



Firefighter Pension Schemes Local Pension Board Minutes

Date of meeting	Thursday 2nd March 2017
Time of meeting	10am
Location of meeting	GF01, Kelvedon Park

Attendees:

Employer representatives:

David Bill, Director of Prevention, Protection and Response (Chair)
Glenn McGuinness, Assistant Director of Finance
Sally Froment, HR Business Partner

Employee representatives:

Graham Byford, RFU (apologies)
Nigel Dilley, FOA
Martin Leach, FBU

Invited participants:

James Durrant, Pensions Manager
David Golding, Team Manager, Police and Fire Pension team/Pensioner payroll, Essex Pension Fund
Matt Mott, Communications Manager, Essex Pension Fund

	Agenda item	Action
1	Welcome, introductions and apologies Dave welcomed all to the meeting and the meeting was declared as quorate.	
2	Conflict of interest declarations No new conflicts of interest were declared.	
3	Minutes of last meeting Dave went through the minutes of the last meeting and the action points.  October 2016 Pension Board Minu	

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	<p>The action relating to the SLA addendum is to be removed from the actions. This is because Essex Pension Fund do not currently have the facility to report on the achievement against the service level targets e.g. how many estimates completed on time etc. Matt assured the board that there are no cases that have significantly exceeded timescales and James would usually have such cases flagged to him by the scheme members. It was agreed that this could be monitored and revisited if it came to light that timescales were becoming a problem.</p> <p>The action for setting a limit for purchasing added pension can be closed. No other Fire & Rescue Authorities have mentioned that they have set a limit.</p> <p>Day-Crewing Pensions to be discussed under agenda item 7.</p> <p>The GMP reconciliation has been added to the agenda and is a standing agenda item.</p> <p>Refresher training is to be discussed under Training plans in Agenda item 11.</p> <p>See agenda item 8 covers the action for James regarding using TPR's self-assessment tool and presenting results.</p> <p>Glenn raised a point of accuracy on Agenda item 6 of the minutes of the October meeting. In the item - Update on Early Exits where it said – “Glenn stated that there is no provision made in the accounts to do a further exercise in the short to medium term”, this should be “Glenn stated that there is no provision to do a further exercise in the short to medium term”.</p> <p>No other points of accuracy were raised and barring the one amendment, the minutes were accepted as a true representation of the meeting.</p>	
4	<p>Update from Scheme Advisory Board</p> <p>James updated the Board on the Scheme Advisory Board's activity.</p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p>Eastwood 311016.pdf</p> </div> <div style="text-align: center;">  <p>Fire SAB - Chair's update November 21</p> </div> </div>	

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	<p>A question was raised as to whether ECFRS has received notification of the levy and how much this is. James said this has been received and each FRA is charged according to the number of firefighter's that are eligible to join one of the Firefighter Pension Schemes. James to check with Mike Clayton to see if he has this in hand or requires assistance with it.</p> <p>The Annual Allowance and Lifetime Allowance was discussed. The responsibility for Annual Allowance & Lifetime Allowance is on the scheme member. There is a legal responsibility on the employer / pension provider to provide the amount of pension growth on a pension saving statement by 6 October every year. It is difficult to find someone who knows about both firefighter pensions and pension tax. It was suggested that the issue of pensions and tax advice is perhaps something the Scheme Advisory Board could take up. James and Dave to discuss further and potentially find out if Essex Police use anybody.</p> <p>Glenn raised that the Scheme Advisory Board mentions in their update that Fire Authorities will face challenges with the potential of Governance of the Fire & Rescue service in some Authorities being undertaken in the future by Police & Crime Commissioners. It was not known whether this specifically relates to issues with Fire & Rescue Authorities generally or whether this is specific to Pensions.</p>	<p>James to check with Mike</p> <p>James to check with Clair / SAB</p>
5	<p>18-20 Contribution Holiday</p> <p>James updated the board on the progress on the 18-20 Contribution Holiday.</p> <p>As of 28 February 2017 there are 7 individuals who have not yet responded. The addresses that were written to were definitely the correct address as Essex Pension Fund are paying a pension to those individuals.</p> <p>Dave mentioned that they could perhaps live overseas for the majority of the year but they might be keeping their registered address in the UK.</p> <p>James to discuss with Dave the remaining non-replies as he may know their specific circumstances.</p> <p>David raised that Essex Pension Fund may hold email addresses for those who have not replied and this may be a better way on getting in touch. James to send names of individuals and Essex Pension Fund to provide email addresses if they hold them.</p>	<p>James to discuss with Dave</p> <p>James to provide names to Essex Pension Fund</p>

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6	<p>FPS2015 – transitional protection legal challenge</p> <p>James updated the Board on the recent judgment on the legal challenge on the transitional protections for the Firefighter Pension Scheme 2015 and the related Judge’s pension scheme challenge.</p> <p>The implications of what happens if the claimants had won the case were discussed. If the transitional protections were removed, then this could mean that everyone would transition into the 2015 scheme, even though this was not the intention of the claimants. However, legislation would need to change in order to remove the protections.</p> <p>The Board sympathise with some firefighters who joined the same day as their colleague and do the same job but each has different protections as one is older than the other.</p> <p>The Board questioned if the cases are similar, how come they have different outcomes. Presumably, as there were different Government departments involved, they could have processed the protections differently. The judgment in the Judge’s case has been handed down, but the Firefighter Pension Scheme judgment has not, so it is not possible to compare the two judgements.</p> <p>Both cases will go to appeal.</p>	
7	<p>Day Crew Pensions – Norman v Cheshire</p> <p>Dave and James have chased the action relating to making the Retained Element of Day-Crewing pensionable under the 1992 scheme. Martin to check with Alan Chinn-Shaw.</p>	Dave and James to continue to chase
8	<p>Results from the Pension Regulator self-assessment tool – Governance & Administration</p> <p>As discussed at the last Board meeting, James has now assessed ECFRS using the Pension Regulator’s self-assessment tool for Governance and Administration.</p> <p>The results show that ECFRS are fully compliant with the Governance of the scheme. An improvement could be made whereby the details of the Pension Board and the agenda and minutes are put on the website. Currently the information is available on the intranet only, meaning only active members and optants out can accessed it, but not deferred or pensioners. The Board agreed that the information should be made available on the website and James will liaise with Matt Mott about this.</p>	James will liaise with Matt Mott about the Pension Board information being made available on the website.

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	<p>In the Managing Risks and issues section, 2 out of 6 were fully compliant, with the remaining 4 out of 6 being in development. The required items which are in development are, risk processes, a risk register, ensuring outsourced administrators have internal controls in place and a procedure to identify, assess and report breaches of the law. With regard to ensuring outsourced administrators have internal controls in place, this could be considered as compliant as pensions are audited and ECFRS takes part in the National Fraud initiative.</p> <p>In the Administration section, 4 out of 8 were fully compliant, with the remaining 4 out of 8 being in development. 3 of those will be complied with once a data review exercise is completed. The other will be complied with once the Scheme Advisory Board and the Firefighter Pension Communications Group begin to issue templates and guides to Authorities.</p> <p>Dave suggested that Chloe Rowling in the ECFRS Communications team would be a good person to review communications with. Also, Charles Thomas can help with a risk register.</p> <p>Action plan to be updated and approved at the next Board meeting.</p>	<p>James to update action plan and present at next board meeting</p>
9	<p>Update on Guaranteed Minimum Pension (GMP) reconciliation</p> <p>Matt updated the Board on the GMP reconciliation. The data has been found to be very good and pensioner and deferred cases are almost completed. There are 30 queries left and Essex Pension Fund have to date experienced no nasty surprises.</p> <p>Information on active members has been sent to HMRC and Essex Pension Fund are waiting on a response. The active data has been with HMRC for 2 months.</p> <p>HMRC recently said they are resourced to deal with 40% of the queries. HMRC are concerned that 70% of FRAs have not sent them any queries yet. It is possible that the GMP reconciliation will overrun.</p> <p>Board to keep a watching brief, however if Essex Pension Fund haven't had a reply by the next board meeting then they are to mention it to the Board. This is with a view to sending a letter to HMRC to express concerns on the delay.</p>	

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10	<p>Regional Pension group meeting update</p> <p>James wanted to bring the Pension Dashboard to the Board's attention, which is causing concerns amongst Authorities in the region.</p> <p>The Pensions Dashboard is a Government initiative that lets people see all their pension pots in one place on their desktop, laptop, tablet or mobile with the aim to help them plan for their retirement more effectively. This will include the State Pension and any final salary or career-average schemes. This is to be in place by 2019.</p> <p>6 private companies are building it and there are concerns over lack of consideration of public sector schemes. The Local Government Association and Scheme Advisory Boards are to act on behalf of public sector schemes.</p> <p>HM Treasury are the sponsoring Government department, however, no funding is being made available to schemes to implement.</p> <p>There are concerns over data protection, as access to an individual's pensions in one place, would be of great interest to hackers. There are concerns over whether the I.T. in the public sector is good enough to be compatible with the Dashboard's requirements.</p> <p>Using the experience of the difficulties with the Government's initiative 'Tell Us Once', the Dashboard could take a number of years to embed.</p> <p>Board to keep a watching brief on developments.</p>	
11	<p>Update on training/training plan</p> <p>The refresher training on the Pension Board's responsibilities and reporting breaches has not been received. James has submitted a request to have Clair Alcock from the Local Government Association to provide a training session, potentially in the afternoon of 2 June 2017.</p> <p>It has now been some time since the Board completed the Pension Regulator's e-learning modules and Dave suggested everyone should now re-do one of the modules between each board meeting. The Board agreed to this. James will pick the module to do and contact the Board members with the information and where to find it. Board members will confirm to James that they have completed it.</p>	<p>James to inform Board of TPR module.</p> <p>Board to complete the training.</p>

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	<p>Essex Police usually have a training session at each of their Pension board meetings. They normally request the subject matter that they wish to receive training on and Essex Pension Fund provide it. Essex Pension Fund recently provided an Ill-health retirement training to Essex Police. It is much easier for Essex Pension Fund to tweak the training that Police have had and change it for Fire. The Board requested that Essex Pension Fund provide Ill-health retirement training at next pension board meeting.</p>	<p>Essex Pension Fund to provide Ill-health retirement training to the Board.</p>
12	<p>Any other business</p> <p>Glenn asked for an update on the End of Year returns and whether the requirements have changed from last year. James attended two training sessions provided by Essex Pension Fund, one session for the Local Government Pension Scheme (LGPS) and one for the Firefighter Pension Schemes.</p> <p>Nothing has changed for the LGPS from last year. For the Firefighter Pension Schemes there are a few changes to the spreadsheet, however these are to clarify the information required as some information had to be sent backwards and forwards between James and Essex Pension Fund.</p> <p>The deadline is 30 April 2017. Contribution Holiday cases would need careful consideration, as the employee contribution would be lower than expected and would not equate to the Pensionable pay. However, the employer contributions are paid in full for a person in their Contribution Holiday and this will be used to calculate the pensionable pay figure.</p> <p>The recent Brewster ruling in the Supreme Court was discussed. It is understood the Home Office are looking at the implications in the Firefighter Schemes. However, the ruling does not mean that there is an entitlement to co-habiting partner's pensions. Pension nominations are being talked about across the organisation because of the recent death in service of a firefighter. The Board suggested it would be timely to provide a reminder about nomination forms in the weekly e-brief.</p> <p>A question was asked about Temporary Flexi Allowance, as there had been a query about whether it should be counted as part of an individual's final pensionable pay, even if it started after 1 July 2013. This has recently been clarified and agreed with Mark Stagg and the FBU that Temporary Flexi Allowance regardless of whether it began being received by an individual before or after 1 July 2013 does count as part of final pensionable pay.</p>	<p>James to consider</p>

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	Rank to role was discussed and a question was raised as to whether any analysis on the increase in pension costs has been made. Glenn said that Finance had not done anything. Sally will check if this has been looked at.	Sally to look into
13	<p>Date of next meeting</p> <p>Next meeting is on Friday 2nd June 2017 starting at 10am, in meeting room Ground Floor 01</p>	