board meetings.</p> <p>Conflict of interest policy has been adopted by the Board</p> <p>Forms part of Pension Regulator training</p> <p>Covered by Pension Governance Audit which provided substantial assurance.</p>	1	3	3M	Review and acceptance of reviewed Conflict of Interest Policy – October 2019 Board meeting.	Scheme Manager



# Risk Scoring Matrix



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## Agenda Item No 7



### NOTTINGHAMSHIRE FIRE AUTHORITY PENSION BOARD

24<sup>th</sup> October 2019

### REPORT FROM LEICESTERSHIRE COUNTY COUNCIL – PENSION ADMINISTRATOR

### PENSION FUND ADMINISTRATION REPORT – QUARTER 1<sup>ST</sup> JULY TO 30<sup>TH</sup> SEPTEMBER 2019

#### Purpose of the Report

To inform the Fire Pension Board of fire-fighter pension administration in the quarter.

This is designed to assist the Fire Pension Board. It is also considered best practise to provide a report of this type.

#### Areas

##### Annual Benefit Statements / Year-end / Taxation Saving Statements

Leicestershire County Council issued the annual benefit statements by 31<sup>st</sup> August 2019. Work is now underway on the taxation saving statements which will be issued to those concerned by 6<sup>th</sup> October 2019.

##### Valuation 2020

2020 is a valuation year for Firefighters' Pension Scheme and therefore it is expected that GAD will be issuing a notification to fire authorities in the forthcoming months which details the information that will be needed in order to submit the valuation data and complete the process.

##### Regulation Changes

None since last report

##### Risk and Breaches – (material or not)

None

### GMP Reconciliation

The position is currently the same as the previous quarter in that the total remaining cases that have been sent to HMRC where we are now awaiting their reply is still 27.

### Termination of Administration

The Leicestershire County Council Pension Manager has terminated the pensions administration function for Nottinghamshire Fire Authority with effect from the 31 March 2020. This is because of the increasing complexity in this area of work as a result of the introduction of the Career Average Revalued Earnings scheme, which is now compounded by the recent McCloud Supreme court judgment on age discrimination.

The Pensions Manager has discussed the increasing complexity of fire-fighters pensions administration with Nottinghamshire Fire Authority since April 2015.

There are a number of Fire-fighter pension administration providers in the market and the Pension Manger has committed to work constructively with Nottinghamshire Fire Authority to help procure the specialist service required.

## Key Performance Indicators

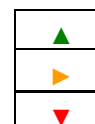
Quarter (1.04.19 to 30.06.19)

Business Process Perspective	Target	This Quarter		Previous Quarter	Customer Perspective - Feedback	Target	This Quarter		Previous quarter
Retirement Benefits notified to members within 10 working days of paperwork received	92%	100%	▲	100%	Establish members understanding of info provided - rated at least mainly ok or clear	95%	100%	▲	100%
Pension payments made within 5 working days of receiving election	92%	100%	▲	100%	Experience of dealing with Section - rated at least good or excellent	92%	100%	▲	100%
Death related benefits notified to dependant within 10 working days of notification	92%	100%	▲	100%	Establish members thoughts on the amount of info provided - rated as about right	92%	100%	▲	100%
Death related payments made within 5 working days	92%	100%	▲	100%	Establish the way members are treated - rated as polite or extremely polite	97%	100%	▲	100%
Estimates provided within 10 working days	92%	100%	▲	100%	▼ Comments				

Good or better than target

Close to target

Below target



### Pension Scheme Member Comments

Excellent service, thank you

Friendly and professional, spot on

Polite, thorough answers

### Further details regarding estimates

	Number of estimates provided	Number of estimates already provided in the last 12 months	Number of multiple requests received	2 estimate requests	3 estimate requests	4 estimate requests	5 or more estimate requests
Notts	14	3	2	2	0	0	0
Derbys	8	5	1	0	1	0	0
Leic	12	0	1	1	0	0	0

This Quarter (1.07.19 to 30.09.19)

Business Process Perspective	Target	This Quarter		Previous Quarter	Customer Perspective - Feedback	Target	This Quarter		Previous quarter
Retirement Benefits notified to members within 10 working days of paperwork received	92%	100%	▲	100%	Establish members understanding of info provided - rated at least mainly ok or clear	95%	100%	▲	100%
Pension payments made within 5 working days of receiving election	92%	100%	▲	100%	Experience of dealing with Section - rated at least good or excellent	92%	100%	▲	100%
Death related benefits notified to dependant within 10 working days of notification	92%	100%	▲	100%	Establish members thoughts on the amount of info provided - rated as about right	92%	100%	▲	100%
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Estimates provided within 10 working days	92%	100%	▲	100%	▼ Comments				

Good or better than target



Close to target



Below target



### Pension Scheme Member Comments

Knowledgeable and personable too

**Further details regarding estimates**

	Number of estimates provided	Number of estimates already provided in the last 12 months	Number of multiple requests received	2 estimate requests	3 estimate requests	4 estimate requests	5 or more estimate requests
Notts	14	1	0	0	0	0	0
Derbys	4	0	1	1	0	0	0
Leic	8	0	3	3	0	0	0

<b>Nottinghamshire Metric Data For Quarter Ending 30.06.19</b>				
<b>Category</b>	<b>1992</b>	<b>2006</b>	<b>2015</b>	<b>Modified</b>
Active Members	75	15	544	17
Pensioners Including Dependents	803	13	13	53
New Pensioners Including Dependents	7	1	0	1
Deferred Members	55	226	113	48
New Deferred Members	0	0	5	0
Opt Outs	0	0	0	0
Deaths	3	1	1	1
Transfers In	0	0	0	0
Transfers Out	0	0	0	0
Refunds	0	0	0	0

<b>Nottinghamshire Metric Data For Quarter Ending 30.09.19</b>				
<b>Category</b>	<b>1992</b>	<b>2006</b>	<b>2015</b>	<b>Modified</b>
Active Members	69	14	554	16
Pensioners Including Dependents	807	18	13	54
New Pensioners Including Dependents	4	5	0	2
Deferred Members	54	227	117	48
New Deferred Members	1	1	4	0
Opt Outs	0	0	0	0
Deaths	1	0	0	0
Transfers In	0	0	0	0
Transfers Out	0	0	0	0
Refunds	0	0	0	0

**Officers to Contact**

Ian Howe – Pensions Manager - telephone (0116) 305 6945

Elena Johnston – Fire Pensions Team Manager - telephone (0116) 305 8216





**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

Local Firefighter Pension Board

# REVIEW OF CONFLICT OF INTEREST POLICY

Report of the Scheme Manager

**Agenda Item No:** 8

**Date:** 24 October 2019

**Purpose of Report:**

To review the Conflict of Interest Policy.

**Recommendations:**

To approve the Conflict of Interest Policy.

## CONTACT OFFICER

**Name :** Becky Smeathers, Scheme Manager

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## 1. BACKGROUND

1.1 The Conflict of Interest Policy was originally approved in August 2015 and it is now in need of being reviewed.

## **2. REPORT**

- 2.1 The Conflict of Interests Policy is attached at Appendix 1. It has been reviewed by the Scheme Manager with some minor amendments being made, such as updating of job titles and using a revised template.
- 2.2 The Board is requested to adopt the Policy and ensure that all members complete Appendix A of the policy, which should be returned to the Scheme Manager.

## **3. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report.

## **4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS**

There are no human resources implications arising directly from this report.

## **5. EQUALITY IMPACT ASSESSMENT**

An equality impact assessment has been carried out – see Appendix B. This will be shared with the Equality and Diversity Officer once consultation with the Board has taken place.

## **6. CRIME AND DISORDER IMPLICATIONS**

There are no crime and disorder implications arising from this report.

## **7. LEGAL IMPLICATIONS**

The Public Service Pensions Act 2013 introduced a framework for the governance and administration of public service pension schemes. This report aims to fulfil the requirement for Pension Board members to assist the Scheme Manager in ensuring that effective administration arrangements are in place. The Conflict of Interest Policy forms part of the Governance arrangements for the Scheme.

## **8. RISK MANAGEMENT IMPLICATIONS**

The Conflict of Interests Policy provides risk assurance regarding proper governance of the Pension Scheme.

**9. RECOMMENDATION**

To adopt the Conflict of Interest Policy Attached at Appendix 1.

**10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)**

None.

**BECKY SMEATHERS  
SCHEME MANAGER**



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# Firefighters' Pensions Board Conflict of Interest Policy Policy No: POL

## Scope

This Policy is mandatory.

## Purpose

This Policy addresses the need to identify and manage Conflict of Interests of Pension Board members as outlined in the Public Services Pensions Act 2013.

<b>Security classification</b>		Official	
<b>Author</b>		Firefighters' Pension Scheme Manager / Head of Finance	
<b>Department</b>		Finance	
<b>Approved by</b>		Pension Board	
<b>Assessments done</b>			
<b>Version</b>	<b>Date</b>	<b>Modified by</b>	<b>Changes</b>
1	August 2015	HR Manager	New
2	24/10/19	Head of Finance	Minor changes only – eg new format.

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# 1. Introduction

1.1 The Public Service Pensions Act 2013 (The Act) introduced a framework for governance and administration of public service pension schemes and provides an extended regulatory oversight by the Pensions Regulator.

1.2 The Act requires that the Scheme Manager:

- Be satisfied that a person to be appointed as a member of the Pension Board does not have a conflict of interest; and
- Be satisfied from time to time that none of the members of the Pension Board has a conflict of interest.

1.3 A conflict of interest is a financial or other interest likely to prejudice the way in which someone carries out their role as a member of the Pension Board. It does not include, however, a financial or other interest arising from being a member of the Firefighter Pension Scheme or any connected scheme for which the Board is established.

# 2. Policy statement

2.1 The Scheme Manager must be satisfied that:

- A person to be appointed as a member of the Pension Board does not have a conflict of interest
- On an ongoing basis that none of the members of the Pension Board have a conflict of interest

2.2 The Pension Board members will be required to provide the Pension Scheme Manager with such information as the Scheme Manager requires for the purposes of meeting the requirements referred to above.

2.3 Actual conflicts of interest are prohibited under the pension regulations and therefore cannot be managed. Only potential conflicts of interest can be managed.

## Application

2.4 A conflict of interest may arise in the following circumstance:

*Pension Board members fulfil their statutory role of assisting the Scheme Manager in securing compliance with the Scheme Regulations, other legislation relating to the governance and administration of the scheme and any requirements imposed by the regulator or with any other matter for which they are responsible whilst having a separate personal interest (financial or otherwise) the nature of which gives rise to a possible conflict with their statutory role.*

2.5 Members of the Pension Board will be expected to comply with both the requirements of the Public Services Pensions Act 2013 and the seven principles of public life (formerly known as the Nolan principles) which are set out below:

- i) Selflessness – holders of public office should act in terms of the public interest;
- ii) Integrity – holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships;
- iii) Objectivity – holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias;
- iv) Accountability – holders of public office are accountable for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this;
- v) Openness – holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing;
- vi) Honesty – holders of public office should be truthful;
- vii) Leadership – holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

2.6 In the event that a Pension Board Member has a dual interest which may include other responsibilities, the Scheme Manager and Pension Board Members will need to consider all other interests, financial or otherwise when considering interests which may give rise to a potential or actual conflict.

2.7 For example, a Finance Officer appointed as a Pension Board member can offer their knowledge but may be involved in a decision or matter which may be, or appear to be, in opposition to another interest. For instance, the

Pension Board may be required to scrutinise a decision which involves the use of departmental resources to improve scheme administration, whilst the Finance Officer is at the same time tasked, by virtue of their employment, with reducing departmental spending. In this case the Scheme Manager must be satisfied that their dual interests are not likely to prejudice the Pension Board member in the exercise of any particular function.

2.8 Conflicts of interest will be considered in line with a three stage process:

- Identification of the potential conflict;
- Monitoring of the potential conflict;
- Managing the potential conflict.

### **Identifying Potential Conflicts**

2.9 Pension Board members will be expected to be open and transparent in disclosure of potential conflicts.

2.10 Disclosure of interests which have the potential to become conflicts of interest should be declared to the Pension Scheme Manager.

2.11 Pension Board members will have a clear understanding of their role and the circumstances in which they may find themselves in a position of conflict of interest.

2.12 Pension Board members will be required to formally declare any interests including other responsibilities, which could become a conflict of interest and which may adversely affect their suitability for the role, to the Scheme Manager, before they are appointed to the Pensions Board.

2.13 Pension Board members will be required to provide the Scheme Manager with any information that they reasonably require to be satisfied that Pension Board members do not have a conflict of interest.

2.14 The Scheme Manager will consider what issues or important matters or decisions are likely to be considered in the following year ahead and identify and consider any potential or actual conflicts of interests that may arise in the future.

2.15 Where potential conflicts exist Pension Board members should be notified as soon as is practically possible to enable risk controls to be put in place to mitigate the impact of the conflict.

2.16 The following examples have been provided by the Pensions Regulator of potential conflicts of interest. This list is for illustrative purposes only and is not exhaustive.



i) Investing to improve scheme administration versus saving money

An employer representative, who may be a Finance Officer or local Councillor, is aware that system x would help to improve standards of record keeping in the scheme, but it would be costly to implement. There is a recognition of the need to meet the costs of the new system at a time when there is internal and external pressure to keep costs down. In order to meet the costs of the new system, the money may be found by using a budget that was intended for another purpose. The decision could prove unpopular with tax payers. A conflict of interests could arise where the employer representative was likely to be prejudiced in the exercise of their functions by virtue of dual interests.

ii) Outsourcing an activity versus keeping in house

A member representative is aware that system X would help to improve standards of record keeping in the scheme, but it would mean outsourcing an activity that is currently being undertaken in-house. The member representative could be conflicted if they were likely to be prejudiced in the exercise of their functions by virtue of their employment.

iii) Assisting the scheme manager versus furthering personal interests

A Pension Board member who is also a scheme advisor, may recommend the services or products of a related party, for which they might derive some form of benefit, resulting in them not providing, or not being seen to provide, independent advice or services.

Pension Board member who is involved in procuring or tendering for services for a scheme administrator and who can influence the award of a contract, may be conflicted where they have an interest in a particular supplier, for example a family member works for that organisation.

iv) Sharing information with the pension board versus a duty of confidentiality to an employer

An employer representative has access to information by virtue of their employment, which could influence or inform the considerations or decisions of the pension board. They have to consider whether to share this information with the pension board in light of their duty of confidentiality to their employer. Their knowledge of this information will put them in a position of conflict if it is likely to prejudice their ability to carry out their functions as a member of the pension board.

### **Monitoring Potential Conflicts**

- 2.17 The Scheme Manager will be responsible for evaluating and managing dual interest risks which have the potential to become conflicts of interest and pose a risk to the scheme if they are not mitigated.
- 2.18 On appointment Pension Board Member will be expected to complete a Pension Board Register of Interests for recording and monitoring dual interest and responsibilities. (Attached at Appendix A).
- 2.19 Where decisions are taken to manage potential conflicts of interests this should be recorded on a risk register by the Scheme Manager.
- 2.20 The Pension Board register of interests and other relevant documents will be circulated to the Pension Board for ongoing review and be published on the Service intranet.
- 2.21 Conflicts of interest should be included as an opening agenda item at all Pension Board meetings and revisited during the meeting, where necessary. Those present will be required to declare any conflict of interest, including other responsibilities, which have the potential to become conflict of interests. Any discussion about how the conflict of interest is to be managed should be minuted (although published minutes may redact this information if it is confidential).

### **Managing Potential Conflicts of Interest**

- 2.22 The Pension Board should not be compromised at any stage by potentially conflicted members. The roles and responsibilities of Pension Board members should be carefully considered to ensure that any potential conflicts do not arise or are not perceived to have arisen.
- 2.23 Appropriate risk controls should be implemented where a potential conflict of interest has been identified.

## **3. External standards**

N/A

## **4. Definitions**

As outlined in the Policy.

## 5. Roles and responsibilities

### 5.1 Fire Authority

The Fire Authority is the Scheme Manager for the Firefighters' Pension Scheme. This role is defined in the Public Service Pension Act 2013 as the person / body who is responsible for managing or administering the scheme and any statutory pension scheme that is connected with it.

### 5.2 Scheme Manager

The role of Scheme Manager has been delegated to the Head of Finance.

The Pension Register of Interests will be held by the Scheme Manager. The Scheme Manager will advise Members of the Pension Board on issues relating to potential conflict of interests.

The Pension Board declaration of interests register should be reviewed by the Scheme Manager on an ongoing basis to ensure that it is current.

### 5.3 Firefighters' Pension Scheme Board

The role of the Pension Board is set out in the Public Service Pension Act 2013: The Board has responsibility for assisting the Scheme Manager in relation to the following matters:

- Securing compliance with the scheme regulations and other legislation relating to the governance and administration of the scheme and any statutory scheme that is connected with it;
- Securing compliance with requirements imposed in relation to the scheme and any connected scheme by the Pension Regulator.

Potential conflicts of interest should be declared at the commencement of all Pension Board Meetings

## Related documents

1. Pension Board Constitution
2. Public Service Pension Act 2013

# Appendices

Appendix A – Pension Board Member Register of Interests.

Appendix B – Initial Equality Impact Assessment Questionnaire.

**PENSION BOARD MEMBER REGISTER OF INTERESTS**

As a general principle, members of the Pension Board should err on the side of caution and declare any interests that they think may be a potential conflict of interest. Assistance can be sought from the **Scheme Manager**

<b>Name</b>	<b>Nature of Role on pension Board ie employer of NFRS, elected member, Representative Body Member</b>	<b>Date</b>

<b>Interest</b>	<b>Detail</b>	<b>Scheme Manager's Control Measures</b>
<p><b>1. Companies and Securities</b></p> <p>e.g. where you or a close relative or friend has a significant shareholding of a company (£25k or 1% of total shareholding) or is actively involved in running a company which might impact on the running of the Firefighter pension Scheme</p>		
<p><b>2. Contracts</b></p> <p>e.g. where you or a close relative of friend intends to bid for a contract that may have an impact on the administration of the <b>Firefighter Pension Scheme</b></p>		
<p><b>3. Employment or Business</b></p> <p>Any employment or business carried on by the pension Board member.</p>		
<p><b>4. Directorship</b></p> <p>Any contract for goods, services or works made between the Authority and the employee or a firm in which the employee is a</p>		

Interest	Detail	Scheme Manager's Control Measures
partner or a company director.		
<b>5. Outside bodies</b>  Any outside body to which you have been appointed by the Fire Authority.		
<b>6. Other Outside Bodies of which I am a member or in a position of general control or management.</b>  Any body which provides functions of a public nature or is directed towards charitable purposes.		
<b>7. Other interests</b>  <b>Other interests which may in any way conflict with membership of the Fire fighter pension Board.</b> This may include membership of any organisation not open to public without formal membership and with a commitment of allegiance which has secrecy about rules of membership or conduct and where there is potential for questions to be raised in relation to the award of contracts or employment between members.		

**Declaration**

**I declare that the information provided is accurate to the best of my knowledge and belief and understand that I must notify the Scheme Manager in writing of any changes to the interests specified above within 28 days of becoming aware of such changes.**

Signature: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Initial Equality Impact Assessment Questionnaire**

This questionnaire will enable you to decide whether or not the new or proposed policy or service needs to go through a full Equality Impact Assessment.

Title of policy or service: Employees Register of Interests						
Name of Employee completing assessment: Becky Smeathers				Department and Section: Scheme Manager		
1. State the purpose and aims of the policy or service.  <i>This should identify “(the legitimate) aim” of the policy or service</i>  The purpose of this policy is to ensure that arrangements are in place to manage any potential conflict of interest for members of the NFRS Fire Pension Scheme pension board.						
2. Who is responsible for implementing it?  Scheme Manager						
3. Who is likely to be disproportionately affected by the proposal? People from which of the equality strands? (please tick)						
Age	Disability	Family Status	Gender	Race	Sexual Orientation	Religion or Belief
4. If no boxes are ticked – there is no need to continue the EIA						
5 If 1 or more boxes are ticked, describe how these groups are likely to be affected:						
6. Identify the individuals and organisations that are likely to have an interest in, or be affected by the policy or service. The policy is aimed at ensuring arrangements are in place for managing conflicts that may arise in relation to members of the pension board. This policy aims to ensure that there is a transparent and open approach taken to managing conflicts which may have the potential to impact on the Firefighter pension scheme and its members						
7. Has consultation (with managers, employees, TUs etc) on the policy or service been undertaken?				Yes x	No	
8. If yes, set out who has been consulted and any agreements and/or concerns identified: The Policy has been reviewed by the Pension Board which contains representatives from the FBU, managers and employees.						

9. Has monitoring been undertaken?		Yes	No x
10. What does this monitoring show? The register of interests is reviewed on an ongoing basis			
11. If no to Q9, has a monitoring system been established to check for impact on equality strands?		Yes	No x
12. Other comments:			
13. Taking into account the information gathered to date, does the policy or service have a different impact on any equality group? Please identify:			
No Impact	Positive Impact	Negative Impact	Impact Not Known x
<b>14. If No Impact or Positive Impact box is ticked there is no need to continue the EIA. If Negative Impact or Impact not Known is ticked, please proceed to full assessment.</b>			
15 Proceed to Full Equality Impact Assessment		Yes	No x
16. What are your reasons for your decision? The policy is aimed at members of the pension board only and is designed to ensure there is an open and transparent process to managing potential conflicts of interest. It does not impact on any specific protected characteristic or grouping under the Equality Act as it relates to governance of the pension scheme.			

**1<sup>st</sup> Authorising signature (Completing Employee/s)**

**Becky Smeathers**.....

**Date: 07<sup>th</sup> October 2019**.....

**Once completed and authorised, please send copy of this form to the Equality and Diversity Officer.**

**2<sup>nd</sup> Authorising Signature (Equality and Diversity Officer)**

.....

**Date:** .....





**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
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Local Firefighter Pension Board

# REVIEW OF PENSION BOARD TRAINING POLICY

Report of the Scheme Manager

**Agenda Item No:** 9

**Date:** 24 October 2019

**Purpose of Report:**

To review the Pension Board Training Policy.

**Recommendations:**

To adopt the Pension Board Training Policy.

## CONTACT OFFICER

**Name :** Becky Smeathers, Scheme Manager

**Tel :** 0115 967 0880

**Email :** [becky.smeathers@notts-fire.gov.uk](mailto:becky.smeathers@notts-fire.gov.uk)

## 1. BACKGROUND

- 1.1 The Pension Board Training Policy was last reviewed in May 2016 and it is now in need of being revisited and a new training plan for the next two years determined.

## **2. REPORT**

- 2.1 The Pension Board Trainings Policy is attached at Appendix 1. It has been reviewed by the Scheme Manager with some minor amendments being made, such as updating of job titles and using a revised template.
- 2.2 The Board is requested to adopt the Policy and ensure that all members complete the training needs assessment included in Appendix A of the policy, which should be returned to the Scheme Manager. This will allow a training plan to be developed which will be shared with the Board at its meeting in March 2020.

## **3. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report.

## **4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS**

There are no human resources implications arising directly from this report.

## **5. EQUALITY IMPACT ASSESSMENT**

An equality impact assessment has been carried out – see Appendix B. This will be shared with the Equality and Diversity Officer once consultation with the Board has taken place.

## **6. CRIME AND DISORDER IMPLICATIONS**

There are no crime and disorder implications arising from this report.

## **7. LEGAL IMPLICATIONS**

The Public Service Pensions Act 2013 introduced a framework for the governance and administration of public service pension schemes. This report aims to fulfil the requirement for Pension Board members to assist the Scheme Manager in ensuring that effective administration arrangements are in place. The Pension Board Training Policy forms part of the Governance arrangements for the Scheme.

## **8. RISK MANAGEMENT IMPLICATIONS**

The Pension Board Trainings Policy provides assurance that the Governance Framework for the Pension Board is being adhered to.

## **9. RECOMMENDATION**

To adopt the Pension Board Training Policy Attached at Appendix 1.

## **10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)**

None.

**BECKY SMEATHERS**  
**SCHEME MANAGER**



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# Firefighters' Pensions Board Training Policy No: POL

## Scope

This Policy is mandatory.

## Purpose

The purpose of this policy is to set out the requirements placed on Fire Pension Board Members in terms of their understanding and knowledge of pension related matters and the arrangements in place for Pension Board Member learning and development.

<b>Security classification</b>		Official	
<b>Author</b>		Firefighters' Pension Scheme Manager / Head of Finance	
<b>Department</b>		Finance	
<b>Approved by</b>		Pension Board	
<b>Assessments done</b>			
<b>Version</b>	<b>Date</b>	<b>Modified by</b>	<b>Changes</b>
1	May2016	HR Manager	New
2	24/10/19	Head of Finance	Minor changes only – eg new format.
Review Date – October 2021			

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## 1.Introduction

- 1.1 This policy sets out the learning and development strategy in place for members of the Firefighter Pension Scheme Pension Board.
- 1.2 Pension Board Members are required to be conversant with the scheme rules as set out in the scheme regulations and any documented administration policies currently in place in relation to the relevant Fire Pension Scheme.

## 2. Policy statement

- 2.1 Under the Public Service Pensions Act 2013 members of public service pension scheme boards are required to have a working knowledge / understanding of the relevant pension scheme for which they are a Board Member and any related pension issue to enable them to carry out their duties effectively.
- 2.2 There are currently four separate Fire Pension Schemes that Members of the Fire Pension Board will need to have a basic understanding and knowledge of:
  - Firefighter Pension Scheme (1992)
  - New Firefighter Pension Scheme (2006)
  - Fire Pension Scheme (2015)
  - Retained Duty System Modified Pension Scheme

### Application

#### Statutory Requirement

- 2.3 The Public Service Pensions Act 2013 sets out the expectations placed on individual Pension Board members in terms of their knowledge requirements. Members of the Pension Board will need to be conversant with:
  - i) Rules of the Scheme

Pension Board members are required to have a working knowledge of the scheme regulations and documented administration policies. In addition, Pension Board members are expected to understand the scheme regulations and policies in enough detail to know where they

are relevant to an issue and where a particular provision or policy applies.

ii) The Law Related to Pensions

Pension Board members are expected to have a knowledge and understanding of any matters which are prescribed in regulations sufficient for them to exercise the functions of their role. They will be expected to be aware of the range and extent of the law which applies to the scheme, and have sufficient understanding of the content and effect of that law to recognise when and how it impacts on their responsibilities and duties.

2.4 The degree of knowledge and understanding required is at a level appropriate for the purposes of enabling those individuals to properly exercise their functions as a member of the Board.

2.5 Pension Board members should be able to identify and where relevant challenge any failure to comply with:

- The scheme regulations;
- Other legislation relating to the governance and administration of the scheme;
- Any requirements imposed by the Pension Regulator;
- Any failure to meet the standards and expectation set out in the relevant codes of practice issued by the Pension Regulator.

2.6 Pension Board member's level of knowledge should enable them to understand and challenge any information or advice they are given, specifically how that information or advice impacts on any issue or decision relevant to their responsibilities and duties.

Learning and Development

2.7 It is recognised that the initial degree of knowledge and understanding of Pension Board Members may vary according to their role and their previous level of expertise. The Pensions Regulator has developed a quick guide to personal development for Scheme Members based around the following four areas, a copy of which can be obtained from the Pension Regulator website:

1. Plan the learning
2. Complete the learning
3. Record the learning

#### 4. Reflect on the learning

- 2.8 The Scheme Manager will have overall responsible for overseeing the training of Pension Board members.
- 2.9 Newly appointed Pension Board Members' legal responsibilities begin from the date they take up Board membership. They will be expected to immediately start to familiarise themselves with the scheme regulations, relevant policies and the administration of the scheme and relevant pensions law from that date.
- 2.10 To support the learning process newly appointed Pension Board Members will be asked to complete a personal training needs analysis form to quantify current levels of expertise and knowledge to enable the identification of specific learning gaps. All substitute Pension Board members will be expected to complete the training needs analysis and attend / partake in all training events with current Pension Board Members.

#### Learning and Development Plan

- 2.11 The Scheme Manager will be responsible for developing an annual learning and development plan in consultation with the Pension Board to ensure that:
- Members have an ongoing understanding and knowledge of relevant pension developments and current topical issues
  - Training is provided on current pension issues
  - Individual training needs are assessed and delivered.

The plan will be reviewed on an ongoing basis through the year to ensure that current pension issues are addressed as required.

- 2.12 Pension Board Member learning programmes will be delivered through a variety of different methods and approaches to include (this list is not exhaustive):
- In house training provided by officers or external training providers
  - Training as part of a formal board meeting
  - Attendance at external training events
  - Circulation of reading materials
  - Attendance at seminars and conferences
  - Regional training events with Pensions Administrator



- Feedback, guidance and advice provided by the National Scheme Advisory Board / Local Government Association / Home Office
- E learning tool kit provided by the Pensions Regulator
- Regular updates on the Service pension scheme intranet site

2.13 The Pension Regulator has developed an e-learning training package for new Pension Board Members. The package provides a grounding in public service pension governance and administration. It is an expectation that all Fire Pension Board members will complete this e-learning package as part of their development. Subjects areas covered include:

- Conflicts of interest
- Managing risk and internal controls
- Maintaining accurate member data
- Maintaining member contributions
- Providing information to members and others
- Resolving internal disputes
- Reporting breaches of the law

#### Record Keeping

2.14 Pension Board Members will be responsible for keeping an up to date log of different training activities attended or undertaken. A training log template will be provided to Board members by the Scheme Manager.

2.15 The Scheme Manager will be responsible for collating and reviewing individual Pension Board member training records and those of the collective Board. This will enable Pension Board members to demonstrate compliance with legal requirements and to show how risks have been mitigated where knowledge gaps exist. The will also allow future training needs to be identified and facilitate the development of appropriate learning action plans.

#### Time off to attend Pension Board Training events

2.16 Reasonable time off will be granted to allow employer and employee representatives to attend Board Member learning and development activities. Employee representatives (Representative Bodies) will be required to record their time and claim expenses in line with the Service Trade Unions Facilities Agreement.

### 3. External standards

N/A

### 4. Definitions

As outlined in the Policy.

### 5. Roles and responsibilities

5.1 **Scheme Manager** – will be responsible for overseeing Pension Board Scheme Member learning and development to include developing an annual training action plan in consultation with the Board, collating and reviewing individual training logs.

5.2 **Pension Board Members** – will be responsible for ensuring that they have a working knowledge and understanding of pension scheme regulations, policies and administration. Pension Board members will be responsible for logging training events undertaken both of a formal and informal nature.

5.3 **Monitoring - Audit & Review** - The Scheme Manager will be responsible for monitoring and reviewing the learning and development of Pension Board Members on an ongoing basis

### Related documents

1. Pension Regulator codes of practice in relation to public service pension schemes.
2. Public Service Pension Act 2013

### Appendices

Appendix A – Pension Board Member Training Needs Analysis.  
Appendix B – Initial Equality Impact Assessment Questionnaire.

## Public service pension schemes: Learning needs analysis

Name:

Date:

## Step 1 – Plan your learning

## Learning needs analysis

## Personal development

## 1 – My role, responsibilities and duties as a pension board member

Do I know...?	Rate my skills 1 – no knowledge 5 – highly skilled	My objectives	Timescale	What learning am I planning to do?	Where to find information
Who The Pensions Regulator is What my role, responsibilities and duties are How the regulator's code of practice will support me in assisting the scheme manager with running an effective and efficient scheme	<b>1 2 3 4 5</b> <b>1 2 3 4 5</b> <b>1 2 3 4 5</b>				Introduction to public service pension schemes: <a href="http://www.tpr.gov.uk/PS-introduction">www.tpr.gov.uk/PS-introduction</a>

## 2 – The knowledge and understanding I need as a pension board member

Do I know...?	Rate my skills	My objectives	Timescale	What learning am I planning to do?	Where to find information
What I need to know about my scheme as a pension board member What I need to know about pensions law as	<b>1 2 3 4 5</b> <b>1 2 3 4 5</b>				Knowledge and understanding duty on pension board members: <a href="http://www.tpr.gov.uk/PS-knowledge">www.tpr.gov.uk/PS-knowledge</a>

a pension board member How to plan, follow and record my training, knowledge and understanding	<b>1 2 3 4 5</b>				
<b>3 – Conflicts of interest</b>					
<b>Do I know...?</b>	<b>Rate my skills</b>	<b>My objectives</b>	<b>Timescale</b>	<b>What learning am I planning to do?</b>	<b>Where to find information</b>
What information I need to provide to the scheme manager	<b>1 2 3 4 5</b>				'Conflicts of interest' course in the Public Service toolkit: <a href="http://www.pensionseducationportal.com">www.pensionseducationportal.com</a>
How to disclose potential or actual conflicts of interest	<b>1 2 3 4 5</b>				
How to monitor and discuss the risk of potential or actual conflicts of interest	<b>1 2 3 4 5</b>				
<b>4 – Publishing scheme information</b>					
<b>Do I know...?</b>	<b>Rate my skills</b>	<b>My objectives</b>	<b>Timescale</b>	<b>What learning am I planning to do?</b>	<b>Where to find information</b>
What information needs to be published about the pension board	<b>1 2 3 4 5</b>				Publishing scheme information: <a href="http://www.tpr.gov.uk/PS-publishing">www.tpr.gov.uk/PS-publishing</a>
How that information is to be recorded and published	<b>1 2 3 4 5</b>				
What the pension board's role is regarding the publication of that information	<b>1 2 3 4 5</b>				
<b>5 – Risk management and internal controls</b>					
<b>Do I know...?</b>	<b>Rate my skills</b>	<b>My objectives</b>	<b>Timescale</b>	<b>What learning am I planning to</b>	<b>Where to find information</b>

				<b>do?</b>	
How risks will be identified and assessed	<b>1 2 3 4 5</b>				'Managing risk and internal controls' course in the Public Service toolkit: <a href="http://www.pensionseducationportal.com">www.pensionseducationportal.com</a>
How internal controls will be set up	<b>1 2 3 4 5</b>				
How risk assessments will be documented	<b>1 2 3 4 5</b>				
How possible fraudulent activity will be identified and dealt with	<b>1 2 3 4 5</b>				
Who is involved in internal controls and risk management and their role	<b>1 2 3 4 5</b>				
What the pension board's role is in internal controls and risk management	<b>1 2 3 4 5</b>				
<b>6 – Record-keeping</b>					
<b>Do I know...?</b>	<b>Rate my skills</b>	<b>My objectives</b>	<b>Timescale</b>	<b>What learning am I planning to do?</b>	<b>Where to find information</b>
How an effective scheme record-keeping process will be set up	<b>1 2 3 4 5</b>				'Maintaining accurate member data' course in the Public Service toolkit: <a href="http://www.pensionseducationportal.com">www.pensionseducationportal.com</a>
How the required records of scheme members' data, transactions and pension board decisions will be kept	<b>1 2 3 4 5</b>				
Who is involved in record-keeping and their role	<b>1 2 3 4 5</b>				
What the pension board's role is in record-keeping	<b>1 2 3 4 5</b>				
<b>7 – Maintaining contributions</b>					
<b>Do I know...?</b>	<b>Rate my skills</b>	<b>My objectives</b>	<b>Timescale</b>	<b>What learning am I planning to do?</b>	<b>Where to find information</b>
How employer and employee payment contributions will be monitored and recorded	<b>1 2 3 4 5</b>				'Maintaining member contributions' course in the Public Service toolkit:

How late or failed payments which are likely to be of material significance to the regulator will be reported to the regulator	1 2 3 4 5				<a href="http://www.pensionseducationportal.com">www.pensionseducationportal.com</a>
What the pension board's role is in maintaining contributions and notifying the regulator of late or failed payments	1 2 3 4 5				
<b>8 – Communicating with members</b>					
<b>Do I know...?</b>	<b>Rate my skills</b>	<b>My objectives</b>	<b>Timescale</b>	<b>What learning am I planning to do?</b>	<b>Where to find information</b>
What information must be provided to members about the administration of the scheme and their benefits	1 2 3 4 5				'Providing information to members and others' course in the Public Service toolkit: <a href="http://www.pensionseducationportal.com">www.pensionseducationportal.com</a>
How that information will be provided to members	1 2 3 4 5				
Who is involved in member communications	1 2 3 4 5				
What the pension board's role is in member communications	1 2 3 4 5				
<b>9 – Resolving disputes</b>					
<b>Do I know...?</b>	<b>Rate my skills</b>	<b>My objectives</b>	<b>Timescale</b>	<b>What learning am I planning to do?</b>	<b>Where to find information</b>
How disputes within my scheme will be resolved	1 2 3 4 5				'Resolving internal disputes' course in the Public Service toolkit: <a href="http://www.pensionseducationportal.com">www.pensionseducationportal.com</a>
How disputes within my scheme and their resolutions will be documented	1 2 3 4 5				
What the pension board's role is in the resolution of issues and disputes	1 2 3 4 5				

**10 – Reporting breaches of the law**

<b>Do I know...?</b>	<b>Rate my skills</b>	<b>My objectives</b>	<b>Timescale</b>	<b>What learning am I planning to do?</b>	<b>Where to find information</b>
How to identify breaches of the law How breaches of the law will be assessed How breaches of the law likely to be of material significance to the regulator will be reported What my responsibility is to report breaches Who else is under a duty to report breaches	<b>1 2 3 4 5</b> <b>1 2 3 4 5</b> <b>1 2 3 4 5</b>  <b>1 2 3 4 5</b> <b>1 2 3 4 5</b>				'Reporting breaches of the law' course in the Public Service toolkit: <a href="http://www.pensionseducationportal.com">www.pensionseducationportal.com</a>

**Step 2 – Complete the learning**

**Monthly study plan**

	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Weekend</b>
<b>Week 1</b>						
<b>Week 2</b>						
<b>Week 3</b>						
<b>Week 4</b>						



Step 3 – Record the learning	Step 4 – Reflect on the learning		
	Event review		
<b>What did I do?</b> Course/event/activity Date, location and provider Learning objectives Content summary/programme Any qualification/mark I achieved	<b>How did it go?</b> What happened? Have I learnt what I hoped to learn from my training?	<b>How have my knowledge, skills and mindsets been improved?</b> What have I actually gained from this event? What do I know at the end of this event that I didn't know at the beginning? How have I benefited from the experience?	<b>How will I be able to bring what I have learned into my work?</b> How will the organisation benefit? Any feedback received – what do other people say [scheme manager, peers, etc]?

**Step 4 – Reflect on the learning**

**Periodic review**

<b>Review</b> Have I achieved my development plan for this period? Have I completed the training I identified?	<b>The positives</b> What type of development has delivered the greatest benefit? What and why was this?	<b>The negatives</b> What type of development has delivered the least benefit? What went wrong? How can I ensure this does not happen next time?	<b>Next steps</b> What development needs do I still feel I have? What are my priorities and deadlines for future development? What should I look to include in my next development planning cycle?

**Initial Equality Impact Assessment Questionnaire**

This questionnaire will enable you to decide whether or not the new or proposed policy or service needs to go through a full Equality Impact Assessment.

Title of policy or service: Fire Pension Scheme members of the Pension Board Learning and Development Policy						
Name of Employee completing assessment: Becky Smeathers				Department and Section: Scheme Manager		
1. State the purpose and aims of the policy or service.  <i>This should identify “(the legitimate) aim” of the policy or service</i>  The purpose of this policy is to ensure that arrangements are in place in relation to the learning and development of members of the Fire pension Scheme Pension Board						
2. Who is responsible for implementing it?  Scheme Manager						
3. Who is likely to be disproportionately affected by the proposal? People from which of the equality strands? (please tick)						
Age	Disability	Family Status	Gender	Race	Sexual Orientation	Religion or Belief
4. If no boxes are ticked – there is no need to continue the EIA						
5 If 1 or more boxes are ticked, describe how these groups are likely to be affected:						
6. Identify the individuals and organisations that are likely to have an interest in, or be affected by the policy or service.						
7. Has consultation (with managers, employees, TUs etc) on the policy or service been undertaken?				Yes X	No	
8. If yes, set out who has been consulted and any agreements and/or concerns identified: The employee representatives on the Fire Pension Scheme are Trade Union Reps (FBU and FoA). The policy was agreed through the Board.						

9. Has monitoring been undertaken?		Yes	No x
10. What does this monitoring show? The learning and development needs of pension board members will be reviewed on an ongoing basis			
11. If no to Q9, has a monitoring system been established to check for impact on equality strands?		Yes	No x
12. Other comments:			
13. Taking into account the information gathered to date, does the policy or service have a different impact on any equality group? Please identify:			
No Impact	Positive Impact	Negative Impact	Impact Not Known x
<b>14. If No Impact or Positive Impact box is ticked there is no need to continue the EIA. If Negative Impact or Impact not Known is ticked, please proceed to full assessment.</b>			
15 Proceed to Full Equality Impact Assessment		Yes	No x
16. What are your reasons for your decision? The policy is aimed at members of the pension board only and is designed to ensure that members have the required level of knowledge to undertake their role. It does not impact on any specific protected characteristic or grouping under the Equality Act as it relates to governance of the pension scheme.			

**1<sup>st</sup> Authorising signature (Completing Employee/s)**

**Becky Smeathers**.....

**Date: 07 October 2019** .....

**Once completed and authorised, please send copy of this form to the Equality and Diversity Officer.**

**2<sup>nd</sup> Authorising Signature (Equality and Diversity Officer)**

.....

**Date:** .....

## FPS Bulletin 24 – September 2019

Welcome to issue 24 of the Firefighters' Pensions Schemes bulletin.

If you are looking for information on a certain topic, issue and content indexes are held on the main [bulletin](#) page of the website and are updated following each new issue.

If you have any comments on the contents of this bulletin or suggested items for future issues, please contact [Claire Hey](#).

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## Calendar of events

Please see below a calendar of upcoming events relevant to the Firefighters' Pension Schemes. Only those events which are hyperlinked are currently available to book. If you have any events you would like to be included in a future bulletin, please contact [Claire Hey](#).

SAB	3 October 2019
North East regional group	4 October 2019
<a href="#">Fire Finance Network conference</a> : Arden - Warwick Conferences	9-10 October 2019
Fire Communications Working Group	16 October 2019
SAB Administration & Benchmarking/ Cost-effectiveness committee	24 October 2019
South East regional group	28 October 2019
Pensions tax seminar	12 November 2019
SAB LPB effectiveness committee	14 November 2019
SAB	12 December 2019
Firefighters' Pensions AGM – save the date!	22-23 September 2020

## FPS

### [Firefighters' Pensions: Board of Medical Referees - appointment of new contractor](#)

The contract for providing the Board of Medical Referees (BMR) to consider medical appeals under the Firefighters' Pension Schemes (in England) is currently held by Health Management Limited and will expire on 30 September 2019.

Following the completion of a formal tendering process, the Home Office can now confirm that it has appointed the successful applicant, Duradiamond Health Ltd, to provide the BMR from 1 October 2019 onwards.

Further information on the company can be accessed at: <https://www.duradiamondhealth.com/>.

It has been agreed that any new medical appeal cases referred to the BMR on or after 14 September 2019 will be considered by Duradiamond Health Ltd. In order to facilitate a seamless transition to the new contractor, FRAs are asked to hold off referring any new appeal cases to the BMR during the period 14 to 30 September 2019 - these cases can then be referred to Duradiamond Healthcare from the 1 October onwards. Any cases referred to the BMR before 14 September will be seen through to conclusion by Health Management Ltd.

While it is not expected that the appointment of Duradiamond Healthcare Ltd as the new contractor will change the current medical appeals arrangements, the Home Office will provide further detail in due course on hearing fees, hearing venues and the address that new appeal claims should be sent to, etc.

Contact details for Duradiamond Healthcare Ltd are as follows:

Email: [pfmab@duradiamondhealth.com](mailto:pfmab@duradiamondhealth.com)

Phone: 01273 963729

Postal Address: Duradiamond Healthcare  
Tribune House  
Bell Lane  
Bellbrook Industrial Estate  
Uckfield  
East Sussex TN22 1QL

Please contact [philip.perry@homeoffice.gov.uk](mailto:philip.perry@homeoffice.gov.uk) if you would like to discuss any of the above.

### Claims for refunds of NICs - FPS 2006 special members

HMRC has received claims for refunds of National Insurance Contributions (NICs) in relation to retained firefighters who have taken up backdated membership of their employer's pension scheme as special members of FPS 2006. A refund will be due for the difference between the amount already paid and the amount due at the lower contracted-out rate for the period of contracted-out employment.

However, for the employment to be treated as contracted-out employment a valid contracting-out certificate will need to be in place. Each of the affected FRAs will need to make a formal election to vary their pre 2016 contracting-out certificate, to backdate the start date of the certificate to 6 April 2000.

HMRC will contact you shortly to let you know what action you need to take. Once your backdated contracted-out certificate is issued, HMRC will be able to process your refund claims.

### GAD data improvement reports for FRAs now issued

As detailed in [FPS Bulletin 23 – August 2019](#), the individual data improvement reports from GAD have now been sent to the Chief Officer and Local Pension Board chair at each FRA.

If you are not aware that your authority has received this information and would like to have sight of the document, please contact [bluelight.pensions@local.gov.uk](mailto:bluelight.pensions@local.gov.uk).

### TPR data measuring review

We have recently been informed that some authorities may have received an email entitled 'Our records show you don't measure your data' from the Pension Regulator (TPR). We have sought reassurance that this is not a scam email, and can confirm this is a genuine request from TPR as the first stage of one of their regulatory initiatives, based on information supplied in the scheme return last year.

This year's scheme return invitations are imminent, so FRAs have an opportunity to rectify the information TPR hold. The Exchange system is open all year for updates to scheme information and

TPR encourage schemes to maintain the information held throughout the year, not just in response to a scheme return request.

### [FPS contacts for HMRC – a gentle reminder](#)

Also in the [August bulletin](#), we requested contact details of the Pensions Manager or senior person responsible for pensions administration within each FRA to provide to HMRC to help get their records as up to date as possible.

So far, we have received 19 of an expected 44 responses for England. Please consider this a gentle reminder of the following action.

**ACTION: FRAs to provide the name, address, telephone number, and email address for the pensions manager or senior responsible person.**

Please email [bluelight.pensions@local.gov.uk](mailto:bluelight.pensions@local.gov.uk) by 15 October 2019 using the subject line “FPS contacts for HMRC”.

### [SAB Administration & Benchmarking committee vacancy](#)

A vacancy has arisen on the [Administration & Benchmarking committee](#) for an FRA Local Pension Board representative. The main objectives of the committee are to provide guidance to the SAB to understand the value and cost of administration, and consider how administrators can best be supported by identifying best practice. The committee are currently involved in considering the recommendations made by Aon in the [administration and benchmarking review](#) and how these can be progressed.

The required commitment is attendance at three to four meetings per year, generally held in London. Attendance can be made by conference call if necessary. If you are interested in sitting on the committee, please email [clair.alcock@local.gov.uk](mailto:clair.alcock@local.gov.uk) for further information.

### [New factsheet – FPS Management and Governance](#)

We have recently produced a factsheet on the management and governance of the England Firefighters’ Pension Schemes (FPS) in order to highlight the roles of stakeholders and the guidance that is available to ensure good governance and management of the scheme.

While the factsheet will be interesting to all stakeholders, it will be particularly beneficial to those new to the FPS family, to give an overview of the relationship between stakeholder groups and the support networks available.

The factsheet has been published on the [factsheets](#) tab of the FPS Regulations and Guidance website and is also attached as [Appendix 1](#).

### [September query log](#)

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website. The queries have been anonymised and divided into topics. The log will be updated on a monthly basis in line with the bulletin release dates.

Queries from earlier months have been grey-shaded to differentiate from new items added in August.



## Other News and Updates

### ICO changes to GDPR

While GDPR has now been in force for some time, it is important for data controllers and processors to keep up to date with changes made by the Information Commissioner's Office (ICO).

Recent updates include a change in position on calculating the time limit for responding to requests in relation to individual rights, and additional guidance around "manifestly unfounded and excessive" requests.

All the latest news is available from the following link <https://ico.org.uk/for-organisations/guide-to-data-protection/whats-new/>

### TPR publish LGPS engagement report

On 19 September, TPR published a [report](#) on the findings from its engagement with 10 Local Government Pension Scheme (LGPS) funds. The engagement took place between October 2018 and July 2019.

The report summarises the key findings against the Regulator's Code of Practice 14 both in terms of exceeding and falling short of required standards.

TPR have confirmed that they are planning future supervisory and engagement work with a number of FRAs.

### Upating of UK State Pension recipients living in the EU after Brexit

The government has committed to uprating the UK State Pension paid to those living in the EU each year until March 2023, in the event that the UK leaves the EU without a deal on 31 October 2019.

During this three year period the Government plans to negotiate a new arrangement with the EU to ensure that uprating continues.

## HMRC

### Contracting-out reconciliation update

The following bulletin, containing important guidance and information about the end of contracting out and the scheme reconciliation process, was published by HMRC on 30 August 2019.

#### [Countdown bulletin 48](#)

Updates include:

- Final Data Cuts for Ceased Schemes
- Approach for producing Final Data Cuts
- Guaranteed Minimum Pension (GMP) Conversion

## Training and Events

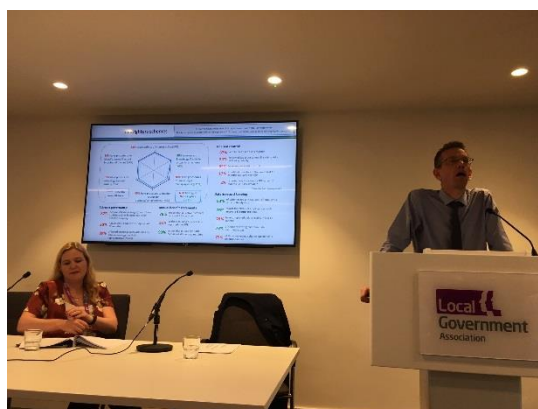
### FPS AGM – event summary

In keeping with tradition, our annual fire pensions conference two day event opened with a meeting of the regional chairs of each fire pensions officer group, followed by the technical community. You can find out more about the work of each of these forums, along with the various other stakeholder groups involved with FPS administration, governance, and management in our new [factsheet](#).

We were delighted to welcome over 60 delegates to the first full conference session, aimed at scheme managers and Local Pension Boards, along with other parties with an interest in FPS governance. Following the Chair's welcome, the audience heard from Gavin Chambers, ACO and chair of Bedfordshire FRS LBP, on his experiences before participating in a lively debate on the efficiency of boards and challenges of assisting the scheme manager.



TPR then took to the stage to present the headline results from the [2018 Governance and Administration survey](#), including everyone's favourite slide – “the spider diagram of doom”.



We ended the day with a networking drinks reception and although the weather was not quite as accommodating as last year, this didn't seem to dampen the animated conversation between colleagues and friends.

The day 1 presentations are available [here](#).

The full technical/ administration AGM took place on day 2 with a record attendance of around 120 delegates in our Bevin Hall conference room at 18 Smith Square.

Malcolm Eastwood, chair of the FPS (England) SAB, once again opened proceedings, outlining some of the complexities in managing the Firefighters' Pension Schemes. We were then delighted to welcome Amar Pannu, Head of Police and Firefighters' Pensions at the Home Office, to provide a view from central government including updates on the transitional protections case and the 2020 scheme valuation.

Twelve months after launching the FPS [administration and benchmarking review](#), Craig Payne from Aon, was back on stage at the AGM to present a summary of the review outcomes and recommendations. Read the full and final report [here](#).



Following a short break, attendees were given the option to join one of three technical workshops: [National performance monitoring](#); [Abatement](#); and [Transitional pension calculations refresher](#). All workshops were well attended and received positive feedback. Thank you to our facilitators and those who participated.

Lunch followed the short workshop feedback session, and delegates had chance to network with colleagues and visit exhibition stands hosted by the following organisations: Barnett Waddingham, Eversheds Sutherland, ITM, and Income for the Third Age.

We make a special apology here to Laura of Pen-gage <https://www.pengage.co.uk/> and Mark from Income for the Third Age <https://i3aguidance.co.uk/>, as we somehow managed to lose a box of promotional leaflets which had been delivered in advance to the office.

In the tough first afternoon slot, Alec Bennett from Eversheds Sutherland provided the ever-popular case law update, taking the audience on a whistle stop tour of recent court and Pensions Ombudsman decisions. And the final session of the day was delivered by the Bluelight lead Clair Alcock, who gave an update on the work of the team and future plans.



Malcolm Eastwood closed the conference for 2019 with a fond farewell, as he retires as chair of the SAB in March 2020.

We would like to thank all for their participation and support, particularly our speakers and exhibitors for contributing to the success of the event, and to all delegates who took time out of their busy schedules to attend. We look forward to seeing you again next year – save the date 22-23 September 2020!

The day 2 presentations are available [here](#). To view the full conference in pictures, visit our [@LGAWorkforce](#) twitter feed, #LGAfirepensions

### Training survey research report

Between 31 May and 31 July 2019, FPS stakeholders were invited to take part in a web-based survey on the current and future training provision offered by the LGA Bluelight team, to ensure that the LGA training offer remains relevant and that the statutory levy provides value for money.

During that time a total of 51 responses were received from across a wide range of FPS stakeholders in England, Wales, and Scotland.

Having collated and analysed the responses, we are pleased to present the final [research report](#), which will be used to inform our training plan for 2020.

The LGA would like to thank all those that were able to submit a response for their participation in the survey, and for continuing to support the work of the Bluelight team.

### Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [Khub Firefighters Pensions Discussion Forum](#)
- [FPS1992 guidance and commentary](#)
- [The Pensions Regulator Public Service Schemes](#)
- [The Pensions Ombudsman](#)
- [HMRC Pensions Tax Manual](#)
- [LGA pensions website](#)

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