

MID AND WEST WALES FIRE AND RESCUE AUTHORITY



NOTICE

MEETING OF THE LOCAL PENSION BOARD

MONDAY, 22 APRIL 2024

AT 14:00

**CAER SUITE, SERVICE HEADQUARTERS AND
REMOTELY VIA TEAMS**

AGENDA

Local Pension Board Members: You are hereby summoned to attend a meeting of the Local Pension Board to be held in the Caer Suite, Service Headquarters and Remotely via TEAMS on Monday, 22 April 2024 at 14:00 (pre-meeting for Members of the Board only at 13:45)

The following business is proposed to be transacted:

1. Apologies for Absence
2. Declaration by Members of any Personal and / or Prejudicial Interests
3. Chair's Announcements/Personal Matters
4. To confirm and approve as a true record the minutes of the previous meeting held on 27 November 2023, and consider matters arising (Pages 3 - 10)
5. Scheme Administrator Update (Pages 11 - 22)
6. Firefighters Pension Scheme Activity (Pages 23 - 36)
7. Verbal Update on the Pension Scheme Advisory Board (Wales)
8. Firefighters Pensions - Remediating Age Discrimination (Pages 37 - 48)
9. Firefighters Pensions - The Retained Firefighters' Pension Settlement (Pages 49 - 78)
10. To receive a report on the Pensions Regulator Scheme Returns (Pages 79 - 122)
11. Firefighters' Pension Schemes Risk Register (Pages 123 - 138)
12. Training Needs Analysis and Training Programme (Pages 139 - 150)
13. Local Pension Board Budget Update (Pages 151 - 156)
14. Forward Work Programme (Pages 157 - 162)
15. Any other items of business that by reason of special circumstances, the Chair decides should be considered as a matter of urgency pursuant to Section 100(4)(b) of the Local Government Act 1972.



D Daycock
Clerk and Monitoring Officer

**AWDURDOD TÂN AC ACHUB CANOLBARTH A GORLLEWIN
CYMRU**



MID AND WEST WALES FIRE AND RESCUE AUTHORITY

**NOTES: THESE MINUTES ARE SUBJECT TO CONFIRMATION BY THE LOCAL
PENSION BOARD AT ITS NEXT MEETING**

**MINUTES
OF THE LOCAL PENSION BOARD MEETING
Caer SUITE, SERVICE HEADQUARTERS
Fire and Rescue Service Headquarters, Carmarthen
27 NOVEMBER 2023**

14:00

Present at Meeting:

Chair: Ian Coleman

Members: Cllr M Bowen (Employer Representative), Cllr K Broom (Employer Representative), R Felton (Employer Representative), D Bartley (Employer Representative) R Hanney (Scheme Member Representative), and T Parry (Scheme Member Representative)

Apologies:

In Attendance: J Harries (Accountancy & Systems Manager), M Harries (ACO), S Mansbridge (S.151 Officer), S Philips (Head of Finance), S Tillman (Pensions Officer), N Evans (Pensions Assistant), M Miles (Head of HR), A Lewis (T/Head of CCBD) A Hawkes (Democratic Services Officer)

1 Apologies for Absence

There were no apologies for absence.

2 Declaration by Members of any Personal and / or Prejudicial Interests

All Local Authority Members present declared that they had a personal interest in any matters affecting or relating to their own Constituent Authority.

3 Chair's Announcements/Personal Matters

The Chair welcomed Martin Gibson and Philippa Dixon from Audit Wales, who were in attendance to observe the meeting.

4 To confirm and approve as a true record the minutes of the previous meeting held on 19th of July 2023, and consider matters arising

The minutes of the Local Pension Board meeting held on 19 of July 2023 were confirmed as a true record of proceedings.

5 To confirm and approve as a true record the minutes of the previous meeting held on 4th of October 2023, and consider matters arising

The minutes of the Local Pension Board meeting held on 4th of October 2023 were confirmed as a true record of proceedings.

6 Scheme Administrator Update

Local Pension Board Members received an update by the Scheme Administrator representative, Mr M Morgan on various ongoing work-streams. Board Members were provided with a synopsis of the salient information contained within the report.

Members were given an update on the court of appeal judgement on the changes to the transitional arrangements to the 2015 public service pension scheme. It was explained that the Firefighters Pensions (Remediable Service) (Wales) Regulations 2023 were laid and came into force on 01 October 2023 and as a result, the software provider, Heywood, are currently in the process of updating the system.

It was explained that Financial data in respect of members in the Firefighter Pension Scheme 1992 (FPS 1992) had been received and that the Dyfed Pension Fund is awaiting further data relating to members in respect of the Firefighter Pension Scheme 2007 (FPS 2007) to update our records.

Members were reminded of the 'My Pension Online' facility and emphasised the wealth of information available to scheme members on this portal.

It was confirmed that no pension appeals or breaches had been recorded by the Scheme Administrators during the reporting period 01 April 2023 to 30 June 2023.

Members' attention was drawn to the tables attached at Appendix 1 which detailed the workflow statistics for the key tasks undertaken in the section for the period 1st April 2023 to 30th June 2023 in respect of the Firefighters Pension Scheme(s).

RESOLUTION

It was RESOLVED that Local Pension Board Members note the content of the report.

7 Firefighters Pension Scheme Activity

The Pensions Officer introduced a report to Board Members on the Firefighters' Pension Scheme Activity for the period 1 July 2023 to 31 October 2023.

Board Members were informed of the number of scheme members across the various pension schemes, together with the number of pensioner members of each scheme, the number of deferred members of each scheme and the total retirees within the reporting period.

It was reported that 19 employees had joined the Firefighters Pension Scheme (Wales) 2015 during the reporting period and a total of 5 had elected to opt out.

The Pensions Officer was pleased to report that the 7 pension benefit illustrations requested during the reporting period. 5 out of the 7 illustrations were returned within the agreed 1-month timescale as set out within the Service Level Agreement.

It was explained that the 2 that were returned outside the SLA due to the fact that the Firefighters Pensions (Remediable Service) (Wales) Regulations 2023 came into force on 01 October 2023 and the Dyfed Pension Fund advised that the system was not fully capable of dealing with McCloud at present and as a result, they were facing a number of issues which they were trying to resolve with manual intervention as their main priority is to ensure the figures they provide are correct as providing incorrect figures would cause no end of problems.

Members noted the information and Welsh Government circulars that were communicated to Members during the period of 01 July 2023 and 31 October 2023.

Members were pleased to note that there have been no new Internal Dispute Resolution Procedure Applications received during the reporting period and that no complaints had referred to the Pensions Ombudsman during the reporting period.

The Pensions Officer reported that there is 1 complaint still outstanding with the Pension Ombudsman that was reported at the meeting on 01 November 2021. It was explained that the complaint relates to the Service not recalculating an individual's Cash Equivalent Transfer Value (CETV) (issued in 2010) following the outcome of the High Court Judgement on Pensionable pay within the Firefighters Pension Schemes.

Members were informed that the Service has received communication from the Pension Ombudsman on 24 October 2023 to advise that the complaint is awaiting to

be allocated to an Adjudicator, which should be allocated within the next 4 months, once the Adjudicator has made their decision the Service will be advised.

Members noted that there had been no new Appeals referred to the Board of Medical Referees during the reporting period and that the Appeal referred to at the meeting on 19 July 2023 has now been rescheduled and the hearing will now take place on 23 November 2023.

Members were pleased to note that there had been no recorded or reportable breaches during the reporting period.

RESOLUTION

It was RESOLVED that Local Pension Board Members note pension scheme activity for the period 01 July 2023 to 31 October 2023.

8 Verbal Update on the Pension Scheme Advisory Board (Wales)

The ACO provided Members with an update from the Scheme Advisory Board for Wales (SABW) that had taken place on 28th July 2023.

It was explained that the Board meeting comprised of an update on the age discrimination remedy consultation, the consultation on RDS Firefighter Pensions' second options exercise, the 2020 valuation assumptions report and consultation on proposed amendments to scheme regulations to amend errors in HM Treasury Revaluation Orders 2021 & 2022 – FPSABW(23)07.

There were no comments or questions.

RESOLUTION

It was RESOLVED that the verbal update regarding the Pension Scheme Advisory Board for Wales meeting be noted.

9 Firefighters Pensions - Remedying Age Discrimination

The Chair provided Members of the Local Pension Board with an update on the progress made to implement a national remedy following the successful legal challenge brought by the Fire Brigades Union (FBU) relating to age discrimination in the Firefighters' Pension Scheme 2015.

Members attention was drawn to appendix 1 of the report which summarised the consultation responses to the consultation on amendments to Firefighters' Pension Schemes in Wales 2003 which was published on 06 September 2023, the document also confirmed the next steps in relation to remedying all cases of Age Discrimination.

It was explained that the Firefighters Pensions (Remediable Service) (Wales) Regulations 2023 were laid and came into force on 01 October 2023 to make provision for Scheme Managers to implement the changes necessary and these are required to be completed within an 18-month period and that the Regulations place all eligible active employees back into their legacy schemes for the period 01 April 2015 to 31 March 2022 and offer a choice of legacy scheme or reformed scheme benefits upon retirement.

It was highlighted that the Regulations not only affect current employees but include former employees who are deemed eligible members. The Chair confirmed that the Service has identified and communicated with all members considered to be in scope.

Members were informed that the detailed work necessary has commenced and the implementation will be prioritised to ensure that members retiring from 01 October 2023 will be processed in accordance with the Regulations.

It was stressed that Members should be aware that this highly technical work will be carried out by the Service's Pensions Officer and a newly appointed Pensions Assistant and will be completed within the specified time frame.

There were no comments or questions.

RESOLUTION

It was RESOLVED that Local Pension Board Members note the current position regarding the remedy of age discrimination in the Firefighters' Pension Scheme 2015.

10 To receive a report on reviewing the Procedure for Reporting Breaches of the Law

The Chair explained that the Pensions Regulator's Code of Practice 14 for the Governance and Administration of Public Service Pension Scheme requires Pension Scheme Managers to have in place procedures for reporting breaches of the Law.

Members were informed that a Procedure for Reporting Breaches of the Law was approved by the Fire Authority at its meeting on 19 September 2016, with amendments made on 28 November 2022. Members attention was drawn to Appendix A which contained minor amendments for review by the board.

Members attention was then drawn to Appendix B which contained a record of Breaches.

There were no comments or questions.

RESOLUTION

It was RESOLVED that Local Pension Board Members review the Procedure for Reporting Breaches of the Law and:-

- i. endorse the proposed amendments for recommendation to the Fire Authority**
- ii. identify any additional amendments or updates as considered necessary for recommendation to the Fire Authority.**

11 To receive a report on the Fire Pensions Annual Conference 2023

Members received an update on the Annual Pension Conference that was attended by the Chair.

Members were taken through the 2 day programme and were provided with a synopsis of events.

There were no comments or question.

RESOLUTION

It was RESOLVED that Local Pension Board members note the overviews provided by attendees of the LGA Firefighters' Pensions AGM and Annual Conference 2023 as set out at Appendix 1 and 2 respectively.

12 Firefighters' Pension Schemes Risk Register

The Board received for consideration the Risk Register document attached at Appendix 1 of the report which comprised Operations, Financial, Funding and Regulatory & Compliance areas of risk.

The Board's attention was drawn to the highlighted areas of the report set out at Appendix 1.

There were no comments or questions.

RESOLUTION

It was RESOLVED that Local Pension Board Members consider the Risk Register at Appendix 1 and review the risk register scores making any recommendations to the Scheme Manager for amendment if considered necessary.

13 Training Needs Analysis and Training Programme

Board Members gave consideration to the Training Needs Analysis set out at Appendix 1 to the report.

The Chair informed the Board that it is hoped that the pensions regulator will be in attendance at the April 2024 meeting.

It was explained that training will be provided where possible on the morning of future Local Pension Board meetings, including joint training with South and North Wales Fire and Rescue Services.

There were no comments or questions.

RESOLUTION

It was **RESOLVED** that Local Pension Board members note the Local Pension Board Training Programme attached at Appendix 2 and consider the Training Needs Analysis set out at Appendix 1 to inform future training events.

14 Local Pension Board Budget Update

Members were informed that the Local Pension Board expenditure is set against a specific budget code to accurately monitor expenditure, and in 2022/23 costs associated with Local Pension Board activities was £6,402.97.

Members were reminded that the Local Pension Board budget for 2023/24 is £10,000, and it was explained that the expenditure during 2023/24 to date is £4,277.45.

It was noted that the projected expenditure is approximately £6,500, which includes anticipated attendance at the Fire Pensions Annual General Meeting in September.

RESOLUTION:

It was **RESOLVED** that Local Pension Board members note the current Local Pension Board budget update.

15 Forward Work Programme

The Chair provided an overview of the Local Pension Board Forward Work Programme for November 2023 – July 2024.

There were no comments or questions.

RESOLUTION

It was **RESOLVED** that Local Pension Board Members review the Local Pension Board Forward Work Programme as set out in Appendix 1, and approve any amendments deemed necessary.

16 Any other items of business that by reason of special circumstances, the Chair decides should be considered as a matter of urgency pursuant to Section 100(4)(b) of the Local Government Act 1972.

There were no other urgent matters of business. The meeting closed at

Meeting closed 14:42

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| The report is Not Exempt | |
| The report is for Information | |
| REPORT TO: LOCAL PENSION BOARD | MEETING DATE: 22/04/24 |

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| SUBJECT: Scheme Administrator - Update |
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| PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S): |
| To update Members of the Local Pension Board on activities being undertaken by the scheme administrators in relation to the administration of the Firefighters' pension schemes. |

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| EXECUTIVE SUMMARY |
| This report provides Local Pension Board Members with a progress update on a number of projects being simultaneously undertaken, along with providing information on relevant issues in the administration of scheme benefits. |

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| RECOMMENDATIONS: |
| That Local Pension Board Members note the content of the report. |

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|---|---------------------------|
| REPORT APPROVAL | |
| Clerk / Monitoring Officer: | Comments: Approved |
| Relevant Director: | Comments: Approved |
| Section 151 Officer/Treasurer: | Comments: Approved |
| Chief Fire Officer / Deputy Chief Fire Officer | Comments: Approved |

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| ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT: |
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|----------------------------------|---|
| Presenting the Report: | Mr Martin Morgan Deputy Pensions Manager |
| Report Author(s) and Designation | Mr Martin Morgan Deputy Pensions Manager |
| Date original report written | 05/04/2024 |

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad ER GWYBODAETH

ADRODDIAD I'R: BWRDD PENSIWN LLEOL

DYDDIAD Y CYFARFOD:
22/04/24

TESTUN: Gweinyddwr y Cynllun - Diweddariad

PWRPAS YR ADRODDIAD A RHESWM DROS YR ARGYMHELLION:

Diweddaru Aelodau'r Bwrdd Pensiwn Lleol ar weithgareddau sy'n cael eu cyflawni gan weinyddwyr y cynllun mewn perthynas â gweinyddu cynlluniau pensiwn y Diffoddwyr Tân.

CRYNODEB: Mae'r adroddiad hwn yn rhoi'r wybodaeth ddiweddaraf i Aelodau'r Bwrdd Pensiwn Lleol am nifer o brosiectau sy'n cael eu cyflawni ar yr un pryd, ynghyd â darparu gwybodaeth am faterion perthnasol wrth weinyddu buddion y cynllun.

ARGYMHELLION: Bod Aelodau'r Bwrdd Pensiwn Lleol yn nodi cynnwys yr adroddiad.

CYMERADWYO'R ADRODDIAD

Clerc:

Sylwadau: Cymeradwyd

Cyfarwyddwr berthnasol:

Sylwadau: Cymeradwyd

Swyddog Adran 151/Trysorydd:

Sylwadau: Cymeradwyd

**Prif Swyddog Tân /
Dirprwy Brif Swyddog Tân**

Sylwadau: Cymeradwyd

PAPURAU CEFNDIR A DDEFNYDDIWDYD WRTH BARATOI'R ADRODDIAD HWN:

Yn cyflwyno'r Adroddiad:

Mr Martin Morgan
Dirprwy Reolwr Pensiynau

Awdur(on) yr Adroddiad a'u Swyddi

Mr Martin Morgan
Dirprwy Reolwr Pensiynau

Dyddiad yr ysgrifennwyd yr adroddiad
gwreiddiol

05/04/2024

**REPORT TO LOCAL PENSION BOARD
22 APRIL 2024
SCHEME ADMINISTRATOR - UPDATE**

1 Executive Summary

- 1.1 This report provides Local Pension Board Members with a progress update on a number of projects being simultaneously undertaken, along with providing information on relevant issues in the administration of scheme benefits.

2 National/Wales Position

- 2.1 Pension scheme administration is specific to each individual Fire and Rescue Service. However, most pension scheme administration activities are outsourced to third party administrators. In the case of Mid and West Wales Fire and Rescue Service, the administrator role is provided by Dyfed Pension Fund under the provision of a Service Level Agreement.

3 Mid and West Wales Fire and Rescue Service Current Position

3.1 Regulatory Update

- 3.1.1 Firefighters' Pension Scheme 2015 – Court of Appeal transitional protections judgement
- 3.1.2 The Firefighters Pensions (Remediable Service) (Wales) Regulations 2023 were laid and came into force on 01 October 2023. The software provider, Heywood, are continually updating the system based on errors that have been raised by Administrators.
- 3.1.3 Financial data in respect of members in the Firefighter Pension Scheme 1992 (FPS 1992) have been received and the Dyfed Pension Fund is awaiting further data relating to members in respect of the Firefighter Pension Scheme 2007 (FPS 2007) to update our records.
- 3.1.4 All members who have retired from 01 October 2023 have been processed.
- 3.1.5 Testing is currently being undertaken in respect of loading data and calculations in order to produce the Remediable Service Statements (RSS) required for pension scheme members.

3.2 Regulatory Amendments

- 3.2.1 Regulatory amendments or matters highlighted in circulars issued by the Welsh Government have been actioned unless otherwise stated.

3.3 E-Communication

3.3.1 The 'My Pension online' facility was introduced in order to provide scheme members with interactive 24/7 access to their pension record and benefit statements. The final phase of disclosure requirements has been completed and employees must elect to receive paper statements. Currently 10 Fire scheme members have elected to continue receiving paper statements out of 3,562 members.

3.3.2 The table below shows the member categories that have accessed the site during the period 01 April 2023 to 31 December 2023:

E-communication opt outs: **10 out of 3,562**

Total Registered Records: **1,750 out of 3,562**

Percentage of Records Registered:

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| Active: | 54% |
| Deferred: | 49% |
| Pensioner: | 43% |

3.3.3 Logged in Registered users accessed the service between 01 April 2023 – 31 December 2023:

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|-------------------|-----|
| Active: | 260 |
| Deferred: | 241 |
| Pensioner: | 212 |

3.4 GMP Reconciliation

3.4.1 When a scheme member attains State Pension Age (SPA), they will be advised of the amount of Guaranteed Minimum Pension (GMP) which is included in their pension.

3.4.2 The GMP relates to the part of the pension for the period between April 1978 and April 1997 for which they were 'contracted out'. For this period, the Pension Scheme has to guarantee that their pension will be at least the same as it would have been, had they not been 'contracted-out'. Contracting out ceased in April 2016.

3.4.3 HMRC have now stated that they will not be sending a statement to all individuals affected specifying who is responsible for paying their Guaranteed Minimum Pension (GMP).

3.4.4 The pensions section will continue to reconcile the GMP values it holds for members with those calculated by HMRC. It ensures that all individuals recorded by HMRC against the fund are correct. The pensions section has reconciled 99.52% of the records held.

3.4.5 Further information has also been issued to HMRC in order that they amend their records. Unfortunately, a response remains outstanding and is the reason for no change in the records completed since the last update.

3.4.6 Reconciliation work has also been undertaken in respect of active scheme members and 98.43% have been reconciled. HMRC had previously informed the pensions section that they would commence responding to the outstanding queries in March 2019. Unfortunately, HMRC have not responded to all the outstanding queries as suggested, and therefore the reconciled data remains the same as the previous report.

3.5 Appeals

3.5.1 No pension appeals have been received during the period 01 July 2023 to 31 December 2023.

3.6 Breaches

3.6.1 No breaches have been recorded during the period 01 October 2023 to 31 December 2023.

3.7 My Pension Online

3.7.1 The Scheme Administrators would be grateful if scheme members could be made aware of the 'My Pension Online' facility in order to view their pension scheme benefits.

3.8 Workflow

3.8.1 The tables attached at Appendix 1 detail the workflow statistics for the key tasks undertaken in the section for the period 1st July 2023 to 30th September 2023 and 1st October 2023 to 31st December 2023 in respect of the Firefighters Pension Scheme(s).

3.8.2 Please note that in circumstances where multiple iterations for the same calculation date have been undertaken, this is recorded as a single estimate. The workflow statistics are recorded on a quarterly basis.

4 Proposal

4.1 This report is for information only.

5 Service Commitments, Improvement Objectives and Well-being goals

5.1 The Service is committed to ensuring that the key principles of the Wellbeing of Future Generations (Wales) Act 2015 are supported.

6 Financial/Procurement Implications

- 6.1 It is likely that the financial impact relating to the outcome of HMT's consultation to enact remedy relating to the outcome of the Firefighters' Pension Scheme 2015 – Court of Appeal transitional protections judgment, will result in increased benefits to members of the Firefighters Pension scheme.

7 Risk Assessment/Legal and Compliance Implications

- 7.1 These are incorporated throughout the report.

8 Fire Authority Governance Implications

- 8.1 The Authority, as a Scheme Manager, should take all practical steps to ensure compliance with the administration of the Firefighters' Pension Scheme(s).

9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications

- 9.1 All the practices are fully compliant.

10 Data Protection and Privacy Issues

- 10.1 All personal information processed as part of pension scheme administration is done so in accordance with the Authority's Data Protection Procedures.

11 Consultation and Communication

- 11.1 Considered, but not deemed relevant to the report.

12 Prevention, Protection and Response Implications

- 12.1 Considered, but not deemed relevant to the report.

13 Human Resource and People Development Implications

- 13.1 The Human Resources Department is responsible for ensuring the day to day administration of employers' responsibilities in relation to the Firefighters' Pension Scheme(s), and for the provision of employee information to the third-party administrators.

14 Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications

- 14.1 See 3.4 and 3.5 above.

15 Estates Implications

15.1 Considered, but not deemed relevant to the report.

16 Fleet, Engineering and Logistics Implications

16.1 Considered, but not deemed relevant to the report.

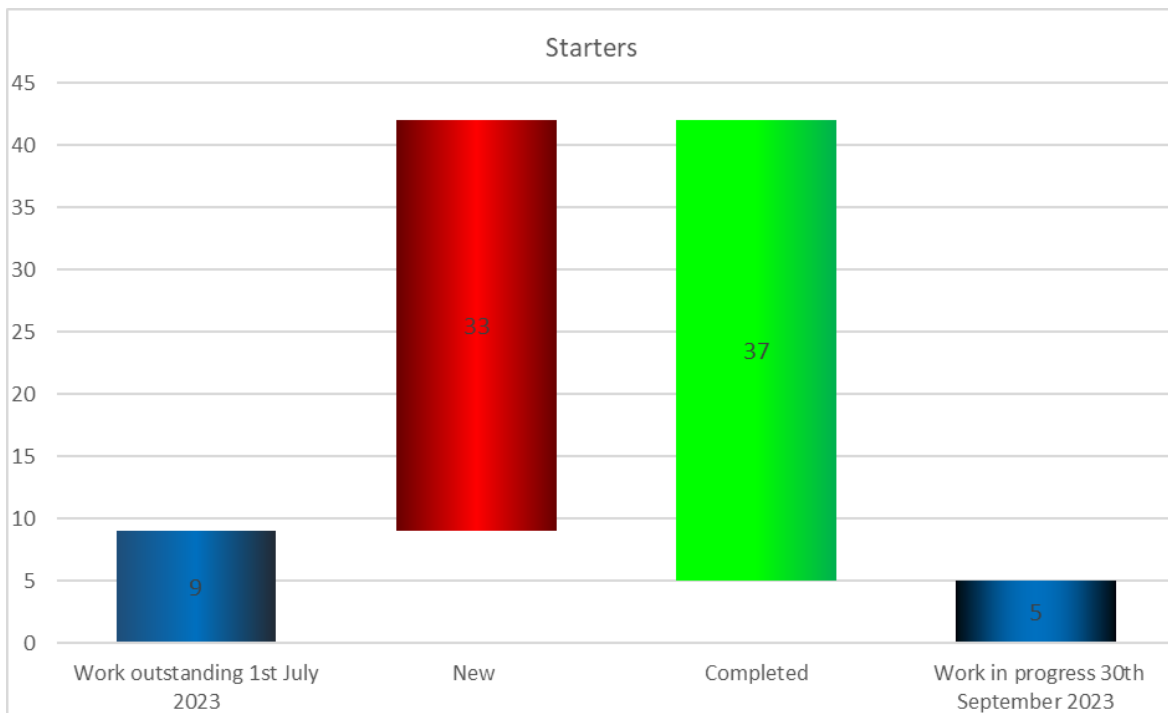
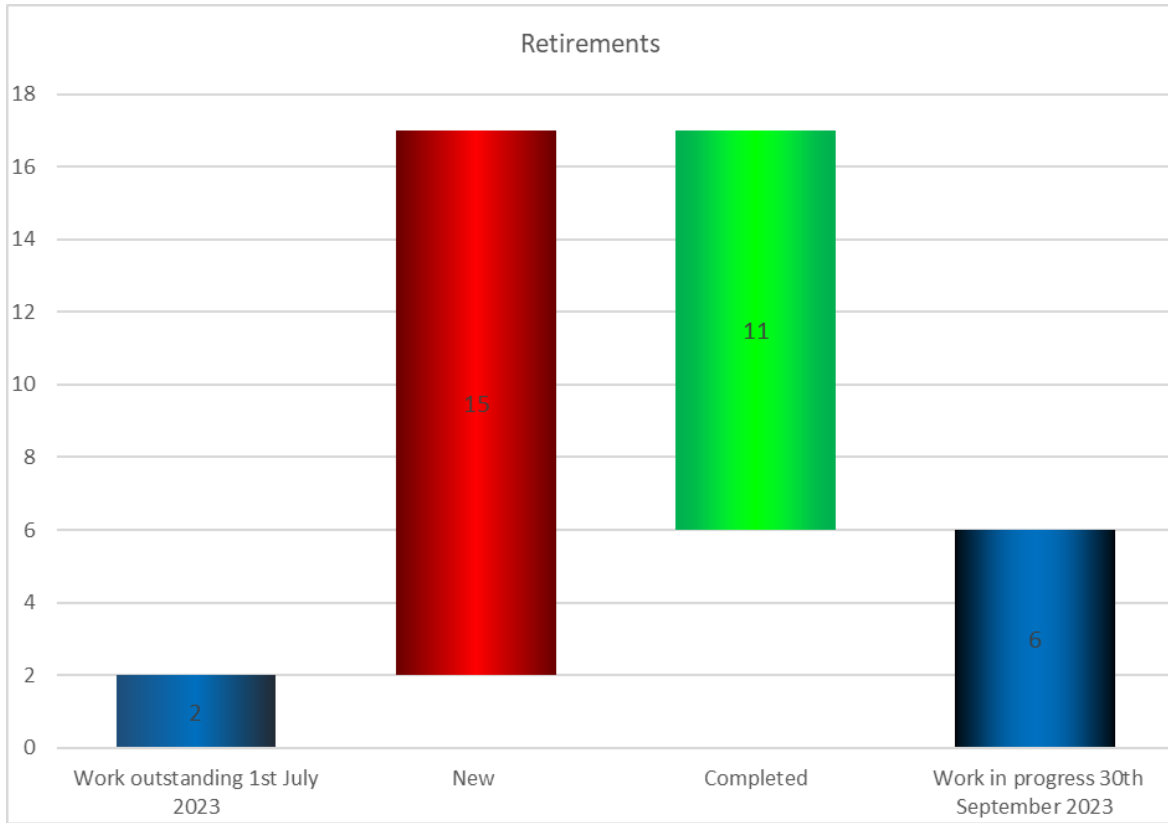
17 Evaluation

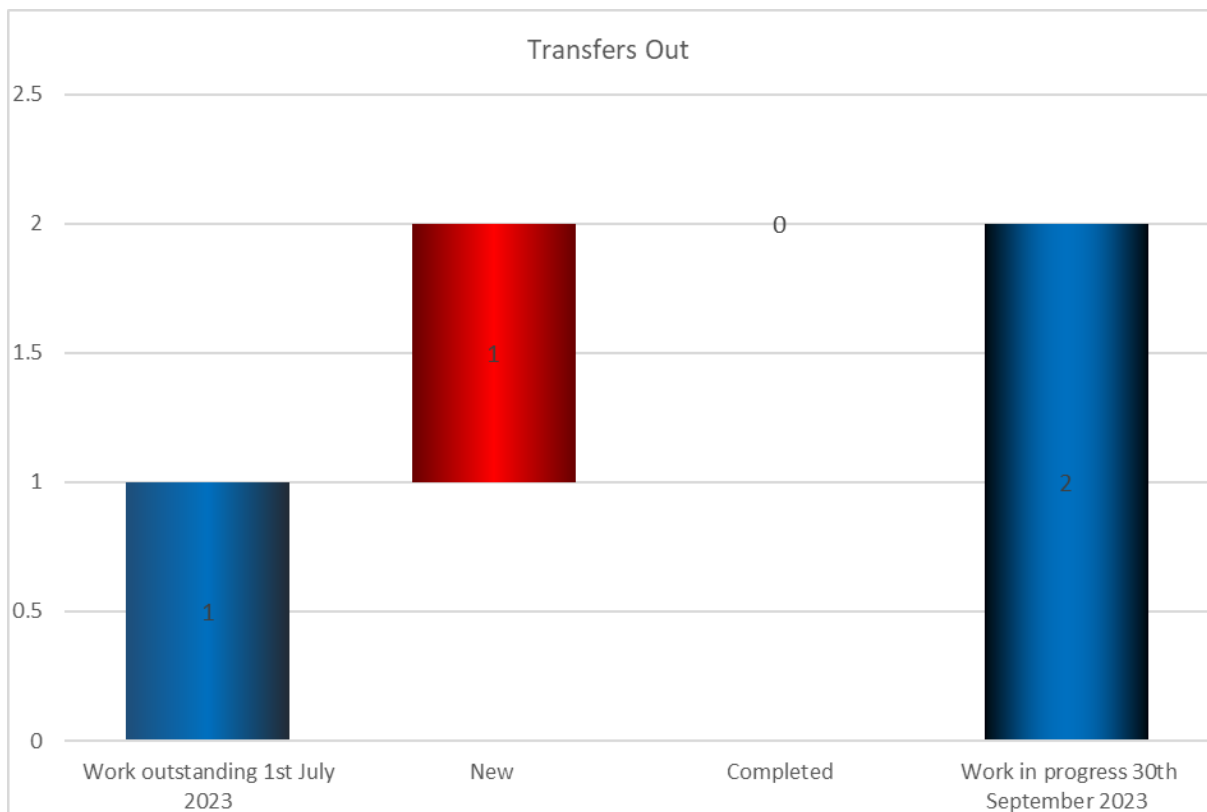
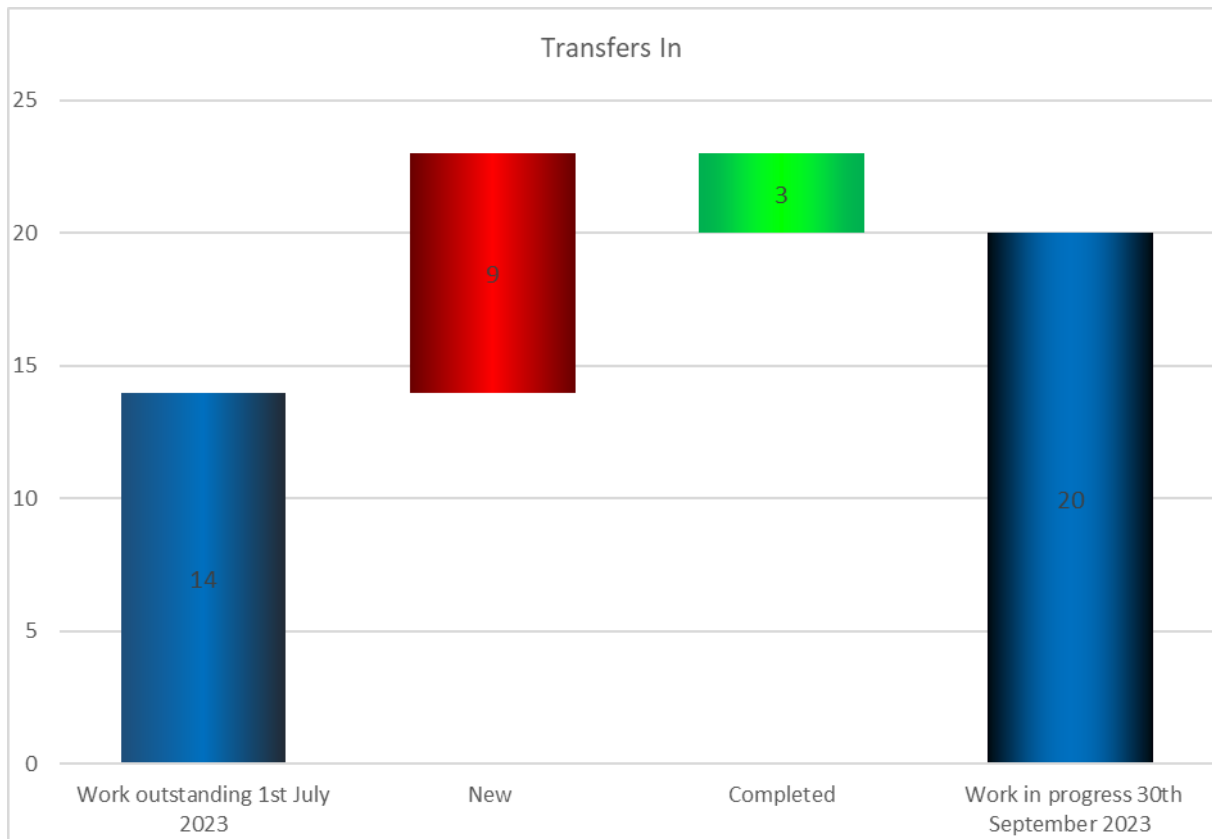
17.1 Considered, but not deemed relevant to the report

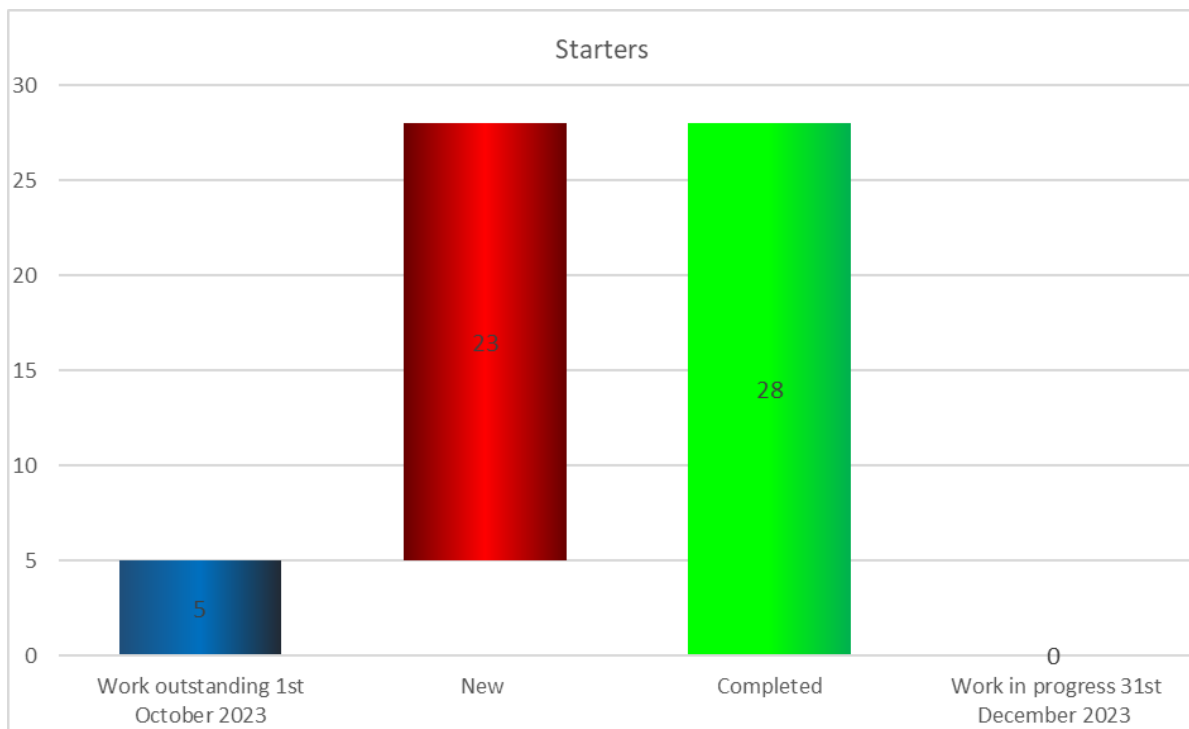
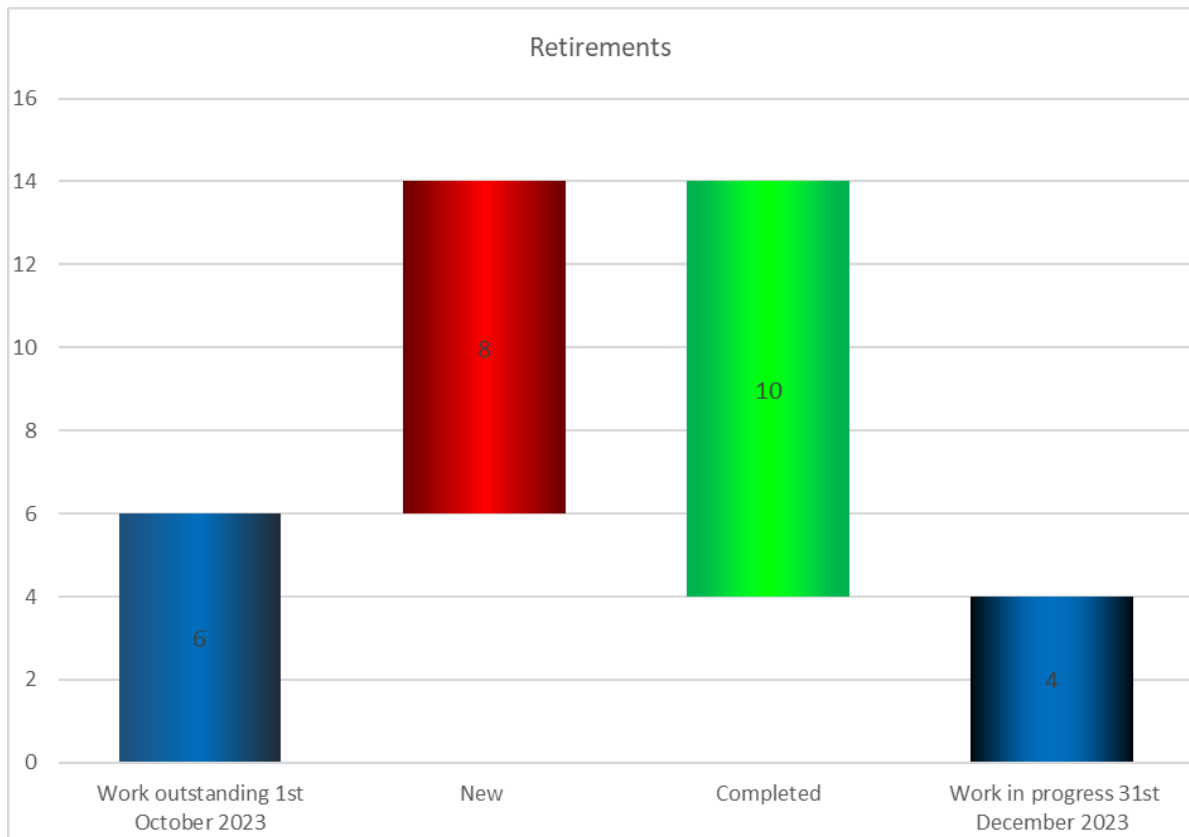
18 Recommendations

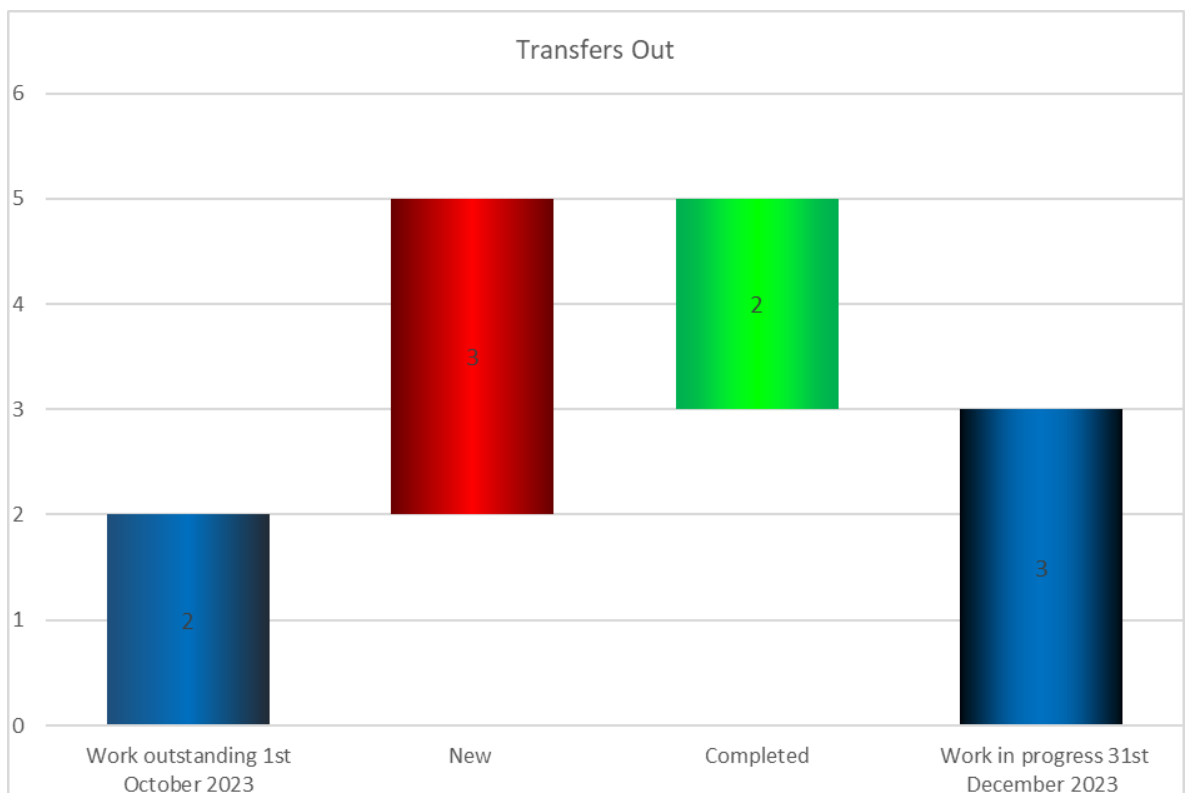
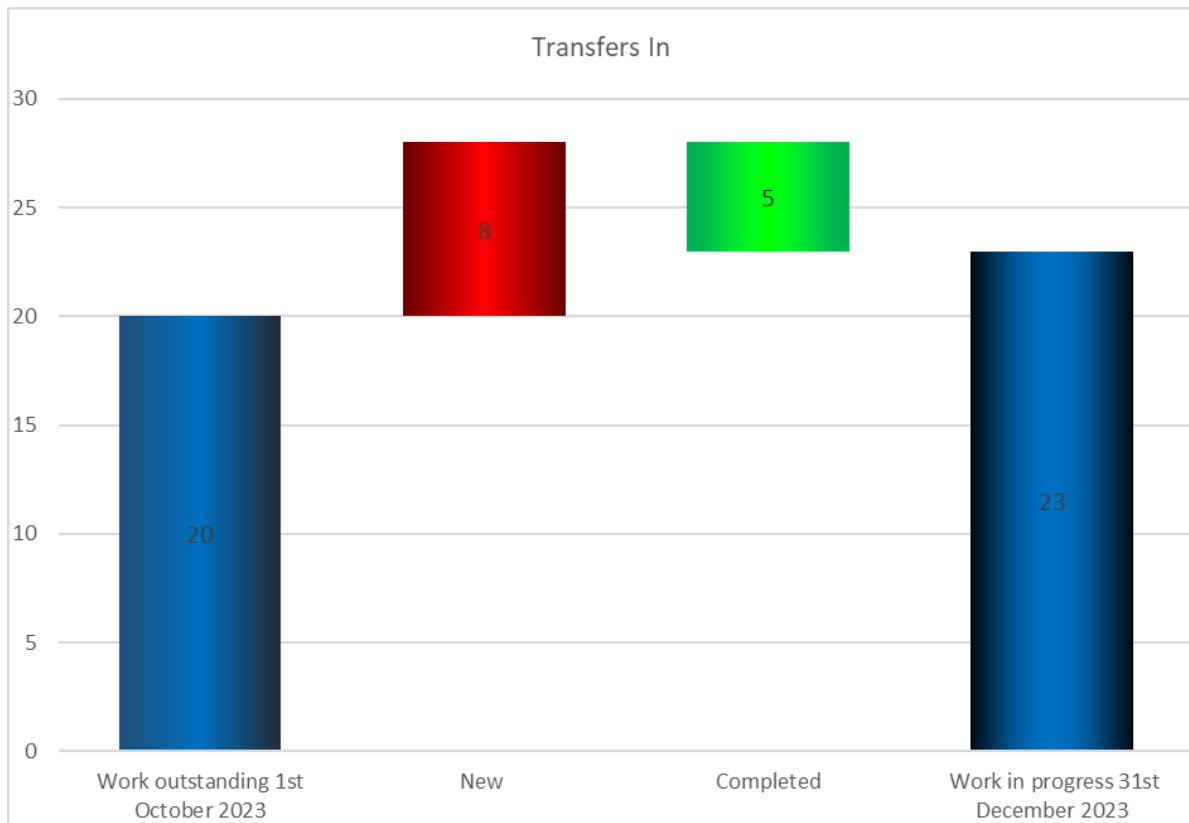
18.1 That Local Pension Board Members note the content of the report.

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| The report is Not Exempt | |
| The report is for Information | |
| REPORT TO: LOCAL PENSION BOARD | MEETING DATE: 22/04/24 |

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| SUBJECT: Firefighters' Pension Scheme(s) Activity Report |
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| PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S): |
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| <p>This report informs Local Pension Board Members of pension scheme activity within key areas relating to the Firefighters' Pension Scheme(s) for the period 1 November 2023 to 31 March 2024.</p> |
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| EXECUTIVE SUMMARY |
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| <p>This report presents data from Mid and West Wales Fire and Rescue Service on several key areas related to the Firefighters' Pension Scheme(s). The key areas are:</p> |
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| <ul style="list-style-type: none"> ▪ Number of pension scheme members across the various schemes ▪ Number of employees joining the Firefighters' Pension Scheme (Wales) 2015 ▪ Number of pension scheme opt-outs ▪ Number of retirees during the reporting period ▪ Number of pensioner members of each scheme ▪ Number of deferred members of each scheme ▪ Number of pension estimates provided during the reporting period ▪ Information communicated to members during the reporting period ▪ Welsh Government Circulars issued during the reporting period ▪ Actions arising from the Firefighter Pension Scheme bulletins during the reporting period ▪ Number of Internal Disputes Resolution Procedures Stage 1 and 2 applications during the reporting period ▪ Number of complaints referred to the Pensions Ombudsman during the reporting period ▪ Number of complaints outstanding with the Pensions Ombudsman ▪ Number of Appeals referred to the Board of Medical Referees ▪ Number of recorded or reportable breaches during the reporting period |
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| RECOMMENDATIONS: |
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| <p>That Local Pension Board Members note pension scheme activity for the period 01 November 2023 to 31 March 2024.</p> |
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| REPORT APPROVAL | |
|---|---------------------------|
| Clerk / Monitoring Officer: | Comments: Approved |
| Relevant Director: | Comments: Approved |
| Section 151 Officer/Treasurer: | Comments: Approved |
| Chief Fire Officer / Deputy Chief Fire Officer | Comments: Approved |

| ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT: |
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| N/A |

| | |
|---|---------------------------------------|
| Presenting the Report: | Mrs Sarah Tillman Pensions Officer |
| Report Author(s) and Designation | Mrs Sarah Tillman Pensions Officer |
| Date original report written | 02/03/2024 |

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad ER GWYBODAETH

ADRODDIAD I'R: BWRDD PENSIWN LLEOL

DYDDIAD Y CYFARFOD:
22/04/24

TESTUN: Adroddiad Gweithgaredd Cynllun(iau) Pensiwn Diffoddwyr Tân

PWRPAS YR ADRODDIAD A RHESWM DROS YR ARGYMHELLION:

Mae'r adroddiad hwn yn hysbysu Aelodau'r Bwrdd Pensiwn Lleol am weithgarwch cynllun pensiwn o fewn meysydd allweddol sy'n ymwneud â Chynllun(iau) Pensiwn y Diffoddwyr Tân ar gyfer y cyfnod 1 Tachwedd 2023 i 31 Mawrth 2024.

CRYNODEB: Mae'r adroddiad hwn yn cyflwyno data gan Wasanaeth Tân ac Achub Canolbarth a Gorllewin Cymru ar sawl maes allweddol sy'n ymwneud â Chynllun(iau) Pensiwn y Diffoddwyr Tân. Y meysydd allweddol yw:

- Nifer aelodau cynllun pensiwn ar draws y gwahanol gynlluniau
- Nifer y gweithwyr sy'n ymuno â Chynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015
- Nifer y rhai sy'n eithrio o'r cynllun pensiwn
- Nifer y rhai sydd wedi ymddeol yn ystod y cyfnod adrodd
- Nifer yr aelodau sy'n bensiynwyr o bob cynllun
- Nifer aelodau gohiriedig pob cynllun
- Nifer yr amcangyfrifon pensiwn a ddarparwyd yn ystod y cyfnod adrodd
- Cyfleu gwybodaeth i aelodau yn ystod y cyfnod adrodd
- Dosbarthwyd cylchlythyrau Llywodraeth Cymru yn ystod y cyfnod adrodd
- Camau yn codi o fwletinau Cynllun Pensiwn y Diffoddwyr Tân yn ystod y cyfnod adrodd
- Nifer y ceisiadau Cam 1 a 2 Gweithdrefnau Datrys Anghydfodau Mewnol yn ystod y cyfnod adrodd
- Nifer y cwynion a gyfeiriwyd at yr Ombwdsmon Pensiynau yn ystod y cyfnod adrodd
- Nifer y cwynion heb eu datrys gyda'r Ombwdsmon Pensiynau
- Nifer yr Apeliadau a gyfeiriwyd at y Bwrdd Canolwyr Meddygo
- Nifer yr achosion o dorri rheolau a gofnodwyd neu y gellir eu hadrodd yn ystod y cyfnod adrodd

ARGYMHELLION: Bod Aelodau'r Bwrdd Pensiwn Lleol yn nodi gweithgarwch cynllun pensiwn ar gyfer y cyfnod 01 Tachwedd 2023 i 31 Mawrth 2024.

| CYMERADWYO'R ADRODDIAD | |
|--|-----------------------------|
| Clerc: | Sylwadau: Cymeradwyd |
| Cyfarwyddwr berthnasol: | Sylwadau: Cymeradwyd |
| Swyddog Adran 151/Trysorydd: | Sylwadau: Cymeradwyd |
| Prif Swyddog Tân / Dirprwy Brif Swyddog Tân | Sylwadau: Cymeradwyd |

| |
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| PAPURAU CEFNDIR A DDEFNYDDIWYD WRTH BARATOI'R ADRODDIAD HWN: Amherthansol |
|--|

| | |
|--|--|
| Yn cyflwyno'r Adroddiad: | Mrs Sarah Tillman Swyddog Pensiynau |
| Awdur(on) yr Adroddiad a'u Swyddi | Mrs Sarah Tillman Swyddog Pensiynau |
| Dyddiad yr ysgrifennwyd yr adroddiad gwreiddiol | 02/03/2023 |

**REPORT TO THE LOCAL PENSION BOARD
22 APRIL 2024
FIREFIGHTERS' PENSION SCHEME(S) ACTIVITY REPORT**

1 Executive Summary

1.1 This report presents data from Mid and West Wales Fire and Rescue Service on several key areas related to the Firefighters' Pension Scheme(s). The key areas are:

- Number of pension scheme members across the various schemes
- Number of employees joining the Firefighters' Pension Scheme (Wales) 2015
- Number of pension scheme opt-outs
- Number of retirees during the reporting period
- Number of pensioner members of each scheme
- Number of deferred members of each scheme
- Number of pension estimates provided during the reporting period
- Information communicated to members during the reporting period
- Welsh Government Circulars issued during the reporting period
- Actions arising from the Firefighter Pension Scheme bulletins during the reporting period
- Number of Internal Disputes Resolution Procedures Stage 1 and 2 applications during the reporting period
- Number of complaints referred to the Pensions Ombudsman during the reporting period
- Number of complaints outstanding with the Pensions Ombudsman
- Number of Appeals referred to the Board of Medical Referees
- Number of recorded or reportable breaches during the reporting period

2 National/Wales Position

2.1 Pension scheme activity is specific to each individual Fire and Rescue Service.

3 Mid and West Wales Fire and Rescue Service Current Position

3.1 Total number of active pension scheme members across the various pension schemes

| | |
|---|--------------|
| Firefighters' Pension Scheme 1992 | 00 |
| Firefighters' Pension Scheme (Wales) 2007 | 00 |
| Firefighters' Pension Scheme (Wales) 2015 | 1,081 |
| Retained Modified Pension Scheme | 00 |
| | |
| Grand Total | 1,081 |

3.1.1 Please note that there are no active members in the 1992 and 2007 schemes as they all transferred to the 2015 scheme from 01 April 2022.

However, a proportion of active scheme members still have a link to one of the legacy schemes; either the Firefighter Pension Scheme 1992, Special Members of the Firefighter Pension Scheme 2007 or Firefighter Pension Scheme 2007.

3.2 Number of employees joining the Firefighters' Pension Scheme (Wales) 2015 from 01 November 2023 to 31 March 2024

3.2.1 41 employees automatically joined the Firefighters' Pension Scheme (Wales) 2015 during the reporting period, a breakdown of which is provided below:

- 04 Wholetime Firefighter
- 37 On Call Firefighters

3.3 Number of Pension Scheme opt-outs from 01 November 2023 to 31 March 2024

3.3.1 02 employees (00 Wholetime and 02 Retained) have opted out of the Firefighters' Pensions Scheme (Wales) 2015 during the reporting period.

3.3.2 Based on the opt out forms received the following reasons were provided as follows:

- Personal reasons.

3.4 Number of retirees during the reporting period of 01 November 2023 to 31 March 2024

3.4.1 There have been 12 retirees during the reporting period, broken down by scheme as follows:

| Scheme | Normal | Ill Health | Total |
|--|--------|------------|-------|
| Firefighters Pension Scheme 1992 | 06 | 01 | 07 |
| Firefighters Pension Scheme (Wales) 2007 | 01 | 00 | 01 |
| Firefighters Pension Scheme (Wales) 2015 | 00 | 01 | 01 |
| Retained Modified Pension Scheme | 03 | 00 | 03 |

3.4.2 Total number of pensioner members across each scheme:

| | |
|---|------------|
| Firefighters' Pension Scheme 1992 | 726 |
| Firefighters' Pension Scheme (Wales) 2007 | 67 |
| Firefighters' Pension Scheme (Wales) 2015 | 65 |
| Retained Modified Pension Scheme | 87 |
| Grand Total | 945 |

3.4.3 Total number of deferred members across each scheme:

| | |
|---|-----|
| Firefighters' Pension Scheme 1992 | 30 |
| Firefighters' Pension Scheme (Wales) 2007 | 558 |

| | |
|---|--------------|
| Firefighters' Pension Scheme (Wales) 2015 | 812 |
| Retained Modified Pension Scheme | 40 |
| Grand Total | 1,440 |

3.5 Number of pension estimates provided during the reporting period 01 November 2023 to 31 March 2024.

3.5.1 24 employees (17 Wholetime and 07 Retained) have requested a Pension Benefit Illustration during the reporting period with 13 out of the 25 illustrations being return within the agreed 1-month timescale as set out within the Service Level Agreement.

3.5.2 However, 12 pension benefit illustrations were returned outside of the 1-month timescale as set out within the Service Level Agreement. The Dyfed Pension Fund advised that the reason for the delay was attributed to the fact that the system is not fully capable of dealing with McCloud at present. As a result, they were facing a number of issues which they were trying to resolve with manual intervention as their main priority is to ensure the figures they provide are correct as providing incorrect figures would cause no end of problems.

3.6 Information communicated to members during the reporting period 01 November 2023 and 31 March 2024.

3.6.1 **Local Pension Board – Scheme Member Representative:** An email was circulated to active scheme members on 19 February 2024 and a letter issued to pensioner scheme members on 23 February 2024 to advise that the Service was looking for two Scheme Member Representatives to join the Authority's Local Pension Board.

3.6.2 **Firefighters' Pension Schemes – The Retained Firefighters' Pension Settlement:** The Service has notified eligible individuals of their entitlement to join the scheme in line with the provisions which set out the key timings for the second options exercise.

3.7 Welsh Government Circulars issued during the reporting period 01 November 2023 to 31 March 2024.

3.7.1 **Circular W-FRSC(2024) 01 – The Firefighters' Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024:** This circular provided details of the introduction of the Firefighters' Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024 from 01 February 2024.

3.7.2 **Circular W-FRSC(2024) 02 – Firefighters' Pension Scheme (Wales) – Consolidated Actuarial Factors 2023:** This circular provides a consolidated workbook of actuarial factors previously issued to Fire and Rescue Authorities following a review for the Firefighters Pension Schemes (Wales) as undertaken by the Government Actuary Department.

3.7.3 **Circular W-FRSC(2024) 03 – Financial Arrangements for Firefighter Pensions: Top-up Grant Forms 2024-25:** This circular requests each Fire and Rescue Authority to complete pension forms along with confirming estimates provided for 2024-25 onwards by 05 April 2024. The purpose of this is to calculate the final top-up grant payments in respect of 2022/23 and 2023/24.

3.7.4 **Circular W-FRSC(2024) 04 - Public Service Pension Indexation and Revaluation 2024:** This circular informs Fire and Rescue Authorities of the increase in Public Service Pension Indexation which will take effect from 08 April 2023 and Revaluation from 01 April 2024.

3.8 **Actions arising from the Firefighter Pension Scheme bulletins during the reporting period 01 November 2023 to 31 March 2024.**

3.8.1 **November 2023 – Matthews Consequential Loss Claims:** Fire and Rescue Services were alerted of the possibility of receiving data requests from members in respect of the first options exercise. Members were asking FRAs to provide details of the payments which they have made (and will continue to make) in respect of both backdated contributions and interest. In this regard it can be confirm that all requests received have been actioned.

3.8.2 **November 2023 – Matthews Monitoring and Reporting:** The Home Office and Government Actuary Department (GAD) have confirmed that there are some key areas that they will require Fire and Rescue Authorities to report on. The first area is in respect of overall project implementation and the second area is in respect of positive elections only. As such, the LGA have advised FRA's to maintain robust record keeping ensuring that the data required by the Home Office and Government Actuary Department is easily accessible. Although this relates to England, the Welsh Government have confirmed that GAD are equally interested in receiving member data for the take up in Wales so that action to maintain robust record keeping will also apply to the Welsh FRAs as the data will be required by Welsh Government.

All other actions listed within the bulletin related to Fire and Rescue Authorities in England only.

3.8.3 **December 2023 – Firefighters' Pension Scheme Contacts:** A request was made for Firefighters' Pension Scheme contact details to be updated to ensure that correspondence issued by the Local Government Association (LGA) is being received by the correct people. This action was completed 03 January 2024.

All other actions listed within December's bulletin related to Fire and Rescue Authorities in England only.

3.8.4 **January 2024 – Firefighters’ Pension Added Pension Compensation:** Members who have been ‘rolled back’ to their relevant legacy scheme and have paid Added Pension Contributions between 01 April 2015 to 31 March 2022 must be returned to the member. This is because Added Pension arrangements do not exist in the legacy schemes and therefore it is not possible for these types of benefits to form part of the members pension benefits in the legacy scheme. The Service has identified 1 individual, who has been contacted and has yet to return the required information.

3.8.5 **January 2024 - Age Discrimination Remedy – Data Sharing Agreement and Guidance:** A Data Sharing Agreement has been created by the LGA to assist Fire Authorities to obtain pay, tax, service, and contributions data from previous FRAs for Firefighters who have been employed by another FRA during the remedy period. It is recommended that FRAs use this for cases under this scenario and to provide the Administrators with the correct data.

3.8.6 **January 2024 – SAB Levy 2023-34 – Request for Purchase Order Numbers:** Under arrangements for the Firefighters’ Pension Scheme 2014 Regulations 4H(1), the Scheme Advisory Board (SAB) is required to set an annual budget for approval by the Secretary of State. Devolved FRAs were issued with a levy request with regards to the employer advice service provided to them by the LGA and FRAs were requested to provide a valid purchase order number of employees eligible to join one of the Firefighters’ Pension Schemes as of 01 April 2023. This action has been completed.

All other actions listed within January’s bulletin related to Fire and Rescue Authorities in England only.

3.8.7 **February 2024: Local Pension Board (LPB) Training Session –** The LGA have launched dates for Local Pension Board Training Sessions for Board Members to attend via Microsoft Teams. The circular was emailed to Board Members for awareness and Board Members were encouraged to register for the events.

All other actions listed within February’s bulletin related to Fire and Rescue Authorities in England only.

3.8.8 **March 2024: Age Discrimination Remedy – GAD Tax and Contributions Calculator:** On 04 March 2024 the Government Actuary’s Department (GAD) published version 1.8 of the tax and contributions calculator and updated guidance. All Fire and Rescue Authorities are therefore required to ensure that they are using the most up to date version of the calculator.

3.8.9 **March 2024: Age Discrimination Remedy – Immediate Choice Remediable Service Statement (IC – RSS) roll out update to timetable and member communications:** Following feedback from the

sector, the Local Government Association have amended the indicative timetable for supplying Immediate Choice – Remediable Service Statements (RSS) to priority cohorts i.e ill health pensioners and beneficiaries. For these groups only, the timetable has been extended to 30 June 2024. Fire and Rescue Authorities are required to contact the priority cohorts and inform them on the status of their RSS. The Service has identified the cohort and will be writing out to them to advise of this update.

All other actions listed within December’s bulletin related to Fire and Rescue Authorities in England only.

3.9 Number of Internal Disputes Resolution Procedures Stage 1 and 2 applications during the reporting period 01 November 2023 to 31 March 2024.

- 3.9.1 There have been two Stage 1 applications received during the reporting period.
- 3.9.2 One complaint related to incorrect pension accrual information being provided to a member which led to the member handing in their notice to retire under the rule of 75 (Age 50 and 25 Years Service), earlier than required to be eligible for payment of benefits.
- 3.9.3 The matter was considered by the Chief Fire Officer who responded on 24 November 2023 and in view of the circumstances partly upheld the complaint exercising a discretion to place the member on unpaid leave with the Service meeting the employer contribution costs during that period enabling the member to retire and draw pension benefits as intended.
- 3.9.4 The second complaint relates to an individual advising that they did not receive the option to join the Firefighter Pension Scheme 2007 as a special member information pack during the first options exercise for retained firefighters, which took place during 01 February 2015 to 29 February 2016. The Service acknowledged the complaint on 18 March 2024 and has 2 months to formally respond to the complainant.

3.10 Number of complaints referred to the Pensions Ombudsman during the reporting period 01 November 2023 to 31 March 2024.

- 3.10.1 There have been no complaints referred to the Pensions Ombudsman during the reporting period.

3.11 Number of complaints still outstanding with the Pensions Ombudsman.

- 3.11.1 There is 1 complaint still outstanding with the Pension Ombudsman that was reported at the meeting on 01 November 2021. The complaint relates to the Service not recalculating an individual’s Cash Equivalent

Transfer Value (CETV) (issued in 2010) following the outcome of the High Court Judgement on Pensionable pay within the Firefighters Pension Schemes.

- 3.11.2 The Service received communication from the Pension Ombudsman on 16 February 2024 to advise that the complaint is waiting to be allocated to an Adjudicator, which should be within the next 2-3 months. Once the Adjudicator has considered the complaint the Service will be advised.

3.12 Number of Appeals referred to the Board of Medical Referees during the reporting period 01 November 2023 to 31 March 2024.

- 3.12.1 There has been 1 Appeal received during the reporting period which related to the Authority not recognising a qualifying injury.

- 3.12.2 However, the Appeal was submitted back to the Independent Qualified Medical Practitioner (IQMP) for review under Regulation 163 of the Firefighters' Pension Scheme (Wales) 2015, the Regulations allow that the original IQMP should be given the opportunity of reviewing the original opinion in light of the Appeal documentation received, prior to the Appeal being forwarded to the Board of Medical Referees. The Appeal was submitted back to the IQMP for review on 18 January 2024 and the IQMPs determination has been reported to the complainant.

- 3.12.3 Members are advised that the Hearing for the Appeal referred to at the meeting on 19 July 2023 took place on 23 November 2023. The Head of Human Resources and the Pensions Officer attended the Hearing at which the appellant and his representative also attended, and the Service received the final board report on 22 December 2023. The Board did not uphold the Appeal and unanimously considered that the appellant was not permanently incapacitated for duty and therefore not eligible for payment of benefits on ill health.

3.13 Number of recorded or reportable breaches during the reporting period 01 November 2023 to 31 March 2024.

- 3.13.1 There have been no recorded or reportable breaches during the reporting period.

3.14 Update on McCloud/Sargeant Remedy

- 3.14.1 A report on the update for the 'Firefighters Pensions – Remediating Age Discrimination' is included on the agenda as a separate item.

3.15 Update on Pension Entitlements for Retained Firefighters 2023

- 3.15.1 A report on the update for the Pension Entitlements for Retained Firefighters is included on the agenda as a separate item.

4 Proposal

4.1 This report is for information only.

5 Service Commitments, Improvement Objectives and Well-being goals

5.1 The Service is committed to ensuring that the key principles of the Wellbeing of Future Generations (Wales) Act 2015 are supported.

6 Financial/Procurement Implications

6.1 It is not possible to accurately predict the potential financial implications of the case that is currently outstanding with the pension ombudsman. However, should the ombudsman find in favour of the complainant, this could result in increased pension costs.

7 Risk Assessment/Legal and Compliance Implications

7.1 Any new or emerging risks are reported to the Board as part of standing item consideration of the Risk Register.

8 Fire Authority Governance Implications

8.1 This information is provided to the Local Pension Board to support its activities in assisting the Scheme Manager attain robust governance and administration of the Firefighters' Pension Scheme(s).

9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications

9.1 All the practices are fully compliant.

10 Data Protection and Privacy Issues

10.1 All personal information collected and stored as part of the pension scheme administration is processed in accordance with the Authority's Data Protection Procedures.

11 Consultation and Communication

11.1 Any necessary communication with scheme members is set out in paragraph 3.6.

12 Prevention, Protection and Response Implications

12.1 Considered, but not deemed relevant to the report.

13 Human Resources and People Development Implications

13.1 The Human Resources Department is responsible for ensuring the day to day employer administration in relation to the Firefighters' Pension Scheme(s).

14 Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications

14.1 Considered, but not deemed relevant to the report.

15 Estates Implications

15.1 Considered, but not deemed relevant to the report.

16 Fleet, Engineering and Logistics Implications

16.1 Considered, but not deemed relevant to the report.

17 Evaluation

17.1 Considered, but not deemed relevant to the report.

18 Recommendations

18.1 That Local Pension Board Members note pension scheme activity for the period 01 November 2023 to 31 March 2024.

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| The report is Not Exempt |
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| The report is for Information |
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| REPORT TO: LOCAL PENSION BOARD | MEETING DATE: 22/04/24 |
|--------------------------------|------------------------|

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| SUBJECT: FIREFIGHTERS PENSIONS – REMEDYING AGE DISCRIMINATION |
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| |
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| PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S): |
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| |
|--|
| To update Members of the Local Pension Board on the progress made relating to remedying age discrimination in the Firefighters' Pension Scheme (Wales) 2015. |
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| EXECUTIVE SUMMARY |
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| |
|---|
| This report provides Members of the Local Pension Board with an update on the progress made to implement a national remedy following the successful legal challenge brought by the Fire Brigades Union (FBU) relating to age discrimination in the Firefighters' Pension Scheme 2015. |
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| RECOMMENDATIONS: |
|-------------------------|

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|---|
| That Local Pension Board Members note the current position regarding the remedy of age discrimination in the Firefighters' Pension Scheme 2015. |
|---|

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|------------------------|
| REPORT APPROVAL |
|------------------------|

| | |
|-----------------------------|--------------------|
| Clerk / Monitoring Officer: | Comments: Approved |
|-----------------------------|--------------------|

| | |
|--------------------|--------------------|
| Relevant Director: | Comments: Approved |
|--------------------|--------------------|

| | |
|--------------------------------|--------------------|
| Section 151 Officer/Treasurer: | Comments: Approved |
|--------------------------------|--------------------|

| | |
|---|--------------------|
| Chief Fire Officer / Deputy Chief Fire Officer | Comments: Approved |
|---|--------------------|

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|--|
| ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT: |
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| | |
|------------------------|--|
| Presenting the Report: | Mr Ian Coleman Chair of the Local Pension Board |
|------------------------|--|

| | |
|----------------------------------|---------------------------------------|
| Report Author(s) and Designation | Mrs Sarah Tillman Pensions Officer |
|----------------------------------|---------------------------------------|

| | |
|------------------------------|------------|
| Date original report written | 28/03/2024 |
|------------------------------|------------|

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad ER GWYBODAETH

ADRODDIAD I'R: BWRDD PENSIWN LLEOL

DYDDIAD Y CYFARFOD:
22/04/24

TESTUN: PENSIYNAU DIFFODDWYR TÂN – ADFER GWAHANIAETHU OEDRAN

PWRPAS YR ADRODDIAD A RHESWM DROS YR ARGYMHELLION:

Diweddaru Aelodau'r Bwrdd Pensiwn Lleol ar y cynnydd a wnaed mewn perthynas ag unioni gwahaniaethu ar sail oed yng Nghynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015.

CRYNODEB: Mae'r adroddiad hwn yn rhoi diweddariad i Aelodau'r Bwrdd Pensiwn Lleol ar y cynnydd a wnaed i weithredu rhwymedi cenedlaethol yn dilyn yr her gyfreithiol lwyddiannus a gyflwynwyd gan Undeb y Brigadau Tân (FBU) yn ymwneud â gwahaniaethu ar sail oed yng Nghynllun Pensiwn y Diffoddwyr Tân 2015.

ARGYMHELLION: Bod Aelodau'r Bwrdd Pensiwn Lleol yn nodi'r sefyllfa bresennol o ran unioni gwahaniaethu ar sail oed yng Nghynllun Pensiwn y Diffoddwyr Tân 2015.

CYMERADWYO'R ADRODDIAD

| | |
|--|-----------------------------|
| Clerc: | Sylwadau: Cymeradwyd |
| Cyfarwyddwr berthnasol: | Sylwadau: Cymeradwyd |
| Swyddog Adran 151/Trysorydd: | Sylwadau: Cymeradwyd |
| Prif Swyddog Tân / Dirprwy Brif Swyddog Tân | Sylwadau: Cymeradwyd |

PAPURAU CEFNDIR A DDEFNYDDIWDY WRTH BARATOI'R ADRODDIAD HWN:

| | |
|---|---|
| Yn cyflwyno'r Adroddiad: | Mr Ian Coleman Cadeirydd y Bwrdd Pensiwn Lleol |
| Awdur(on) yr Adroddiad a'u Swyddi | Mrs Sarah Tillman Swyddog Pensiynau |
| Dyddiad yr ysgrifennwyd yr adroddiad gwreiddiol | 28/03/2024 |

LOCAL PENSION BOARD
22 APRIL 2024
FIREFIGHTERS PENSIONS – REMEDYING AGE DISCRIMINATION

1 Executive Summary

- 1.1 This report provides Members of the Local Pension Board with an update on the progress made to implement a national remedy following the successful legal challenge brought by the Fire Brigades Union (FBU) relating to age discrimination in the Firefighters' Pension Scheme 2015

2 National/Wales Position

- 2.1 This relates to a number of 2015 Firefighter Pension Scheme Members across the UK Fire and Rescue Services, not only those in Wales.

3 Mid and West Wales Fire and Rescue Service Current Position

- 3.1 By way of providing some background on 19 July 2021, HM Treasury (HMT) introduced the Public Service Pensions and Judicial Offices Bill (the Bill) to the House of Lords. The Bill, which was enacted on 01 October 2023 and is primary legislation that sets out in law how the Government will remove the discrimination contained within the 2015 reforms (referred to as remedy) and revert all eligible members back to their legacy schemes for the period of remedy which is 01 April 2015 to 31 March 2022.
- 3.2 The Act closed final salary schemes for accrual past 31 March 2022, and moved all remaining scheme members into the Firefighter Pension Scheme 2015 (FPS 2015) from 01 April 2022, whilst ensuring that existing transitional protections such as final salary link and the double accrual were retained. The Act provided that the Deferred Choice Underpin (DCU) would be implemented by 01 October 2023. This meant that members would make their decision between scheme benefit options at the point of retirement. In the meantime, members will be deemed to have accrued benefits in their legacy scheme rather than reformed schemes for the remedy period until they make that choice.
- 3.3 To implement these changes, secondary legislation was required to ensure that scheme regulations reflect the detailed proposals within the DCU approach. Welsh Government's consultation to Remediating Age Discrimination in the Firefighters' Pension Schemes in Wales 2023 closed on 23 June 2023 and the summary of responses to this consultation was published on 06 September 2023.
- 3.4 The Firefighters Pensions (Remediable Service) (Wales) Regulations 2023 were laid and came into force on 01 October 2023 to make provision for Scheme Managers to implement the changes necessary and these are required to be completed within an 18-month period.

- 3.5 The Regulations placed all eligible active employees back into their legacy schemes for the period 01 April 2015 to 31 March 2022 and offer a choice of legacy scheme or reformed scheme benefits upon retirement.
- 3.6 The Regulations not only affect current employees but include former employees who are deemed eligible members. The Service has identified and communicated with all members considered to be in scope
- 3.7 The detailed Regulations can be access at <http://www.legislation.gov.uk> and work is ongoing with the Administrators, the Dyfed Pension Fund, to ensure implementation within the prescribed timescales.
- 3.8 A detailed review of each payroll and pension record is required to ensure that each element of pay is correctly treated for pension purposes. The employee's pension contribution will also require adjustment and arrangement is made within the Regulations for the treatment of tax relief on such contributions. The work is concluded through the provision and actioning of a Remediable Service Statement (RSS) for each eligible member.
- 3.9 The Local Government Association (LGA) commissioned an external agency to provide templates for the various Remediable Service Statements (RSS) that will be required to be used by all Fire and Rescue Authorities (FRAs). The LGA shared the template with the three Services in Wales to enable an "All Wales" RSS to be developed so that it meets the needs of the Firefighter Pension Schemes' in Wales.
- 3.10 The three Service's in Wales have agreed on the RSS templates and they have been issued to the Administrators to ensure they are useable prior to them being issued to pension scheme members over the next few months, based on the suggested co-hort scheduling for Immediate Choice members attached at Appendix 1, and Deferred Choice members attached at Appendix 2, provided by the LGA.
- 3.11 In addition, the Government Actuary's Department released a calculator for FRAs to calculate contribution adjustments, including tax relief and interest, for members in-scope for remedy.
- 3.12 The calculator requires the inputting of contribution and tax data for the relevant remedy years (01 April 2015 to 31 March 2022) and works out the net money owed by members to the scheme for underpaid contributions, and compensation owed by the scheme to the member for overpaid contributions, where applicable.
- 3.13 For individuals retiring from 01 October 2023, who are known as Deferred Choice retirement cases, the GAD calculator has been used so that this can be included within the contribution adjustment in their benefit illustrations.

3.14 To date, 08 deferred choice retirement cases have been processed since 01 October 2023 and all lump sum and pension benefits were paid within the timescales set out in the Service Level Agreement.

3.15 Members are advised that this highly technical work is being carried out by the Service's Pensions Officer and the Pensions Assistant and this will be completed within the specified time frame.

4 Proposal

4.1 That Local Pension Board Members note the current position regarding the remedy of age discrimination in the Firefighters' Pension Scheme 2015.

5 Service Commitments, Improvement Objectives and Well-being goals

5.1 The Service is committed to ensuring that the key principles of the Wellbeing of Future Generations (Wales) Act 2015 are supported.

6 Financial/Procurement Implications

6.1 It is not possible to accurately predict the potential financial implications of the remedy process due to the complexities of the calculations. However, it will likely result in increased pension benefit entitlements.

7 Risk Assessment/Legal and Compliance Implications

7.1 The Service will apply remedy to all new retirements in accordance with the scheme regulations and retrospective remedy will be applied as part of the rectification exercise.

7.2 Failure to complete the remedy exercise within the 18 month timeframe will be a breach of the law.

8 Fire Authority Governance Implications

8.1 Pension Scheme Governance is the responsibility of the Fire Authority as Scheme Manager, assisted by the Local Pension Board.

9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications

9.1 This is a national issue relating to transitional provisions in the Firefighter's Pension Scheme Regulations 2015. The Service's internal procedures are compliant with equality and Welsh language requirements.

10 Data Protection and Privacy Issues

10.1 All personal and sensitive information is processed in accordance with the requirements of Data Protection legislation and the Authority's Data Protection Procedures.

11 Consultation and Communication

- 11.1 Internal consultation is considered not necessary. The Service will communicate with those affected by the remedy direct and as part of the options exercise.

12 Prevention, Protection and Response Implications

- 12.1 Considered, but deemed not relevant to the report.

13 Human Resources and People Development Implications

- 13.1 The remedy will likely have a significant impact on the Human Resources Department's day to day activities, particularly in relation to an options exercise and the necessary adjustments to Scheme Member's records.
- 13.2 Financial data in respect of members in the Firefighter Pension Scheme 1992 (FPS 1992) has been provided to the Dyfed Pension Fund and the outstanding work relating to the data to members of the Firefighter Pension Scheme 2007 is in progress to ensure that the Administrators can undertake the appropriate calculations.
- 13.3 The Service appointed a temporary additional Pensions Assistant on 30 October 2023 to meet the ongoing demands of the remedy process and to ensure continuation of the day to day service provision. In recognition of the increased demand going forward the temporary post has now been substantiated.

14 Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications

- 14.1 Considered, but deemed not relevant to the report.

15 Estates Implications

- 15.1 Considered, but deemed not relevant to the report.

16 Fleet, Engineering and Logistics Implications

- 16.1 Considered, but deemed not relevant to the report.

17 Evaluation

- 17.1 Considered, but deemed not relevant to the report.

18 Recommendations

- 18.1 That Local Pension Board Members note the current position regarding the remedy of age discrimination in the Firefighters' Pension Scheme 2015.



IC cohort timetabling

October 2023 to March 2024 (Priority)

- Ill-health retirements (including re-assessments)
- Death in service beneficiaries

October 2023 to May 2024

- Ill-health retirement beneficiaries
- Unprotected and taper protected beneficiaries

October 2023 to November 2024 (Largest cohort)

- Unprotected and taper protected pensioners

January 2024 to July 2024

- Contingent decision (opt out)



IC cohort timetabling contd.

May 2024 to January 2025

- Protected FPS 2006 pensioners*
- *N.B: May be more likely to elect for new scheme

August 2024 to March 2025

- Protected beneficiaries (FPS 1992* and FPS 2006)
- *N.B: FPS 2015 may provide better family benefits

October 2024 to March 2025 (less likely to elect for new scheme)

- Protected FPS 1992 pensioners



DC cohort timetabling

October 2023 to October 2024

- Active unprotected and taper protected members
- Deferred unprotected and taper protected members

April 2024 to July 2024

- Contingent decision (opt out)

September 2024 to March 2025

- Protected active and deferred members

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The report is Not Exempt

The report is for Decision

REPORT TO: LOCAL PENSION BOARD

MEETING DATE: 22/04/24

SUBJECT: PENSION ENTITLEMENTS FOR RETAINED FIREFIGHTERS 2023

PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S):

To provide an update to Local Pension Board (LPB) Members on the implementation of a second options exercise relating to pension entitlement for Retained Firefighters in Wales.

EXECUTIVE SUMMARY

This report provides Members of the Local Pension Board with an update on the latest activity regarding the implementation of the second pension options exercise for current and former retained firefighters, following the introduction of the Firefighters' Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024 from 01 February 2024.

This exercise will allow in-scope individuals to purchase pensionable service in the Firefighter Pension Scheme (Wales) 2007 as a Special Member. This scheme provides comparable benefits to regular firefighters in the Firefighter Pension Scheme 1992.

This report also brings to Members' attention the Welsh Government's response to the consultation on Pension entitlement for retained Firefighters 2023, which was published on 10 January 2024, attached at Appendix 1, and confirms the next steps in relation to implementation.

RECOMMENDATIONS:

That Local Pension Board Members note the current position regarding the implementation of a second options exercise relating to pension entitlement for Retained Firefighters in Wales.

| REPORT APPROVAL | |
|---|---------------------------|
| Clerk / Monitoring Officer: | Comments: Approved |
| Relevant Director: | Comments: Approved |
| Section 151 Officer/Treasurer: | Comments: Approved |
| Chief Fire Officer / Deputy Chief Fire Officer | Comments: Approved |

| ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT: |
|--|
| Welsh Government consultation on Pension Entitlements for Retained Firefighters 2023. |

| | |
|---|--|
| Presenting the Report: | Mr Ian Coleman Chair of the Local Pension Board |
| Report Author(s) and Designation | Mrs Sarah Tillman Pensions Officer |
| Date original report written | 02/03/2024 |

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad AR GYFER PENDERFYNIAD

ADRODDIAD I'R: BWRDD PENSIWN LLEOL

DYDDIAD Y CYFARFOD:
22/04/24

TESTUN: HAWLIAU PENSIWN AR GYFER DIFFODDWYR TÂN WRTH GEFN 2023

PWRPAS YR ADRODDIAD A RHESWM DROS YR ARGYMHELLION:

Rhoi'r wybodaeth ddiweddaraf i Aelodau'r Bwrdd Pensiwn Lleol (LPB) ar weithredu ail ymarfer opsiynau yn ymwneud â hawl i bensiwn ar gyfer Diffoddwyr Tân Wrth Gefn yng Nghymru.

CRYNODEB: Mae'r adroddiad hwn yn rhoi'r wybodaeth ddiweddaraf i Aelodau'r Bwrdd Pensiwn Lleol am y gweithgarwch diweddaraf ynghylch gweithredu'r ail ymarfer opsiynau pensiwn ar gyfer diffoddwyr tân wrth gefn presennol a blaenorol, yn dilyn cyflwyno Cynlluniau Pensiwn a Chynllun lawndal Diffoddwyr Tân (Diwygio) (Cymru). Gorchymyn 2024 o 01 Chwefror 2024.

Bydd yr ymarfer hwn yn caniatáu i unigolion o fewn y cwmpas brynu gwasanaeth pensiynadwy yng Nghynllun Pensiwn y Diffoddwyr Tân (Cymru) 2007 fel Aelod Arbennig. Mae'r cynllun hwn yn darparu buddion tebyg i ddiffoddwyr tân rheolaidd yng Nghynllun Pensiwn Diffoddwyr Tân 1992.

Mae'r adroddiad hwn hefyd yn tynnu sylw'r Aelodau at ymateb Llywodraeth Cymru i'r ymgynghoriad ar yr hawl i Bensiwn ar gyfer Diffoddwyr Tân Wrth Gefn 2023, a gyhoeddwyd ar 10 Ionawr 2024, sydd ynghlwm yn Atodiad 1, ac mae'n cadarnhau'r camau nesaf mewn perthynas â gweithredu.

ARGYMHELLION: Bod Aelodau'r Bwrdd Pensiwn Lleol yn nodi'r sefyllfa bresennol ynghylch gweithredu ail ymarfer opsiynau yn ymwneud â hawl i bensiwn ar gyfer Diffoddwyr Tân Wrth Gefn yng Nghymru.

CYMERADWYO'R ADRODDIAD

Clerc:

Sylwadau: Cymeradwyd

Cyfarwyddwr berthnasol:

Sylwadau: Cymeradwyd

Swyddog Adran 151/Trysorydd:

Sylwadau: Cymeradwyd

**Prif Swyddog Tân /
Dirprwy Brif Swyddog Tân**

Sylwadau: Cymeradwyd

PAPURAU CEFNDIR A DDEFNYDDIWYD WRTH BARATOI'R ADRODDIAD HWN:

| | |
|---|---|
| Yn cyflwyno'r Adroddiad: | Mr Ian Coleman Cadeirydd y Bwrdd Pensiwn Lleol |
| Awdur(on) yr Adroddiad a'u Swyddi | Mrs Sarah Tillman Swyddog Pensiynau |
| Dyddiad yr ysgrifennwyd yr adroddiad gwreiddiol | 02/03/2024 |

LOCAL PENSION BOARD
22 APRIL 2024
PENSION ENTITLEMENTS FOR
RETAINED FIREFIGHTERS 2023

1 Executive Summary

- 1.1 This report provides Members of the Local Pension Board with an update on the latest activity regarding the implementation of the second pension options exercise for current and former retained firefighters, following the introduction of the Firefighters' Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024 from 01 February 2024.
- 1.2 This exercise will allow in-scope individuals to purchase pensionable service in the Firefighter Pension Scheme (Wales) 2007 as a Special Member. This scheme provides comparable benefits to regular firefighters in the Firefighter Pension Scheme 1992.
- 1.3 This report also brings to Members' attention the Welsh Government's response to the consultation on Pension entitlement for retained Firefighters 2023, which was published on 10 January 2024, attached at Appendix 1, and confirms the next steps in relation to implementation.

2 National/Wales Position

- 2.1 The second options exercise relating to pension entitlement for Retained Firefighters applies to all eligible current and ex-firefighters in the United Kingdom including the three Fire and Rescue Services (FRS) in Wales. Each Service will therefore be required to conduct its own options exercise.
- 2.2 Best practice will be shared between the three Welsh FRS's where appropriate to ensure consistency of approach wherever possible.

3 Mid and West Wales Fire and Rescue Service Current Position

- 3.1 By way of providing some background, for many years, retained firefighters had no access to an occupational pension scheme. This did not change when the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 were introduced as the National Employers held the view that the work of retained firefighters was not sufficiently comparable to that of wholetime firefighters.
- 3.2 This was subsequently overturned following the case of Matthews v Kent and Medway Towns Fire Authority (Matthews) and as a result the Firefighters' Pension Scheme (Wales) Amendment Order 2014 created a "modified scheme" for retained firefighters. Retained firefighters were permitted to join the scheme retrospectively and purchase past service from 01 July 2000 onwards.

- 3.3 More recently, a review took place on the pension's aspect of the Matthews case, following the European Court of Justice's decision in O'Brien v Ministry of Justice concerning fee paid judges in the Judicial Pension Scheme. The judgment held that remedy could extend back before the Part-Time Workers Directive was required to be implemented on 07 April 2000. As a binding judgement, the finding applied across all such claims and therefore the UK Government recognised the right also applied to retained claims.
- 3.4 On 14 July 2023, the Welsh Government, who have devolved responsibility for the Firefighters' Pension Scheme(s) in Wales (except the 1992 scheme), released a consultation on amendments to the Firefighter Pension Schemes in Wales to extend access to pension entitlement for retained firefighters with pre 2000 service. The Service submitted the response to the consultation on 06 October 2023, as agreed at the Local Pension Board at its meeting on 04 October 2023.
- 3.5 The Welsh Government's response to the consultation, attached at Appendix 1, was published on 10 January 2024, followed by the Welsh Government Circular, *W-FRSC(2024) 01 – The Firefighters' Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024*, on 11 January 2024, which was circulated to Board Members via email on 19 January 2024.
- 3.6 The Circular provided guidance, which required Scheme Managers and administrators to implement the changes from 01 February 2024. This will involve the Service having to undertake a 'second options exercise' providing eligible individuals with the relevant options, and to put in place the necessary administrative arrangements to process pension contribution and benefit payments.
- 3.7 Eligible individuals are set out as follows:
- Was employed as a retained firefighter at any date during the period 07 April 2000 and 30 June 2000 inclusive.
 - Was employed as a retained firefighter at any date during the period 07 April 2000 and 30 June 2000 inclusive and also between 01 July 2000 and 05 April 2006 inclusive.
 - Was employed as a retained firefighter at any date during the period 01 July 2000 and 05 April 2006 inclusive and should have been eligible to join the 1st options exercise but was not given an opportunity to do so.
- 3.8 The Service identified 706 eligible individuals in scope for this exercise and they have been notified of their entitlement to join the scheme in line with the necessary timescales.

- 3.9 Whilst not related to the second options exercise, Member's attention is drawn to Points 46 – 60 of the consultation response relating to amendments of the amendments to the Firefighters' Compensation Scheme (Wales) Order 2007 in respect of secondary contracts.

4 Proposal

- 4.1 That Local Pension Board members note the current position regarding the second options exercise relating to pension entitlement for retained firefighters.

5 Service Commitments, Improvement Objectives and Well-being goals

- 5.1 The Service is committed to ensuring that the key principles of the Wellbeing of Future Generations (Wales) Act 2015 are supported.

6 Financial/Procurement Implications

- 6.1 The employer contributions relating to retrospective buy-back of service, where individuals have opted to do so, will be 'rolled up' into a future scheme valuation exercise, which may result in an adjustment to employer contribution percentage rates in the future. Any increase cannot be estimated until the options exercise has been concluded and the valuation process completed.

7 Risk Assessment/Legal and Compliance Implications

- 7.1 The Service will have an 18 month window from 01 February 2024 in which to complete the second options exercise and comply with the legislative requirements of remedy. To support this process, an additional resource has been appointed to the Service Pensions Team.

8 Fire Authority Governance Implications

- 8.1 Pension Scheme Governance is the responsibility of the Fire Authority as Scheme Manager, assisted by the Local Pension Board.

9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications

- 9.1 All the practices are fully compliant.

10 Data Protection and Privacy Issues

- 10.1 All personal and sensitive information is processed in accordance with the requirements of Data Protection legislation and the Authority's Data Protection Procedures.

11 Consultation and Communication

11.1 Local consultation is considered not necessary. The Service will communicate with those affected as part of the second options exercise.

12 Prevention, Protection and Response Implications

12.1 Considered, but deemed not relevant to the report.

13 Human Resources and People Development Implications

13.1 All correspondence and documentation required to complete the second options exercise and enrol individuals into the pension scheme will be processed by the Human Resources Department.

13.2 The number of cases potentially identified as eligible to join is 706.

14 Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications

14.1 Considered, but deemed not relevant to the report.

15 Estates Implications

15.1 Considered, but deemed not relevant to the report.

16 Fleet, Engineering and Logistics Implications

16.1 Considered, but deemed not relevant to the report.

17 Evaluation

17.1 Considered, but deemed not relevant to the report.

18 Recommendations

18.1 That Local Pension Board Members note the current position regarding the implementation of a second options exercise relating to pension entitlement for Retained Firefighters in Wales.



Number: WG48922

Welsh Government Consultation – summary of responses

Consultation Response to Pension Entitlements for Retained Firefighters 2023

January 2024

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

Overview

This document provides a summary of the responses to our consultation 'Pension Entitlements for Retained Firefighters 2023', including the Welsh Government's response to them.

Action Required

This document is for information only.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Contact details

For further information:

Fire Services Branch
Welsh Government
Rhydycar
Merthyr Tydfil
CF48 1UZ

Email: fire@gov.wales

Additional copies

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

Link to the consultation documentation: [Pension Entitlements for Retained Firefighters 2023](#)

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CONSULTATION PROCESS

1. A twelve-week consultation began on 14 July 2023 and was open for responses until 06 October 2023. The consultation contained 9 questions, with options to respond to those questions by completion of an online form or by e-mail. The consultation document was available on the Welsh Government website.

2. The consultation, which included a draft statutory instrument, specifically focussed on:

the ***Firefighters' Pension Scheme 2007*** about pension rights for RDS firefighters. It set out proposals to provide access to firefighter pensions for Retained Duty System (RDS) firefighters with service between 7 April 2000 and 5 April 2006 (to include access relating to RDS service before 7 April 2000).

the ***Firefighters' 2007 Compensation Scheme*** in respect of secondary contracts. It set out proposals to amend the 2007 firefighters' compensation scheme so that it treats injuries sustained under certain secondary contracts more fairly.

3. The Welsh Government received 14 responses to the consultation. Those 14 responses came from the following:

Three from Fire and Rescue Authorities in Wales (FRAs),
Two from other trade unions and other organisations representing firefighters,
One from a pension software provider,
Eight from individuals.

4. A full list of respondents is available at Annex A.

5. The Welsh Government welcomes the responses to the consultation and would like to thank those who responded.

6. The Welsh Government published its Integrated Impact Assessment alongside the consultation document. The overall policy position set out in the consultation document remains the same and has formed the basis of the final Order. Therefore, no changes have been made to the Integrated Impact Assessment as originally published. The document can be found [here](#).

SUMMARY OF CONSULTATION RESPONSES

7. The Welsh Government has considered the responses to the consultation. This document provides a summary of the responses received to each of the specific questions and the Welsh Government's response to them.

PART 1 – EXTENDING ACCESS TO FIREFIGHTER PENSIONS FOR RETAINED DUTY SYSTEM FIREFIGHTERS

DETAILS OF ELIGIBILITY AND REMEDY PERIOD

Question 1 – Do you agree with the eligibility criteria set out at paragraphs 12-17.

8. 11 out of 14 respondents agreed with the eligibility criteria proposed in the consultation, one respondent noting that the criteria proposed for the firefighter pension scheme in Wales was consistent with the criteria set out in the Memorandum of Understanding agreed between the Fire Brigades Union, the Fire and Rescue Services Association, the Local Government Association, and the Home Office in respect of the pension scheme in England (“the English MOU”). One respondent felt that it was useful that the draft Order itself set out the steps an FRA must have complied with to determine an option was appropriately provided in the first options exercise.

9. One respondent did not agree but did not provide any other information. Two respondents provided further details regarding their concerns with the proposals:-

- One felt that the criteria should be broadened to include all those who were eligible to join the modified scheme during the first options exercise but did not do so, and not just those who were not given that opportunity for some reason. It was suggested that proof that an FRA wrote to an individual during the first options exercise was not evidence that an individual had received that correspondence or that the information provided about a member's choices, benefits and the repayment process was always complete and accurate,
- A further respondent indicated that those with service between 7 April 2000 and 6 April 2006 (whether as an RDS or wholetime firefighter) whose uninterrupted service prior to 7 April 2000 included a period of RDS service should be eligible, claiming that that the English MOU did not specify that

service between these dates must be RDS service, and also arguing that this would be consistent with the judgment in O'Brien v Ministry of Justice. The respondent argued that periods of concurrent RDS and wholetime service should be treated as one. The respondent also suggested that instead of being given the option of joining the 2007 scheme for their service up to 2022, individuals should instead be given a choice mechanism (similar to that introduced for age discrimination remedy¹) which would enable them to choose between purchasing 2007 modified scheme benefits or 1992 scheme benefits.

Welsh Government Response:

10. We are not aware of any major issues or concerns that have been raised about the accuracy or quality of information in cases where it was provided by FRAs to individuals as part of the first options exercise either during its implementation in 2015-16, or since then. Templates were provided to the three FRAs in Wales for the various stages of communication with individuals to ensure a standard consistent approach was applied, and FRAs used the calculator provided by the Government Actuary's Department to establish the details of contributions owed by individuals. Our legislation for the second options exercise, also provides for an appeals process where an FRA determines that it did not notify a person of their entitlement in the first options exercise, but the person does not believe that is the case.

11. The issues of whether those who left employment as a retained firefighter before 7 April 2000, and whether wholetime and RDS service can be aggregated for pension purposes, are currently subject to litigation and it would not be appropriate to comment further at this stage, or to amend our proposals in advance of judgment or settlement in those cases.

12. After considering the responses received, we are content that the proposed eligibility criteria set out in the consultation remain appropriate. The final Order will reflect that position.

Question 2 - Do you agree that the proposed arrangements should include the option to purchase uninterrupted RDS service in the modified scheme between 31 March 2015 and 31 March 2022, irrespective of whether that is provided for through these provisions or separate regulations made under the PSPJO Act 2022?

13. All 14 respondents agreed that eligible members should also be given the opportunity to purchase pension rights in the modified element of the 2007 scheme between 31 March 2015 and 31 March 2022.

14. One respondent noted that, as the second options exercise and age discrimination remedy exercises were running concurrently, it may be difficult to ensure the necessary deadlines were met.

¹ [Age Discrimination Remedy Consultation](#)
[The Firefighters' Pensions \(Remediable Service\) \(Wales\) Regulations 2023 \(legislation.gov.uk\)](#)

15. One respondent indicated that linking pension purchased for this period to eligibility under the third condition of section 1(5)(b) of the Public Service Pensions and Judicial Offices Act 2022 would remove unnecessary additional administrative burdens and the exercise of local discretions which could lead to variations in approach.

16. One respondent noted three categories of RDS firefighters eligible to take part in the second options exercise that interacted with age discrimination remedy: those who already had special membership in the 2007 scheme; those that had standard membership in the 2007 scheme; and those that did not have membership in any of the schemes. Those in the first category would automatically revert into the modified scheme as their legacy scheme under the age discrimination remedy, but those in the second and third categories would also need to be provided for. In particular, the respondent pointed out that those with current standard membership in the 2007 scheme would revert to that scheme as part of age discrimination remedy, and those that were not a member of any pension scheme who made an application to reinstate the 2015-2022 period as special membership would be refused because the reason for opting not to take up special membership was not a relevant breach of a non-discrimination rule.

Welsh Government Response:

17. Our consultation document indicated our intention that eligible individuals would be able to purchase pension for uninterrupted service in the modified scheme up to 31 March 2022, either through the second options exercise or age discrimination remedy regulations made under the Public Service Pensions and Judicial Offices Act 2022 (the 2022 Act). We were though clear that work was still being undertaken to clarify the precise mechanism that would apply for service during the period 1 April 2015 to 31 March 2022.

18. We have since clarified that we cannot make provision for this period as part of the second options exercise because the Public Service Pensions Act 2013 prevents benefits being provided for in the 2007 scheme after 31 March 2015, except in respect of age discrimination remedy under the 2022 Act.

19. The Firefighters' Pensions (Remediable Service) (Wales) Regulations 2023 which were made on 4 September do, however, provide for the age discrimination remedy to extend to individuals who are eligible to take part in the second options exercise in the particular circumstances set out in paragraph 16 above. All the respondents that provided detailed responses to this question appeared to acknowledge that position, and their comments were based on how the age discrimination remedy provisions and the second options exercise would work together effectively.

20. The Welsh Government recognises the importance of the interaction between both remedy exercises. The second options exercise will need to be implemented first to ensure an individual is placed in the modified section of the 2007 scheme to ensure that the correct legacy scheme is used for roll-back or the purchase of opted out service under age discrimination remedy provisions. We acknowledge that could potentially create some timing issues, for instance in respect of the timing of the

issue of a first remediable service statement under the age discrimination remedy, and statutory timeframes for making decisions about opting in under the 2022 Act. However, the age discrimination remedy scheme regulations referred to above provide flexibility around all of these timings which scheme managers can use to ensure that member information and choices are made in the correct order.

21. One respondent referred to the ability to opt-in to special membership of the 2007 scheme under the age discrimination remedy being limited by a requirement to evidence that their decision to opt-out was linked to age discrimination in the 2015 scheme. We understand that to be the case in England; however, there are no such limitations in the Welsh Regulations. To clarify, any firefighter who meets the eligibility criteria in section 1 of the 2022 Act will be entitled to opt-in to the relevant legacy scheme for the remedy period. That includes retained firefighters who fall under the £10,000 per annum salary threshold for auto-enrolment in the pension scheme. Our regulations make provision about some of the procedures that must be followed to make an opt-in election. However, whilst the 2022 Act provides for scheme regulations to include certain conditions under which an application may be refused, the Welsh Government did not include any such conditions in the scheme regulations.

22. Our legislation will therefore reflect that the second options exercise will cover the period up to 31 March 2015.

PROPOSED REMEDY

Question 3 - Do you agree with the assumption that we have proposed for historic service, pay and grade?

23. 13 of the 14 respondents agreed with the assumptions proposed in the consultation document in respect of historic service, pay and grade, in particular:-

- that where no proof of service could be provided by the FRA or the individual then the FRA may determine the person did not have any entitlement to join the modified scheme for that period,
- that if relevant pay data wasn't available, it should be assumed that an RDS firefighter earned 25% of the reference pay of a wholetime firefighters for any relevant year, and
- that in the absence of other evidence, it should be assumed that an individual was a competent firefighter for the purpose of estimating pensionable pay.

24. One respondent noted that a further assumption may be required for whole-time reference pay prior to the earliest date that pay scales are available. The same respondent pointed out that the consultation document referred to the assumed role being that of a competent firefighter, although the draft order itself only included reference to "firefighter" and suggested that including competent firefighter in the regulations themselves would provide greater clarity.

25. One FRA respondent noted that no pre-2000 pay or service information was available and that the default assumptions would be used in all cases unless individuals could provide evidence to the contrary.

Welsh Government Response:

26. We note that the majority of respondents agreed with the proposals set out in the consultation and we therefore plan to implement the proposals as set out in the consultation with the following adjustments:-

- where an authority does not hold pay records and has to determine pensionable pay from other records or local experience - if this determination indicates an amount lower than 25%, then 25% becomes the default, but where this determination indicates that average pay is greater than 25% then the higher amount can be used,
- adjusting the provisions to indicate that 25% of reference pay relates to a competent firefighter.

27. We note the comment made by one respondent regarding the earliest date that pay scales are available from and will work with FRAs on a solution for any cases that emerge where calculations include periods where appropriate pay scales are not available.

CONTRIBUTIONS

Question 4 – How far do you agree with our proposal to spread periodic contributions for post 2000 service over 10 years and for pre-2000 by 10 years plus half the length of pre-2000 service that they have opted to purchase?

28. 11 out of the 14 respondents agreed with our proposal to spread periodic contributions for post 2000 service over 10 years and for pre-2000 by 10 years plus half the length of pre-2000 service that they have opted to purchase. One of those respondents noted that the proposed approach was consistent with the approach taken for the first options exercise, although another respondent commented that the payback period was overly generous, in instances where the amount owed by the members was very small. Another respondent, while supporting the proposal, believed the proposed period for pre-2000 service was not sufficient and should be set at 20 years.

29. One respondent said that the proposal seemed complicated and raised concerns about the additional software development and cost implications this might require. The same respondent proposed an alternative solution which was to provide members ten years to repay post-July 2000 service purchased and 20 years to re-pay both pre- and post-July 2000 service purchased. The respondent further suggested that members be given a settlement option if they wished to repay at a given point.

30. One respondent questioned whether the proposed approach was equal and fair. One respondent did not provide a view.

Welsh Government Response

31. We note respondents' overall agreement to the approach set out in our consultation for the repayment of contributions. We also, however, note some respondents' concerns regarding the repayment by instalments of small amounts, but alternatively that the spread of periodic payments for pre 2000 service is not long enough.

32. On the issue of the repayment period for pre-2000 service, our original proposal was that special members' and special deferred members' instalments would be spread over a period of 10 years plus half the length of the pre-1 July 2000 service that they have opted to purchase. This would mean that a member who joined the service in 1970 and was still employed as an RDS firefighter would be able to spread the pay back of periodic contributions by 25 years (10 years plus half of the 30-year service prior to 2000). But we acknowledge that members with service from 1980 onwards would benefit more from a 20-year repayment period, and we accept that the majority of members who are still special members or special deferred members would fall into this category, as the majority of individuals who have pre-1980 service would fall into the special pensioner category of members. We also agree that spreading very small payments over too many years could become a burden to scheme members as well as place an additional administrative burden on scheme managers and administrators. A more reasonable position would be to allow for the terms of repayment to be set by the FRA with the agreement of the member. We therefore plan to amend the provisions that were proposed in the consultation to reflect the following position regarding periodic payments.

33. The payment period will be set by scheme managers with the agreement of the scheme member, but within the following limits:

- Payments under £100 must be made as a lump sum.
- Periodic payments for the purchase of post-2000 service must be made within 10 years of such an agreement.
- Periodic payments for the purchase of pre-2000 service must be made within 20 years, or 10 years plus half the period of the length of pre-2000 service, whichever is the longer.

34. We are content that our existing proposals on lump sum payments are consistent with the approach that we have taken in our age discrimination remedy, and in the first options exercise, and we do not plan to make any adjustments to these.

35. We accept that our proposal will require a change in the software used by scheme managers and administrators, but do not believe that this is particularly complex: the only key difference between our plans and those being implemented elsewhere is the repayment period. Calculations for the flexible repayment of contributions period will be supported by a GAD calculator.

36. Subject to changes explained above, we will therefore proceed to implement the proposals in the consultation document.

THE OPTIONS EXERCISE

Question 5 - Do you agree that the new options exercise should be completed within 18 months (with flexibility included to go beyond that in exceptional cases as described in paragraph 72).

37. Nine out of the 14 respondents supported the proposals in the consultation document. One of those respondents noted that the timing was consistent with the approach taken for the first options exercise. Although one of those respondents agreed with our proposals, this was on the basis that evidence of the contact made with the individual, and their reply, was recorded. Two of those respondents welcomed the flexibility provided to the FRA or individual, where it is not reasonably practicable to comply with the timetable.

38. Two respondents supported the proposals in principle but raised issues relating to the respective stages of the second options exercise and believed they should be amended / strengthened. These included:-

- Draft rule 6C(14) should be amended to clarify that the election may also take effect after 30 June 2025 if the Fire and Rescue Authority did not use reasonable endeavours to notify the individual,
- the timescales for the second and third stages should be reversed. That is, the individual should submit an expression of interest within three months, and the FRA should be given six months to provide the statement of service.

39. Two respondents did not agree with the proposals. One of those respondents believed the issue had taken long enough to resolve. The other respondent believed that for those already in the scheme after the first options exercise, there should be no need to indicate interest in joining the scheme; the application should be automatic.

40. One respondent highlighted the impact the timelines may have on resources to implement the proposals, alongside the age discrimination remedy. The respondent added that further clarification was needed in respect of the evidence required by each party, in the event of a dispute.

Welsh Government Response:

41. We note that the majority of respondents agree with the overall approach set out in our consultation for implementing the second options exercise.

42. We acknowledge the comments about the respective timings of the exercise. Our proposals clearly need to work in practice and therefore we are sympathetic to the issues that have been raised. The scheme rules provide a timetable for FRAs to follow that will ensure the second options exercise is implemented within 18 months, although the rules do also provide some flexibility

where it would not be reasonably practicable to complete the exercise within those 18 months. On the issue of provisions that enable elections to take effect after 30 June 2025 in cases where an eligible individual did not receive a notification from the authority, we agree that Rule 6B(14) might suggest a different approach should be applied for individuals where an authority did or did not use reasonable endeavours to notify an eligible person. This is not our intention and as such we have amended Rule 6B(14) to remove reference to an authority's reasonable endeavours. The requirement on FRAs to contact members is covered elsewhere in the provisions under Rule 5B. The dates referred to in the draft Order that we consulted on have been updated throughout to reflect the slightly later coming into force date for the final Order. This means that the 30 June 2025 date referred to above has now been amended to 31 July 2025.

43. We do not agree with the suggestion that those that bought past service under the first options exercise should be taken to have automatically applied for the second one. Individuals' circumstances may very well have changed in the intervening years, and whether to apply must always be a member's personal decision. So, we believe it appropriate to contact all eligible members to confirm their choice.

44. We note respondents' comments about the impact on scheme administrators to implement the changes alongside the age discrimination remedy and acknowledge the significant impact that remedying both sets of changes at the same time will have. However, individuals eligible to take part in the second options exercise are entitled to a timely and effective remedy. As set out in our response to Question 2 above, there are also important interactions between the second options exercise and age discrimination remedy that mean that implementation of both must run consecutively to ensure that individuals eligible for both, are given the correct opportunities and benefits.

45. We will therefore proceed to implement the proposals in the consultation document.

PART 2 – PROPOSED AMENDMENTS TO THE FIREFIGHTERS' COMPENSATION SCHEME (WALES) ORDER 2007 IN RESPECT OF SECONDARY CONTRACTS

Question 6 - How far do you agree that we should change the definitions of "firefighter" and of "pensionable pay" in the Compensation Scheme, to ensure that those firefighters who have second contracts are entitled to compensation on the same terms as those who do not?

46. Seven out of 14 respondents fully agreed with the proposals. Two disagreed or partially disagreed but did not set out their reasons. One respondent did not comment on the proposal at all. The remaining four respondents appeared to agree with elements of the proposal but offered further comments.

47. Some respondents disagreed with the proposal to include USAR duties within the role of a regular firefighter as it was suggested that USAR technicians do not undertake this role in accordance with their primary contracts. As a result, they believe that the existing distinction is reasonable based on the contractual position.

48. In addition, the same respondents expressed concern that including USAR duties as part of the role of a regular firefighter would open up potential challenge that USAR technicians should be eligible to become members of the Firefighters' Pension Scheme.

49. A respondent also noted that the proposal to calculate compensation scheme benefits based on substantive wholetime pensionable pay could be disproportionate and potentially introduce inequality, in circumstances where USAR technicians' duties under their primary contracts are at different levels, for example one individual could be employed as a firefighter, while his/her colleague could be employed as Station Manager. In addition, the length of service could differ greatly, as such further consideration should be given to how compensation payments should be calculated.

50. Two FRA respondents also raised the possibility of USAR technicians becoming eligible to join the Local Government Pension Scheme ("LGPS"). This would allow firefighters who undertake USAR duties to contribute to the LGPS based on their USAR service only and in accordance with the LGPS entitlement rules. Concern was raised that providing eligibility for benefits under the 2007 Compensation Scheme could create a situation whereby an individual would be entitled to pension or death benefits from the LGPS based on the secondary contract and pension and compensation based on the primary contract under the 2007 Compensation Scheme, some of which might be duplicated. One FRA respondent also queried whether the Welsh Government would be providing the FRAs with additional funding in respect of the increased participation in the Compensation Scheme by individuals performing USAR duties.

51. One respondent queried whether the proposal to provide compensation scheme benefits to RDS firefighters should be based on the calculation of awards for part time firefighters, so based on full years of service, but using actual part time rather than full time hours.

52. Two respondents suggested that the proposal to provide compensation payments should not be restricted to those cases where an individual's primary contract of employment is with the same FRA with whom they also hold a secondary contract. One respondent suggested that this should be extended to cover wholetime firefighter contracts which were held with another FRA, another suggested they should be extended to cover recompense for any primary employment.

Welsh Government Response:

53. The Welsh Government acknowledges the mixture of responses to this proposal, which included both positive reception, as well as some disagreement with a number of its aspects.

54. We note the view held by some respondents that a firefighter's eligibility for compensation for injuries should be reflected by the contractual position under which they were performing duties when they were injured. However, we consider that would be an artificial distinction in many circumstances, based merely on administrative contractual arrangements. Such a situation risks creating significant unfairness. In the case of USAR technicians, they are, after all, invariably also serving regular, retained or volunteer firefighters. We would not consider it fair, for example, were a regular firefighter with many years' service to be injured while performing duties under a secondary USAR contract and therefore not to receive compensation that he or she would have received had a similar injury been sustained under their regular contract, simply because those duties were performed under a separate contract of employment. We do not consider that this strong imperative for fairness was addressed by respondents who disagreed with the proposal.

55. We note the suggestion that compensation scheme benefits provided to an RDS firefighter should be comparable to benefits calculated for part time firefighters. We are aware that a lack of consistency between the two sets of calculations has been raised as a concern elsewhere in the UK, but this is not a matter that has previously been raised with the Welsh Government. This is not related to the consultation itself, however we will monitor developments elsewhere and act accordingly in due course. The Welsh Government has also noted the suggestion that compensation payments should not be restricted to those cases where an individual's primary contract of employment is with the same FRA with whom they also hold a secondary contract. We do not agree with that. Compensation and pension benefits (including ill health and survivor benefits) for primary service with another employer should clearly fall under the arrangements that an RDS firefighter has with that employer.

56. In respect of funding, the Welsh Government does not intend to provide any additional funding, as the funding of the scheme is a matter for FRAs.

57. The Welsh Government notes the responses that highlighted the potential eligibility of USAR technicians for the LGPS. We further note that eligibility for that scheme is currently under consideration by a number of FRAs. We have also given further consideration to the proposed mechanism of achieving the overall policy objective by way of amending the definitions of "firefighter" and "pensionable pay" in the 2007 compensation scheme.

58. While we intend to address the core issue of unfairness for those injured under secondary contracts, we recognise, as a result of the two points above, the need to reconfigure the extent of the policy, and the way in which it is to be delivered through the legislation.

59. Consequently, we intend to proceed on the revised basis that an injury sustained in the course of a secondary contract should be treated, for the purposes of the 2007 compensation scheme, as if it were sustained in the exercise of duties under the firefighter's primary contract. Specifically:

- for firefighters with temporary secondary employments as USAR technicians (or with a temporary secondary employment to respond to an emergency of a type mentioned in section 7 of the Fire and Rescue Services Act 2004, or articles 2, 3 or 3A of the Fire and Rescue Services (Emergencies) (Wales) Order 2007) with the same FRA, an injury sustained in the performance of duties responding to such incidents would be treated as if it were an injury sustained under their employment as a regular or retained firefighter;
- for a regular firefighter with a secondary employment with the same FRA as a retained firefighter, an injury sustained in the performance of their retained employment would be treated as if it were sustained under their employment as a regular firefighter. However, this rule is disapplied in the event that an individual's pay and service under their RDS contract would yield greater compensation than pay and service under their wholetime contract. In this situation, compensation scheme benefits should be based on pay and service under the contract that would provide the greatest level of compensation.

60. Therefore, if a regular firefighter with 10 years' service sustains an injury in the exercise of his or her duties under a secondary temporary employment as a USAR technician, with 2 years' service, or a secondary employment as a retained firefighter, also with 2 years' service, with the same fire and rescue authority, then that firefighter would be entitled to compensation awards commensurate with their 10 years' regular service, so long as it would be a qualifying injury and all other relevant requirements are satisfied.

MISCELLANEOUS ISSUES

Question 7 - We would like to know your views on the effects that the above proposals would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

61. One respondent suggested that positive and negative effects should be communicated more openly via social media platforms. No further specific comments were made other than recognition that documents will be made available in both English and Welsh, in accordance with Welsh Language Standards.

62. Six respondents did not provide a view.

Welsh Government Response:

63. We note that Fire and Rescue Authorities will continue to communicate with their members in both Welsh and English, in line with the Welsh Language Standards. The Order will also be made in both Welsh and English, except for the amendments to the 1992 Pension Scheme Order and the 2007 Compensation Scheme Order. Those original Orders were made only in English, so can only be amended in English. On the issue of social media communications, we consider this to be an administrative issue and not one that should be reflected in the order itself.

Question 8 – Please also explain how you believe the proposed policy could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

64. One respondent requested simplified pension statements be made available to make them easier to comprehend. No further specific comments were made in respect of the effect the policy may have on the Welsh Language, other than those already raised under Question 6.

65. Six respondents did not provide a view.

Welsh Government Response:

66. The Welsh Government notes respondents' views on this issue and acknowledges the need for pension scheme members to receive clear and concise information. The precise presentation of information that FRAs are required to provide to members in statements is a matter for the scheme managers. But in sending any communications, scheme managers are required to comply with the Welsh Language Standards, such that if any pension statements are to be made available, they should be made available in both Welsh and English.

67. We consider that scheme managers are best placed to set out the exact wording of pension statements, and that it is not appropriate for that to be set out prescriptively in legislation, other than the parameters of what are required.

Question 9 - We have asked a number of specific questions. Do you have any other comments on our proposals or any related issues which we have not specifically addressed?

68. A number of respondents raised issues with the proposals set out in the consultation. Where we believe these relate to the broad areas already covered in the questions above, we have included and responded to them there. The remaining issues are summarised below :-

69. **Previous optant outs** - Clarity was sought on whether a special member who elected to purchase pension through the first options exercise but subsequently opted out of the scheme, would now be able to purchase all of that opted out service if they were eligible to take part in the second options exercise.

70. **Special/ additional death grant** - One respondent noted that paragraph 1C(2) and 1C(3) of the draft Order provided that an eligible dependent must make an application for an additional death grant on or before 31 December 2024, although the rule applied where the retained firefighter died before 30 June 2025.

71. **Remediable service statements (RSS)** – One respondent noted the requirement, under the Public Service Pensions and Judicial Offices Act 2022 and

age discrimination remedy regulations, for the provision of remediable service statements by 31 March 2025, or such later day as the scheme manager considers reasonable. The respondent indicated that, for individuals eligible for both the second options exercise and age discrimination remedy, where the second options exercise election needed to be made to determine eligibility for age discrimination remedy, it may not be feasible for the initial RSS to be provided by 31 March 2025, as this was before the 'closing date' of the second options exercise. The respondent felt that it should be acknowledged in legislation or guidance that scheme managers would need to exercise the RSS discretion for members eligible for the second options exercise.

72. **Software Development** – One respondent indicated that there was a clear risk that the final legislation would not be laid with sufficient lead in time for all required software developments to be delivered by the implementation date.

73. **Tax issues relevant to the Second Options Exercise** – One respondent suggested the 'compensation deduction' payable under draft rule 6D to be inserted into Part 11 in respect of tax relief on contributions should extend to take into account the annual allowance impact of backdated pension contributions which could place some members in a less favourable position than they would have been in if the contributions had been paid throughout their service, and also any higher rate of tax incurred as a result of the immediate payment of backdated additional pension benefits which could move a pensioner member into a higher rate tax band as a result.

74. The same respondent questioned why the default tax rate was set at 20% in that same draft rule as this was the current basic rate of income tax rather than the basic rate applicable in certain periods in the past.

75. **Outstanding tax issues from the First Options Exercise** - One respondent pointed out that a mechanism to deal with tax relief on contributions was not included in the first options exercise, and that individuals may not have been able to claim tax relief as a result.

76. **Information requirements** - One respondent suggested that FRAs should be required to use their best not "reasonable" endeavours to notify all individuals eligible to take part in the second options exercise, and that this should include consulting the National Insurance Contributions Office (NICO) or engaging the services of a tracing service. The same respondent believed that an FRA should make enquiries through HMRC about an individual's historic employment data before determining that the person does not have service within the relevant period. They acknowledged though that obtaining data from NICO or from HMRC might be time-consuming and therefore suggested that hard deadlines should not be included in the provisions.

77. The same respondent sought confirmation that the Welsh Government would provide guidance and templates to ensure a consistent approach to implementation.

78. **Governance** – One respondent suggested that the Welsh Government

should require FRAs to report on the progress they are making at appropriate intervals to ensure that the relevant timelines set out in the regulations are adhered to.

79. **Compensation Scheme** - One FRA respondent commented that the proposal could also lead to an anomalous situation, whereby individuals performing duties that were not captured in the Fire and Rescue Services Act 2004, would not be protected under such arrangements, nor should the salary for those activities be pensionable.

Welsh Government Response:

80. On the issue of members who opted out following an election to purchase pension in the first options exercise, we have been clear that any member who is eligible for the second options exercise will be able to purchase any or all of their continuous RDS service, with the sole exception of any service already purchased as part of the first options exercise. It is our position that the ability to purchase service would include any service that the individual opted out of purchasing following the first options exercise.

81. The Welsh Government acknowledges that the deadline for an application for an additional death grant is incorrect and has extended it to 31 July 2025 which is the date that the options exercise ends. The same revised deadline has been included for applications for the special death grant. Since the consultation closed, the Welsh Government has been made aware of broader concerns regarding the eligibility criteria for the special death grant and additional death grant. We propose reviewing these concerns in collaboration with the responsible authorities for the other firefighter pensions schemes in the UK. Rather than delaying the implementation of this second options exercise to do so, and risk complications and timing issues in respect of the interaction with age discrimination remedy, we will continue with our proposals to bring the main provisions for the second options exercise into force on 1 February 2024 and introduce any further revisions relating to death benefits separately, if necessary.

82. On the requirement to provide remediable service statements by the deadlines set out in age discrimination regulations we acknowledge that, for those individuals eligible to take part in the second options exercise, an RSS will need to be issued following an election in that exercise. However, we do not believe that there is any reason to set out further clarification in legislation to provide for this. As acknowledged by the respondent, the regulations already provide for scheme managers to issue an RSS after 31 March 2025, and the response to Question 2 above, sets out clearly how the remedies will need to interact. This matter has also been clarified at the Firefighter Pension Scheme Advisory Board for Wales.

83. We note the concern raised regarding sufficient time for software development between the legislation being made and implementation. We have ensured that the deadlines for the exercise have been updated to reflect the different implementation date in Wales. The exercise for the FRAs in Wales, will also be very similar to the exercise for the rest of the UK, with the only key difference being the timings for the repayment of contributions, which are supported by a GAD calculator.

The exercise that is already underway in England and Northern Ireland will therefore have laid the foundation for any software changes for the exercise in Welsh FRAs.

84. On tax issues relating to the second options exercise, the Welsh Government agrees that, rather than applying a basic tax rate of 20% to compensation deduction, the basic taxation rates that applied during the historic period for which pension is being purchased should apply. In addition, where an individual can provide robust evidence to show that they paid a higher rate of tax during the relevant period, then the higher rate will be used to calculate the reduction. These amendments have been included in the legislation. Our consultation set out that there is already some mitigation where an individual purchases their historic service in a single tax year where an individual has unused Annual Allowance from previous tax years. Annual Allowance also increased from £40,000 to £60,000 from 1 April 2023. Tax issues arising from the first options exercise were not the subject of this consultation and are a matter between the employer, the employee and HMRC.

85. We note the suggestions made regarding the steps that FRAs should take to make sure that they notify eligible individuals of their entitlement to take part in the second options exercise but believe that “reasonable endeavours” is the appropriate level of burden in the circumstances, and that the steps each FRA should take are a matter for local consideration, based on local circumstances. FRAs can use any means to locate eligible individuals including using external sources if they choose to. The Welsh Government therefore does not plan to be more prescriptive on this matter.

86. The Welsh Government will ask the Firefighter Pension Scheme Advisory Board for Wales to monitor the implementation of the 2024 Options exercise to ensure that it is delivered on time and to act as a conduit for raising and resolving any problems identified during the process. We are aware that the Local Government Association has already undertaken a considerable amount of work to provide standard templates and guidance to FRAs to provide for consistent implementation across FRAs. This is consistent with the approach used in the first options exercise.

87. Regarding our proposals for the compensation scheme, we note the respondent’s concerns that individuals performing duties that are not statutory duties of the FRA under the Fire and Rescue Services Act 2004, would not be protected. However, we believe that that this position is correct. Our proposals seek to extend rights to compensation to all those contracted to discharge any of an FRA’s core emergency response duties, not any other discretionary work that an FRA might agree to perform. FRAs do not currently provide compensation scheme benefits for duties that are not statutory duties under the Fire and Rescue Services Act 2004, so we do not believe that our proposal would create an anomaly.

OTHER AMENDMENTS

88. During our post-consultation analysis, as well as reviewing the responses that we received to our own consultation, we have also analysed the summary of

responses published by the Home Office and the resultant amendments that the Home Office have made to the provisions of the scheme applicable to FRAs in England. Some of the amendments that the Home Office have included were not issues that were raised in our consultation responses. However, we believe that they should also be included in our final provisions. We discussed these proposals with the Firefighter Pension Scheme Advisory Board for Wales, whose membership includes all of the key employee and employer representatives, prior to their inclusion in the final provisions. The key amendments are as follows :-

- Provision for 25% of wholetime reference pay as the default for calculation of the death grant for the extended limited period.
- Provision for 25% of wholetime reference pay as the default for pre-2000 service where the authority does not hold pay records and they have to determine pensionable pay from other records or local experience. In such a case, where this determination indicates an amount lower than 25%, then 25% becomes the default. In cases where the authority determines from other records or local experience that the amount is higher than 25% then the higher amount can be used.
- Provision for the 30-year maximum service cap not to be breached as a result of added pension purchased in the first options exercise and decisions to purchase further service in the second options exercise.
- Provision to apply interest to the tax relief amount that will be debited off contributions owed by a member (as well as applying interest to contributions owed).
- Provisions in respect of transfers and conversions have now been included as reference in our consultation document. These are consistent with the policy on transfers and conversions for the second options exercise being implemented elsewhere in the UK.

NEXT STEPS

89. The Welsh Government would like to thank all those that responded to the consultation. We will now make and lay the Firefighters' Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024 to come into force on 1 February 2024.

ANNEX 1 – LIST OF RESPONDENTS

- Fire and Rescue Services Association
- Fire Brigades Union
- Heywood Pension Technologies
- Mid and West Wales Fire and Rescue Service
- North Wales Fire and Rescue Authority
- South Wales Fire and Rescue Service
- Eight Individual Responses

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The report is Not Exempt

The report is for Information

REPORT TO: LOCAL PENSION BOARD

MEETING DATE: 22/04/24

SUBJECT: The Pensions Regulator Scheme Return

PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S):

To provide Members of the Local Pension Board with an update on The Pensions Regulator's Scheme Returns for 2022/23, in relation to the Firefighters' Pension Scheme(s).

EXECUTIVE SUMMARY

It is a legal requirement for trustees or Scheme Managers of all registered pension schemes to complete a scheme return and send it to The Pensions Regulator. The information provided will be used by the Pensions Regulator:

- to make sure the information it holds is accurate;
- to calculate levies due from pension schemes; and
- in the regulation of pension schemes.

Information required to complete the scheme return:

- Scheme details
- Number of members – active, deferred and pensioner
- Scheme manager
- Pension board members
- Employer details
- Service provider details
- Scheme contact details
- Pension Tracing Service contact details
- Whether you consent to electronic services

Failure to submit a completed scheme return by the date specified in the scheme return notice can result in the trustees or Scheme Manager being fined. In addition, it is a criminal offence to knowingly provide any false or misleading information in the return.

RECOMMENDATIONS:

That Local Pension Board Members note the content of this report and The Pension Regulator's Scheme Returns for 2022/23 attached at Appendices 1-3.

| REPORT APPROVAL | |
|---|---------------------------|
| Clerk / Monitoring Officer: | Comments: Approved |
| Relevant Director: | Comments: Approved |
| Section 151 Officer/Treasurer: | Comments: Approved |
| Chief Fire Officer / Deputy Chief Fire Officer | Comments: Approved |

| |
|--|
| ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT: |
|--|

| | |
|----------------------------------|--|
| Presenting the Report: | Mr Ian Coleman Chair of the Local Pension Board |
| Report Author(s) and Designation | Mrs Sarah Tillman Pensions Officer |
| Date original report written | 02/03/2024 |

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad ER GWYBODAETH

ADRODDIAD I'R: BWRDD PENSIWN LLEOL

DYDDIAD Y CYFARFOD:
22/04/24

TESTUN: Ffurflen Cynllun y Rheoleiddiwr Pensiynau

PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S):

Rhoi diweddariad i Aelodau'r Bwrdd Pensiwn Lleol ar Ffurflenni Cynllun y Rheoleiddiwr Pensiynau ar gyfer 2022/23, mewn perthynas â Chynllun(iau) Pensiwn y Diffoddwyr Tân.

CRYNODEB: Mae'n ofyniad cyfreithiol i ymddiriedolwyr neu Reolwyr Cynllun pob cynllun pensiwn cofrestredig gwblhau ffurflen cynllun a'i hanfon at Y Rheoleiddiwr Pensiynau. Bydd y wybodaeth a ddarperir yn cael ei defnyddio gan y Rheoleiddiwr Pensiynau:

- sicrhau bod y wybodaeth sydd ganddo yn gywir;
- cyfrifo ardollau sy'n ddyledus o gynlluniau pensiwn; a
- wrth reoleiddio cynlluniau pensiwn.

Gwybodaeth sydd ei hangen i gwblhau ffurflen y cynllun:

- Manylion y cynllun
- Nifer yr aelodau – gweithredol, gohiriedig a phensiynwr
- Rheolwr cynllun
- Aelodau'r bwrdd pensiwn
- Manylion y cyflogwr
- Manylion darparwr gwasanaeth
- Manylion cyswllt y cynllun
- Manylion cyswllt y Gwasanaeth Olrhain Pensiynau
- A ydych yn cydsynio i wasanaethau electronig

Gall methu â chyflwyno ffurflen cynllun wedi'i chwblhau erbyn y dyddiad a nodir yn yr hysbysiad dychwelyd cynllun arwain at ddirwy i'r ymddiriedolwyr neu'r Rheolwr Cynllun. Yn ogystal, mae'n drosedd darparu unrhyw wybodaeth ffug neu gamarweiniol yn y datganiad.

ARGYMHELLION: Bod Aelodau'r Bwrdd Pensiwn Lleol yn nodi cynnwys yr adroddiad hwn a Ffurflenni Cynllun y Rheoleiddiwr Pensiynau ar gyfer 2022/23 ynghlwm yn Atodiadau 1-3.

| CYMERADWYO'R ADRODDIAD | |
|--|-----------------------------|
| Clerc: | Sylwadau: Cymeradwyd |
| Cyfarwyddwr berthnasol: | Sylwadau: Cymeradwyd |
| Swyddog Adran 151/Trysorydd: | Sylwadau: Cymeradwyd |
| Prif Swyddog Tân / Dirprwy Brif Swyddog Tân | Sylwadau: Cymeradwyd |

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|---|
| PAPURAU CEFNDIR A DDEFNYDDIWYD WRTH BARATOI'R ADRODDIAD HWN: |
|---|

| | |
|---|---|
| Yn cyflwyno'r Adroddiad: | Mr Ian Coleman Cadeirydd y Bwrdd Pensiwn Lleol |
| Awdur(on) yr Adroddiad a'u Swyddi | Mrs Sarah Tillman Swyddog Pensiynau |
| Dyddiad yr ysgrifennwyd yr adroddiad gwreiddiol | 02/03/2024 |

LOCAL PENSION BOARD
22 APRIL 2024
THE PENSIONS REGULATOR SCHEME RETURN

1 Executive Summary

1.1 It is a legal requirement for trustees or Scheme Managers of all registered pension schemes to complete a scheme return and send it to The Pensions Regulator.

1.2 The information provided will be used by the Pensions Regulator:

- to make sure the information it holds is accurate;
- to calculate levies due from pension schemes; and
- in the regulation of pension schemes

1.3 Information required to complete the scheme return:

- Scheme details
- Number of members – active, deferred and pensioner
- Scheme manager
- Pension board members
- Employer details
- Service provider details
- Scheme contact details
- Pension Tracing Service contact details
- Whether you consent to electronic services

1.4 Failure to submit a completed scheme return by the date specified in the scheme return notice can result in the trustees or Scheme Manager being fined. In addition, it is a criminal offence to knowingly provide any false or misleading information in the return.

2 National/Wales Position

2.1 All public service pension schemes are legally required to complete and return a scheme return annually.

3 Mid and West Wales Fire and Rescue Service Current Position

3.1 The Services Pension Scheme Administrators, on behalf of the Scheme Manager, submitted the Scheme Returns in respect of the Firefighters Pension Scheme(s) on 25 January 2024. These are attached at Appendices 1-3 for member's information.

4 Proposal

4.1 This report is for information purposes only.

5 Service Commitments, Improvement Objectives and Well-being goals

- 5.1 The Service is committed to ensuring that the key principles of the Wellbeing of Future Generations (Wales) Act 2015 are supported.

6 Financial/Procurement Implications

- 6.1 There is a discretionary penalty for failing to provide a scheme return which ranges from £1,000 to £5,000 depending on the number of employees.

7 Risk Assessment/Legal and Compliance Implications

- 7.1 Failure to complete the Scheme Return by the date specified in the scheme return notice is a breach of the Pensions Act 2004.

8 Fire Authority Governance Implications

- 8.1 The Authority, as a Scheme Manager, should ensure that all practical steps are taken to assist the administrators with the completion of the Scheme Return.

9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications

- 9.1 Considered, but deemed not relevant to the report.

10 Data Protection and Privacy Issues

- 10.1 All personal information collected and stored as part of the appointment of Members to the Local Pension Board is processed in accordance with the Authority's Data Protection Procedures.

11 Consultation and Communication

- 11.1 Considered, but deemed not relevant to the report.

12 Prevention, Protection and Response Implications

- 12.1 Considered, but deemed not relevant to the report.

13 Human Resources and People Development Implications

- 13.1 The Human Resources Department in liaison with the Service's Pension Scheme Administrators ensures that the Scheme Return is completed on time.

14 Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications

14.1 Scheme Returns are submitted electronically.

15 Estates Implications

15.1 Considered, but deemed not relevant to the report.

16 Fleet, Engineering and Logistics Implications

16.1 Considered, but deemed not relevant to the report.

17 Evaluation

17.1 Considered, but deemed not relevant to the report.

18 Recommendations

18.1 That Local Pension Board Members note the content of this report and The Pension Regulator's Scheme Returns for 2022/23 attached at Appendices 1-3.

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Appendix 1

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|--|
| Your scheme details: |
| Firefighter Pension Scheme 1992 - Mid and West Wales Fire |

1. Introduction

The following are the details that were on the scheme return submitted on 25 January 2024 09:14 AM.

The scheme return details were confirmed by Mr Neil Richards.

2. Scheme details (includes membership details)

| Basic details | |
|------------------------------|--|
| Scheme name | Firefighter Pension Scheme 1992 - Mid and West Wales Fire |
| PSR number | 10079149 |
| Scheme address | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Scheme type | Occupational |
| Benefit type | Defined benefit |
| Current status | Closed to new members since 05 April 2006 |
| Scheme year-end (DD/MM) | 31/03 since 01 April 1947 |
| HMRC reference number (PSTR) | 00616637RT |

| Number of members as at 31 March 2022 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2021 and 31 March 2022. | |
|---|-----|
| Active members | 18 |
| Deferred members | 32 |
| Pensioner members | 711 |
| Total of members | 761 |

| Number of members as at 31 March 2023 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2022 and 31 March 2023. | |
|---|-----|
| Active members | 0 |
| Deferred members | 37 |
| Pensioner members | 723 |
| Total of members | 760 |

3. Governance Details

PSR number: 10079149

| Manager of the scheme | |
|----------------------------------|--|
| Role or organisation name | Chief Fire Officer |
| Address of manager of the scheme | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01267226802 |
| Email address | r.thomas@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Richard Hanney |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 07590 333036 |
| Email address | R.Hanney@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Robert Jones |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | (01269) 860651 |
| Email address | robertjeffreyjones@hotmail.co.uk |

PSR number: 10079149

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Ian Coleman |
| Pension board member type | Independent |
| Chair of pension board | Yes |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 07814 917798 |
| Email address | ianedwardc@gmail.com |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Deiniol Lloyd |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01639 701807 |
| Email address | deiniol.lloyd@fbu.org.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Cllr Maureen Bowen |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01646 563099 |
| Email address | Cllr.maureen.bowen@pembrokeshire.gov.uk |

PSR number: 10079149

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Cllr Kim Broom |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01554 810424 |
| Email address | KVBroom@carmarthenshire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Miss Teri-Ann Parry |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01792705273 |
| Email address | t.parry@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Richard Felton |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01267 242624 |
| Email address | r.felton@mawwfire.gov.uk |

PSR number: 10079149

| | |
|---------------------------------|--|
| Pension board member | |
| Name of pension board member | Mr Aled Griffiths |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01792705204 |
| Email address | a.griffiths@mawwfire.gov.uk |

PSR number: 10079149

PSR number: 10079149

3. Record-keeping

| Common data | |
|--|---------------|
| Have you measured your common data in the last three years? | Yes |
| When did you last measure your common data? | December 2022 |
| What percentage of this data have you assessed to be present and accurate? | 99% |

| Scheme-specific ('conditional') data | |
|--|---------------|
| Have you measured your scheme-specific ('conditional') data in the last three years? | Yes |
| When did you last measure your scheme-specific ('conditional') data? | December 2022 |
| What percentage of this data have you assessed to be present and accurate? | 97% |

PSR number: 10079149

5. Employer details

| Employer | |
|------------------------|--|
| Employer's name | Mid and West Wales Fire and Rescue Service |
| Employer type | Participating Employer |
| Organisation type | Government / public body |
| Address of employer | Fire Service Headquarters Lime Grove Avenue Carmarthen SA31 1SP United Kingdom |
| Employer status | Active since 01 April 1996 |
| Employer email address | pensions@carmarthenshire.gov.uk |

PSR number: 10079149

6. Service provider details

| | |
|--|--|
| Insurance company | |
| There is currently no insurance company listed as involved with this scheme. | |

| | |
|---------------------------|--|
| Third party administrator | |
| Organisation name | Carmarthenshire County Council |
| Address of administrator | Carmarthenshire County Council County Hall CARMARTHEN Dyfed SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | pensions@carmarthenshire.gov.uk |

| | |
|--|--|
| In-house administrator | |
| There is currently no in-house administrator listed as involved with this scheme. Details required are name and address, telephone number and email address. | |

| | |
|--------------------|--|
| Auditor | |
| Organisation name | Carmarthenshire County Council |
| Address of auditor | Carmarthenshire County Council County Hall CARMARTHEN Dyfed SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | MMorgan@carmarthenshire.gov.uk |

PSR number: 10079149

PSR number: 10079149

7. Contact details

| Scheme contact details | |
|------------------------|--|
| Name of contact | Mr Martin Morgan |
| Address of contact | Carmarthenshire County Council County Hall CARMARTHEN Dyfed SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | MMorgan@carmarthenshire.gov.uk |

| Pension tracing service contact details | |
|---|--|
| Name of contact | Mr Martin Morgan |
| Address of contact | Carmarthenshire County Council County Hall CARMARTHEN Dyfed SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | pensions@carmarthenshire.gov.uk |

| Consent to electronic service details | |
|---------------------------------------|---------------------------------|
| Confirmed by contact name | Mr Neil Richards |
| Confirmed date | 25/01/2024 |
| Email address | pensions@carmarthenshire.gov.uk |

PSR number: 10079149

Appendix 2

| |
|--|
| Your scheme details: |
| Firefighters' Pension Scheme (Wales) 2007 - Mid and West Wales |

1. Introduction

The following are the details that were on the scheme return submitted on 25 January 2024 09:15 AM.

The scheme return details were confirmed by Mr Neil Richards.

2. Scheme details (includes membership details)

| Basic details | |
|------------------------------|---|
| Scheme name | Firefighters' Pension Scheme (Wales) 2007 - Mid and West Wales |
| PSR number | 10276789 |
| Scheme address | Fire Headquarters Lime Grove Avenue Carmarthen Carmarthenshire SA31 1SP United Kingdom |
| Scheme type | Occupational |
| Benefit type | Defined benefit |
| Current status | Closed to new members since 01 April 2015 |
| Scheme year-end (DD/MM) | 31/03 since 06 April 2006 |
| HMRC reference number (PSTR) | 00680182RC |

| Number of members as at 31 March 2022 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2021 and 31 March 2022. | |
|---|-----|
| Active members | 23 |
| Deferred members | 565 |
| Pensioner members | 123 |
| Total of members | 711 |

| Number of members as at 31 March 2023 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2022 and 31 March 2023. | |
|---|-----|
| Active members | 0 |
| Deferred members | 649 |
| Pensioner members | 173 |
| Total of members | 822 |

3. Governance Details

PSR number: 10276789

| Manager of the scheme | |
|----------------------------------|--|
| Role or organisation name | Chief Fire Officer |
| Address of manager of the scheme | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01267 226802 |
| Email address | r.thomas@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Richard Hanney |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 07590 333036 |
| Email address | R.Hanney@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Deiniol Lloyd |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01639 701807 |
| Email address | deiniol.lloyd@fbu.org.uk |

PSR number: 10276789

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Ian Coleman |
| Pension board member type | Independent |
| Chair of pension board | Yes |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 07814 917798 |
| Email address | ianedwardc@gmail.com |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Aled Griffiths |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01792705204 |
| Email address | a.griffiths@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Richard Felton |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01267 242624 |
| Email address | r.felton@mawwfire.gov.uk |

PSR number: 10276789

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Miss Teri-Ann Parry |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01792705273 |
| Email address | t.parry@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Robert Jones |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01269 860651 |
| Email address | robertjeffreyjones@hotmail.co.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Cllr Kim Broom |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01554810424 |
| Email address | KVBroom@carmarthenshire.gov.uk |

PSR number: 10276789

| | |
|---------------------------------|--|
| Pension board member | |
| Name of pension board member | Cllr Maureen Bowen |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01646563099 |
| Email address | Cllr.maureen.bowen@pembrokeshire.gov.uk |

PSR number: 10276789

PSR number: 10276789

3. Record-keeping

| Common data | |
|--|---------------|
| Have you measured your common data in the last three years? | Yes |
| When did you last measure your common data? | December 2022 |
| What percentage of this data have you assessed to be present and accurate? | 99% |

| Scheme-specific ('conditional') data | |
|--|---------------|
| Have you measured your scheme-specific ('conditional') data in the last three years? | Yes |
| When did you last measure your scheme-specific ('conditional') data? | December 2022 |
| What percentage of this data have you assessed to be present and accurate? | 97% |

PSR number: 10276789

5. Employer details

| Employer | |
|------------------------|---|
| Employer's name | Mid & West Wales Fire Brigade |
| Employer type | Participating Employer |
| Organisation type | Government / public body |
| Address of employer | Fire Headquarters Lime Grove Avenue Carmarthen Carmarthenshire SA31 1SP United Kingdom |
| Employer status | Active since 01 April 2007 |
| Employer email address | |

PSR number: 10276789

6. Service provider details

| | |
|--|--|
| Insurance company | |
| There is currently no insurance company listed as involved with this scheme. | |

| | |
|---------------------------|--|
| Third party administrator | |
| Organisation name | Carmarthenshire County Council |
| Address of administrator | Carmarthenshire County Council County Hall CARMARTHEN Dyfed SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | pensions@carmarthenshire.gov.uk |

| | |
|--|--|
| In-house administrator | |
| There is currently no in-house administrator listed as involved with this scheme. Details required are name and address, telephone number and email address. | |

| | |
|--------------------|--|
| Auditor | |
| Organisation name | Carmarthenshire County Council |
| Address of auditor | Pensions Section County Hall Carmarthen Carmarthenshire SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | Mmorgan@carmarthenshire.gov.uk |

PSR number: 10276789

PSR number: 10276789

7. Contact details

| Scheme contact details | |
|------------------------|--|
| Name of contact | Mr Martin Morgan |
| Job title | Deputy Pensions Manager |
| Address of contact | Pensions Section County Hall Carmarthen Carmarthenshire Mr SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | Mmorgan@carmarthenshire.gov.uk |

| Pension tracing service contact details | |
|---|--|
| Name of contact | Mr Martin Morgan |
| Address of contact | Carmarthenshire County Council County Hall CARMARTHEN Dyfed SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | pensions@carmarthenshire.gov.uk |

| Consent to electronic service details | |
|---------------------------------------|---------------------------------|
| Confirmed by contact name | Mr Neil Richards |
| Confirmed date | 18/01/2024 |
| Email address | pensions@carmarthenshire.gov.uk |

PSR number: 10276789

Appendix 3

Your scheme details:

Firefighters' Pension Scheme 2015 – Mid & West Wales
Fire Brigade

1. Introduction

The following are the details that were on the scheme return submitted on 25 January 2024 09:15 AM.

The scheme return details were confirmed by Mr Neil Richards.

2. Scheme details (includes membership details)

| Basic details | |
|------------------------------|---|
| Scheme name | Firefighters' Pension Scheme 2015 – Mid & West Wales Fire Brigade |
| PSR number | 10276704 |
| Scheme address | Fire Headquarters Lime Grove Avenue Carmarthen Carmarthenshire SA31 1SP United Kingdom |
| Scheme type | Occupational |
| Benefit type | Defined benefit |
| Current status | Open to new members since 01 April 2015 |
| Scheme year-end (DD/MM) | 31/03 since 01 April 2015 |
| HMRC reference number (PSTR) | 00680182RC |

| Number of members as at 31 March 2022 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2021 and 31 March 2022. | |
|---|------|
| Active members | 859 |
| Deferred members | 642 |
| Pensioner members | 39 |
| Total of members | 1540 |

| Number of members as at 31 March 2023 The Pensions Regulator requires to know the number of members present at the scheme year-end between the dates 1 April 2022 and 31 March 2023. | |
|---|------|
| Active members | 1061 |
| Deferred members | 744 |
| Pensioner members | 38 |
| Total of members | 1843 |

3. Governance Details

PSR number: 10276704

| Manager of the scheme | |
|----------------------------------|--|
| Role or organisation name | Chief Fire Officer |
| Address of manager of the scheme | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01267 226802 |
| Email address | r.thomas@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Richard Hanney |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 07590 333036 |
| Email address | R.Hanney@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Deiniol Lloyd |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01639 701807 |
| Email address | deiniol.lloyd@fbu.org.uk |

PSR number: 10276704

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Aled Griffiths |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01792705204 |
| Email address | a.griffiths@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Richard Felton |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01267 242624 |
| Email address | r.felton@mawwfire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Miss Teri-Ann Parry |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01792705273 |
| Email address | t.parry@mawwfire.gov.uk |

PSR number: 10276704

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Ian Coleman |
| Pension board member type | Independent |
| Chair of pension board | Yes |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 07814917798 |
| Email address | ianedwardc@gmail.com |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Cllr Kim Broom |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01554 810424 |
| Email address | KVBroom@carmarthenshire.gov.uk |

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Cllr Maureen Bowen |
| Pension board member type | Employer |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01646 563099 |
| Email address | Cllr.maureen.bowen@pembrokeshire.gov.uk |

PSR number: 10276704

| Pension board member | |
|---------------------------------|--|
| Name of pension board member | Mr Robert Jones |
| Pension board member type | Member |
| Chair of pension board | No |
| Address of pension board member | Mid & West Wales Fire & Rescue Service Headquarters Lime Grove Avenue CARMARTHEN Dyfed SA31 1SP United Kingdom |
| Telephone number | 01267 226861 |
| Email address | robertjeffreyjones@hotmail.co.uk |

PSR number: 10276704

PSR number: 10276704

3. Record-keeping

| Common data | |
|--|---------------|
| Have you measured your common data in the last three years? | Yes |
| When did you last measure your common data? | December 2022 |
| What percentage of this data have you assessed to be present and accurate? | 99% |

| Scheme-specific ('conditional') data | |
|--|---------------|
| Have you measured your scheme-specific ('conditional') data in the last three years? | Yes |
| When did you last measure your scheme-specific ('conditional') data? | December 2022 |
| What percentage of this data have you assessed to be present and accurate? | 97% |

PSR number: 10276704

5. Employer details

| Employer | |
|------------------------|---|
| Employer's name | Mid & West Wales Fire Brigade |
| Employer type | Participating Employer |
| Organisation type | Government / public body |
| Address of employer | Fire Headquarters Lime Grove Avenue Carmarthen Carmarthenshire SA31 1SP United Kingdom |
| Employer status | Active since 01 April 2015 |
| Employer email address | pensions@carmarthenshire.gov.uk |

PSR number: 10276704

6. Service provider details

| | |
|--|--|
| Insurance company | |
| There is currently no insurance company listed as involved with this scheme. | |

| | |
|---------------------------|--|
| Third party administrator | |
| Organisation name | Carmarthenshire County Council |
| Address of administrator | Pensions Section County Hall Carmarthen Carmarthenshire SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | pensions@carmarthenshire.gov.uk |

| | |
|--|--|
| In-house administrator | |
| There is currently no in-house administrator listed as involved with this scheme. Details required are name and address, telephone number and email address. | |

| | |
|--------------------|--|
| Auditor | |
| Organisation name | Carmarthenshire County Council |
| Address of auditor | Pensions Section County Hall Carmarthen Carmarthenshire SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | Mmorgan@carmarthenshire.gov.uk |

PSR number: 10276704

PSR number: 10276704

7. Contact details

| Scheme contact details | |
|------------------------|--|
| Name of contact | Mr Martin Morgan |
| Job title | Deputy Pensions Manager |
| Address of contact | Pensions Section County Hall Carmarthen Carmarthenshire Mr SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | Mmorgan@carmarthenshire.gov.uk |

| Pension tracing service contact details | |
|---|--|
| Name of contact | Mr Martin Morgan |
| Address of contact | Carmarthenshire County Council County Hall CARMARTHEN Dyfed SA31 1JP United Kingdom |
| Telephone number | 01267 224452 |
| Email address | pensions@carmarthenshire.gov.uk |

| Consent to electronic service details | |
|--|--|
| There is no consent to electronic service associated with this scheme. | |

PSR number: 10276704

| |
|---------------------------------|
| The report is Not Exempt |
|---------------------------------|

| |
|-----------------------------------|
| The report is for Decision |
|-----------------------------------|

| | |
|---------------------------------------|-------------------------------|
| REPORT TO: LOCAL PENSION BOARD | MEETING DATE: 22/04/24 |
|---------------------------------------|-------------------------------|

| |
|---|
| SUBJECT: Firefighters' Pension Schemes Risk Register |
|---|

| |
|--|
| PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S): |
|--|

| |
|--|
| To update Local Pension Board Members on the current status of Mid and West Wales Fire and Rescue Authority Firefighters' Pension Schemes – Risk Register. |
|--|

| |
|--------------------------|
| EXECUTIVE SUMMARY |
|--------------------------|

| |
|--|
| The Local Pension Board Forward Work Programme requires the Local Pension Board to review the Authority's Firefighters' Pension Schemes Risk Register at each meeting. The Risk Register is attached at Appendix 1 for consideration by Local Pension Board Members. |
|--|

| |
|-------------------------|
| RECOMMENDATIONS: |
|-------------------------|

| |
|---|
| That Local Pension Board Members consider the Risk Register at Appendix 1 and review the risk register scores making any recommendations to the Scheme Manager for amendment if considered necessary. |
|---|

| |
|------------------------|
| REPORT APPROVAL |
|------------------------|

| | |
|------------------------------------|---------------------------|
| Clerk / Monitoring Officer: | Comments: Approved |
|------------------------------------|---------------------------|

| | |
|---------------------------|---------------------------|
| Relevant Director: | Comments: Approved |
|---------------------------|---------------------------|

| | |
|---------------------------------------|---------------------------|
| Section 151 Officer/Treasurer: | Comments: Approved |
|---------------------------------------|---------------------------|

| | |
|---|---------------------------|
| Chief Fire Officer / Deputy Chief Fire Officer | Comments: Approved |
|---|---------------------------|

| |
|--|
| ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT: |
|--|

| | |
|-------------------------------|--|
| Presenting the Report: | Mr Ian Coleman Chair of the Local Pension Board |
|-------------------------------|--|

| | |
|---|-----------------------------------|
| Report Author(s) and Designation | Sarah Tillman Pensions Officer |
|---|-----------------------------------|

| | |
|-------------------------------------|------------|
| Date original report written | 28/03/2024 |
|-------------------------------------|------------|

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad AR GYFER PENDERFYNIAD

ADRODDIAD I'R: BWRDD PENSIWN LLEOL

DYDDIAD Y CYFARFOD:
22/04/24

TESTUN: Cofrestr Risg Cynlluniau Pensiwn Diffoddwyr Tân

PWRPAS YR ADRODDIAD A RHESWM DROS YR ARGYMHELLION:

Diweddarau Aelodau'r Bwrdd Pensiwn Lleol ar statws presennol Cynlluniau Pensiwn Diffoddwyr Tân Awdurdod Tân ac Achub Canolbarth a Gorllewin Cymru – Cofrestr Risg.

CRYNODEB: Mae Rhaglen Gwaith Cychwynnol y Bwrdd Pensiwn Lleol yn ei gwneud yn ofynnol i'r Bwrdd Pensiwn Lleol adolygu Cofrestr Risg Cynlluniau Pensiwn Diffoddwyr Tân yr Awdurdod ym mhob cyfarfod. Mae'r Gofrestr Risg ynghlwm yn Atodiad 1 i'w hystyried gan Aelodau'r Bwrdd Pensiwn Lleol.

ARGYMHELLION: Bod Aelodau'r Bwrdd Pensiwn Lleol yn ystyried y Gofrestr Risg yn Atodiad 1 ac yn adolygu'r sgorau cofrestr risg gan wneud unrhyw argymhellion i'r Rheolwr Cynllun i'w diwygio os ystyrir bod angen.

CYMERADWYO'R ADRODDIAD

Clerc:

Sylwadau: Cymeradwyd

Cyfarwyddwr berthnasol:

Sylwadau: Cymeradwyd

Swyddog Adran 151/Trysorydd:

Sylwadau: Cymeradwyd

**Prif Swyddog Tân /
Dirprwy Brif Swyddog Tân**

Sylwadau: Cymeradwyd

PAPURAU CEFNDIR A DDEFNYDDIWDYD WRTH BARATOI'R ADRODDIAD HWN:

Yn cyflwyno'r Adroddiad:

Mr Ian Coleman
Cadeirydd y Bwrdd Pensiwn Lleol

Awdur(on) yr Adroddiad a'u Swyddi

Sarah Tillman
Swyddog Pensiynau

**Dyddiad yr ysgrifennwyd yr adroddiad
gwreiddiol**

28/03/2024

LOCAL PENSION BOARD
22 APRIL 2024
FIREFIGHTERS' PENSION SCHEME RISK REGISTER

1 Executive Summary

- 1.1 The Local Pension Board Forward Work Programme requires the Local Pension Board to review the Authority's Firefighters' Pension Schemes Risk Register at each meeting. The Risk Register is attached at Appendix 1 for consideration by Local Pension Board Members.

2 National/Wales Position

- 2.1 Documented administration policies and specific documents regarding policy about pension scheme administration will vary from scheme to scheme. The Pensions Regulator sets out in Code of Practice No. 14 - Governance and Administration of Public Service Pension Schemes, the administration policies it considers pertinent and would expect to be documented. These include a risk assessment and register for the Scheme.

3 Mid and West Wales Fire and Rescue Service Current Position

- 3.1 The existing risk register has been prepared in relation to administration of the Firefighters' Pensions Scheme along with recommendations from Members of the Board and is attached at Appendix 1.
- 3.2 It has been necessary to update the Risk Register Score and Control comments under Risk Area 1 (Operations) to reflect the implementation of the provisions of the regulations, and Risk Area 2 (Financial) to reflect the appointment of an additional resource, which are highlighted in yellow on the Risk Register for members' consideration.

4 Proposal

- 4.1 It is proposed that Local Pension Board Members consider the updated Risk Register based on the information provided at Appendix 1 and make any recommendations to the Scheme Manager for amendment if considered necessary.

5 Service Commitments, Improvement Objectives and Well-being goals

- 5.1 The Service is committed to ensuring that the key principles of the Wellbeing of Future Generations (Wales) Act 2015 are supported.

6 Financial/Procurement Implications

- 6.1 Business Continuity arrangements need to include a link to pension scheme administration relating to the payment of contributions and release of scheme members' benefits within the prescribed timescales

7 Risk Assessment/Legal and Compliance Implications

- 7.1 The current risk register complies with the requirements of Code of Practice No. 14.
- 7.2 Effective risk management generally reduces the likelihood of successful legal challenge.

8 Fire Authority Governance Implications

- 8.1 The Authority, as a Scheme Manager, should ensure that all practical steps are taken to enable compliance with the Pension Regulator's Code of Practice.

9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications

- 9.1 Considered, but not deemed relevant to the report.

10 Data Protection and Privacy Issues

- 10.1 All personal information processed as part of pension scheme administration is done so in accordance with the Authority's Data Protection Procedures.

11 Consultation and Communication

- 11.1 See Paragraph 13.1.

12 Prevention, Protection and Response Implications

- 12.1 Considered, but not deemed relevant to the report.

13 Human Resource and People Development Implications

- 13.1 Communication of the agreed Risk Register to the relevant parties will be undertaken by the Human Resources Department. The Human Resources Department's Business Continuity arrangements link to the Risk Register for pension scheme administration.

14 Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications

- 14.1 Cyber-security presents a risk to pension scheme records and administration and it's captured within the Risk Register.

15 Estates Implications

- 15.1 Considered, but not deemed relevant to the report.

16 Fleet, Engineering and Logistics Implications

16.1 Considered, but not deemed relevant to the report.

17 Evaluation

17.1 Considered, but not deemed relevant to the report.

18 Recommendations

18.1 That Local Pension Board Members consider the Risk Register at Appendix 1 and review the risk register scores making any recommendations to the Scheme Manager for amendment if considered necessary.

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Mid and West Wales Fire and Rescue Authority Firefighters’ Pension Schemes – Risk Register

| Risk area 1 – Operations | Likelihood (1:low,5: high) | Impact (1:low,5: high) | Score (likelihood x impact) | Control | Owner | Review | Comment |
|--|----------------------------|------------------------|-----------------------------|---|-----------------------|---------------------------------|--|
| Concentration of knowledge in a small number of officers and risk of departure of key staff | 2 | 3 | 6 | Business Continuity Plans Succession Planning External Advisers – LGA Membership Close relationship with other Welsh FRAs Additional Pensions Assistant appointed within the HR department. | Scheme Manager | Annual | The Business Continuity Plan was last updated in October 2022 and is subject to periodic review. |
| Employer fails to carry out their responsibilities for scheme administration leading to complaints from members of the scheme. | 2 | 3 | 6 | Bulletins and Circulars; Updates from Welsh Government and Scheme Advisory Boards. Communication with Employees. Close relationships with other Welsh FRAs. | Scheme Manager | Upon receipt of new information | Regular communication from employer on Firefighter Pension Schemes. |
| Operational disaster (fire/flood etc.) | 3 | 3 | 9 | Business continuity procedures in place for administrator. Reliance on backup and recovery. | Pension Administrator | Annual | Up-to-date business continuity and disaster recovery arrangements in place. |
| | | | | Business continuity plans in place for scheme manager | Director of Resources | Annual | Up-to-date business continuity and disaster recovery arrangements in place. |
| Cybercrime - Loss of access to sensitive data - Reputation risk | 3 | 4 | 12 | Cyber security risks and controls in place as part of Information Security Policy Document. | Scheme Manager | Annual | Pension Board receives regular updates on cyber risks, incidents and controls from all relevant departments. |

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|---|---|---|---|--|---|---|---|
| - Financial loss arising from legal action. | | | | Cyber security risks and controls in place A full disaster recovery plan and business continuity plan in place and tested / updated annually. | Pension Administrators | | |
| Member data incomplete or inaccurate | 3 | 3 | 9 | Annual report from administrator, used as basis for rectification plan Annual reconciliation exercise undertaken each April Data Improvement Plan in place Data Quality reviewed annually by Dyfed Pension Fund | Pension Administrator / Director of Resources | Annual | Annual rectification exercise undertaken in April each year. In the event of any errors a rectification plan is devised by the Scheme Manager and monitored over the year. The last reconciliation exercise took place during April 2023. |
| | | | | Additional validation carried out by administrators through national fraud initiative. 'Not known at this address' returns from Annual Benefit Statements. | Pension Administrator | Annual | Administrator to highlight irregularities to Scheme Manager. Administrators liaise with Scheme Manager to ensure reasonable endeavour made to identify member's current address. |
| Administration process failure/ maladministration | 2 | 3 | 6 | Formal agreement in place with administrator, including SLAs | Director of Resources | Five Years | Service Level Agreement in place 5 year annual review. |
| | | | | Authority levels clearly agreed and kept up-to-date | Director of Resources | When there is a change in staff or policy | Scheme of Delegation and Discretions Policy |
| | | | | End of year process in place to support production of Annual Benefit Statements | Head of Human Resources | Annual | Regular reconciliation of data throughout the year to cleanse data in preparation for end of year exercise. The Service undertakes a 'cleansing' exercise monthly to assist with eliminating queries and ensure records are up to date. |
| | | | | Ongoing dialogue with pensions administrator | Head of HR / Head of Finance | As and when required | Regular contact between pension administrator manager and ad-hoc calls when necessary. |

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|---|---|---|----|---|--|------------------------------------|--|
| | | | | Complaints addressed through the Independent Dispute Resolution Procedure | Head of Human Resources | As and when a complaint is raised. | Complaints are analysed to inform changes to processes or systems where necessary. |
| Failure to implement the provisions of the Firefighters Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024 from 01 February 2024. | 2 | 5 | 10 | Appointment of additional resources to meet the requirements of the legislation. Put in place a project plan with key milestones. Accessing information from LGA. Reviewing updates from various Stakeholders. All Wales Pension Practitioner meetings to share learning. | Head of Human Resources / Pensions Officer | Bi-monthly | Statutory timeline set out in legislation. |
| Normal operations disrupted by uncontrollable external factors. (Service delivery threats from fire, extreme weather, electrical faults, sickness epidemic etc). | 2 | 1 | 2 | Business continuity plans in place. | Scheme Manager | Annually | Up-to-date business continuity and disaster recovery arrangements in place. |
| | | | | Business Continuity / Disaster Recovery Plan for the Authority with IT firewalls. | Pension Administrator | | |
| Failure to secure a provider for administration of the Firefighter Pension Scheme(s). | 1 | 4 | 4 | Existing Service Level Agreement in place and is reviewed every 5 Years. | Scheme Manager | Five Yearly | Routes to procurement are limited. |

| Riskarea2– Financial | Likelihood (1:low,5: high) | Impact (1:low, 5: high) | Score (likelihood x impact) | Control | Owner | Review | Comment |
|---|----------------------------------|-------------------------------|-----------------------------------|--|---|------------------------|---|
| McCloud & Sargeant – Court of Appeal decision on unlawful discrimination from Transitional arrangements for transfer from Legacy to 2015 scheme. | 2 | 5 | 10 | Appointment of additional resource. Regular liaison with Administrators. | Scheme Manager | Bi-monthly | Statutory timeline set out in legislation. |
| 4 Yearly Pension Scheme Valuation | 4 | 4 | 16 | Scheme Advisory Board for Wales considers any assumptions made that will affect valuations and can appoint independent Actuaries to verify figures and challenge GAD if necessary. | Director of Resources | Every 4 Years | Scheme Valuation carried out every 4 Years with the last valuation carried out in March 2020. |
| Officers acting outside of delegated responsibility | 1 | 4 | 4 | Regular reviews of policy and Constitution | Director of Resources | As deemed necessary | Scheme of delegation and discretions policies in place |
| | | | | Appropriate approval measures in place | Director of Resources | As deemed necessary | |
| Pension Fund accounting Errors | 2 | 4 | 8 | Guidance and Training delivered by the LGA. Checks are undertaken by accountancy of ill health and injury charges that has shown they are charged to the Authority, not the Pension Fund. Internal and External Audit. | Head of Finance / Accountancy and Systems Manager | Annual | |

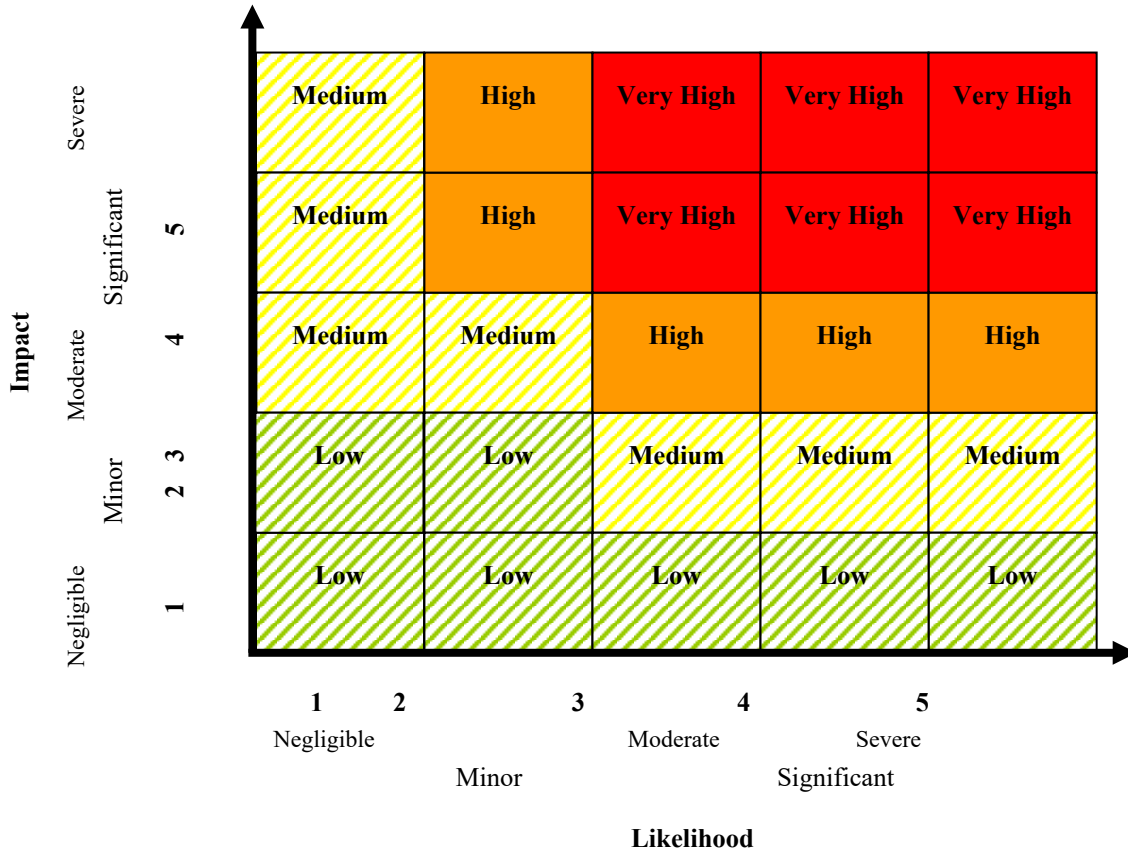
| Riskarea3– Funding | Likelihood (1:low,5: high) | Impact (1:low, 5: high) | Score (likelihood x impact) | Control | Owner | Review | Comment |
|---|----------------------------------|-------------------------------|-----------------------------------|---|------------------------------|----------|--|
| The number of early retirements exceeds actuarial assumptions | 1 | 3 | 3 | Generally, employees meet the strain cost from their pension. Ill Health retirements are monitored and factored into future valuations by the Government Actuary Department. Arrangements in place to review all long-term sickness and monitor potential ill-health retirements. | Head of HR | Annually | |
| Employer fails to deduct pension contributions | 2 | 4 | 8 | Monthly monitoring of contribution payments by payroll manager and administrators | Head of Finance / Head of HR | Monthly | All contributions deducted as necessary and paid in accordance with the Schedule of Contributions. |

| Riskarea4– Regulatory and compliance | Likelihood (1:low,5: high) | Impact (1:low, 5: high) | Score (likelihood x impact) | Control | Owner | Review | Comment |
|---|----------------------------------|-------------------------------|-----------------------------------|--|-------------------------------|----------|---------|
| Failure to meet statutory deadline, such as, Annual Benefit Statements. | 2 | 4 | 8 | Systems of Internal Controls Internal and External Audit Annual Survey for The Pension’s Regulator | Head of HR / Pensions Officer | Annually | |

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|--|---|---|----|---|--|---------------------------------|---|
| Commencement of New Board Members. | 2 | 4 | 8 | Local Pension Board member information Pack is provided to members upon their commencement with the Board. New Board Members will undertake an Induction with the Chair. Training needs analysis is undertaken at each meeting in order to arrange training on any areas of weakness. Firefighter Pension Scheme Bulletins are circulated to Board Members on a monthly basis for information. | Head of HR / Pensions Officer | As and when required | |
| Breach of data protection legislation leading to complaints from members of the scheme | 2 | 3 | 6 | Good existing arrangements and procedures in place. Memorandum of Understanding regarding compliance with Data Protection Law in place with Dyfed Pension Fund | Scheme Manager / Data Protection Officer | As deemed necessary | All procedures have been updated. Data Protection Officer appointed to ensure compliance is maintained. The Admin Authority will review the Memorandum of Understanding at any time with immediate effect and will provide written notice to the Employer of such amendment. |
| Failure to report breaches of the law to the Pension Regulator | 2 | 3 | 6 | Breaches of the Law training undertaken by Pension Board Members; Breaches of the Law policy held on the Authority's website. Service Level Agreement with Dyfed Pension Fund. Monitored through complaints received. | Scheme Manager | As deemed necessary | Pension Board made aware of the Pensions Regulator's requirements and the breaches procedure. Any new breaches are reported within Local Pension Board update reports. |
| Regulatory Change | 1 | 2 | 2 | Welsh Government Circulars and Bulletins. Comprehensive system of communications by Welsh Government and the Local Government Associations. Register of circulars and action points All Wales Firefighters' Pension Group | Scheme Manager / Head of HR / Pensions Officer | Upon receipt of new information | Officers attend Scheme Advisory Board meetings and other events to keep up to date on issue. |
| Failure to interpret rules or legislation correctly | 4 | 5 | 20 | Up-to-date and documented training log, showing completion of scheme specific and The Pensions Regulator's educational material. Induction training is available for new members. | Head of HR | As deemed necessary | Complexity of age discrimination guidance and lack of legislation make this an increased risk |
| | | | | Technical advice and updates | Director of Resources | As deemed necessary | Updates received from responsible authority, scheme advisory board and professional advisers. |

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|-----------------------|---|---|---|--|---------------------|--|---|
| Conflicts of interest | 1 | 2 | 2 | Pension board awareness of legal responsibilities | Pension Board Chair | At each Board meeting or as deemed necessary | All pension board members have completed educational material |
| | | | | All pension board members to declare any conflicts and potential conflicts | Scheme Manager | Ongoing | Conflicts document signed by all pension board members, recorded in conflicts register. Reminder, and any changes or additional conflicts, will be minuted at each pension board meeting. |

Risk Scoring Matrix



Mid and West Wales Fire and Rescue Authority

Risk Assessment Log

| Date | Action | Outcome |
|------------------|--|---|
| 13 July 2015 | Draft Local Pension Board Risk Assessment Form to be considered and agreed. | Local Pension Board Risk Assessment Form approved subject to column 3 being amended to clarify a High/Medium/Low risk rating. |
| 28 November 2016 | Risk Assessment to include a specific reference to Annual Benefit Statements within the 'Administration process failure/maladministration' section. | The Fire Authority approved the Board's recommendations to update the Risk Assessment as requested by Board members. |
| 10 July 2017 | Risk Area 1 in relation to 'Administration process failure', it was highlighted that the comments section should be updated to reflect that the Service Level Agreement had been updated in April 2017. | The comments on the Risk Assessment form were updated accordingly. |
| 20 November 2017 | Risk Assessment be amended to include a 'date of last review' column. | The Local Government Association had developed a template risk register for Local Pension Board's to use. Based on the template, the 'Test and Next Review' column had been amalgamated. Therefore, Mid and West Wales Fire and Rescue Authority has amended the Risk Register to mirror that of the LGA. |
| 11 March 2019 | Risk Assessment amended to include a specific reference to the Firefighters Pension Scheme Valuation and Cyber Security. In addition, Risk Area 4 has been updated to include Breach of Data protection, Failure to Report Breaches of the Law and Regulatory Change as highlighted in yellow. | The Scheme Manager approved the Board's recommendations to update the Risk Assessment as requested by Board members. |
| 08 July 2019 | Risk Area 1 has been updated to include Employer Failure with their responsibilities and Risk of Departure of Key Staff, along with Risk Area 3, Early Retirements as highlighted in yellow. | The Scheme Manager approved the Board's recommendations to update the Risk Assessment as requested by Board members. |
| 18 November 2019 | Risk Area 2 has been updated to include the McCloud & Sargeant Court of Appeal determination. | Members of the Board accepted the amendments made to the Risk Register to include the McCloud & Sargeant – Court of Appeal Determination. |
| 09 March 2020 | Risk Area 4 has been updated to include a specific reference to new Board Members. | Members of the Board accepted the amendments made to the Risk Register to |

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| | | include specific reference to new Board Members. |
| 13 July 2020 | Risk Area 1 has been updated to include the potential impact of the O'Brien case on Modified Pension Scheme. Normal operations disrupted by uncontrollable external factors, i.e. Sickness epidemic, the (COVID-19) reference has been removed. The control measure for Risk Area 1 'Concentration of knowledge in a small number of officers and risk of departure of key staff' has been updated to reflect the additional member of staff within the HR department. | Members of the Board accepted the amendments made to the Risk Register and this has been updated to reflect the outcome. |
| 16 November 2020 | Risk Area 1 has been updated to reflect concern that the Firefighter Pension Scheme administration marketplace is shrinking yet the schemes are becoming more complex. | Members of the Board accepted the amendments made to the Risk Register to reflect concern regarding the condensed market for the provision of Firefighter Pension Scheme administration, coupled with a greater complexity of pension schemes. |
| 12 July 2021 | Risk Area 1 has been updated to incorporate 'Pension Fund Accounting Errors' as it is imperative all payments made or received in relation to the Firefighter Pension Scheme(s) are coded correctly. Risk Area 4 has also been updated to reflect the importance of meeting statutory deadlines, such as Annual Benefit Statements. | Members of the Board accepted the amendments made to the Risk Register. |
| 01 November 2021 | The scoring matrix has been revised in line with best practice. | Members of the Board Accepted the revised scoring matrix system. |
| 28 November 2022 | Comments updated to confirm review of Business Continuity Plan (Risk Area 1) and reconciliation exercise completed during April 2022. (Risk Area 1). | The comments on the Risk Assessment form noted. |
| 19 July 2023 | Minor updates made under the 'Review' and 'Control' headings to reflect the current position of the Service. | Members of the Board accepted the amendments made to the Risk Register. |

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| The report is Not Exempt |
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| The report is for Information |
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| REPORT TO: LOCAL PENSION BOARD | MEETING DATE: 22/04/24 |
|--------------------------------|------------------------|

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| SUBJECT: Training Needs Analysis and Training Programme |
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| PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S): |
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|---|
| To enable Local Pension Board Members to consider a future training plan and to make suggestions for suitable training activities and events to the Scheme Manager as they see fit. |
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| EXECUTIVE SUMMARY |
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| The Local Pension Board Forward Work Programme makes provision for a review at each meeting of the training needs of Local Pension Board members to inform a suitable Training Programme. The current training needs analysis document is attached at Appendix 1 for Members' consideration along with the Training Programme at Appendix 2. |
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| RECOMMENDATIONS: |
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| That Local Pension Board Members note the Local Pension Board Training Programme attached at Appendix 2 and consider the Training Needs Analysis set out at Appendix 1 to inform future training events. |
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| REPORT APPROVAL |
|------------------------|

| | |
|-----------------------------|--------------------|
| Clerk / Monitoring Officer: | Comments: Approved |
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| Relevant Director: | Comments: Approved |
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| Section 151 Officer/Treasurer: | Comments: Approved |
|--------------------------------|--------------------|

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|---|--------------------|
| Chief Fire Officer / Deputy Chief Fire Officer | Comments: Approved |
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| ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT: |
|--|

| | |
|------------------------|---|
| Presenting the Report: | Ian Coleman Chair of the Local Pension Board |
|------------------------|---|

| | |
|----------------------------------|-----------------------------------|
| Report Author(s) and Designation | Sarah Tillman Pensions Officer |
|----------------------------------|-----------------------------------|

| | |
|------------------------------|------------|
| Date original report written | 02/03/2024 |
|------------------------------|------------|

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad ER GWYBODAETH

ADRODDIAD I'R: BWRDD PENSIWN LLEOL

DYDDIAD Y CYFARFOD:
22/04/24

TESTUN: Dadansoddi Anghenion Hyfforddi a Rhaglen Hyfforddi

PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S):

To enable Local Pension Board Members to consider a future training plan and to make suggestions for suitable training activities and events to the Scheme Manager as they see fit.

PWRPAS YR ADRODDIAD A RHESWM DROS YR ARGYMHELLION:

Galluogi Aelodau'r Bwrdd Pensiwn Lleol i ystyried cynllun hyfforddi yn y dyfodol a gwneud awgrymiadau ar gyfer gweithgareddau a digwyddiadau hyfforddi addas i Reolwr y Cynllun fel y gwelant yn dda.

ARGYMHELLION:

Bod aelodau'r Bwrdd Pensiwn Lleol yn nodi Rhaglen Hyfforddiant y Bwrdd Pensiwn Lleol sydd ynghlwm yn Atodiad 2 ac yn ystyried y Dadansoddiad o Anghenion Hyfforddi a nodir yn Atodiad 1 i hysbysu digwyddiadau hyfforddi yn y dyfodol.

CYMERADWYO'R ADRODDIAD

Clerc:

Sylwadau: Cymeradwyd

Cyfarwyddwr berthnasol:

Sylwadau: Cymeradwyd

Swyddog Adran 151/Trysorydd:

Sylwadau: Cymeradwyd

**Prif Swyddog Tân /
Dirprwy Brif Swyddog Tân**

Sylwadau: Cymeradwyd

PAPURAU CEFNDIR A DDEFNYDDIWD WRTH BARATOI'R ADRODDIAD HWN:

Yn cyflwyno'r Adroddiad:

Ian Coleman
Cadeirydd y Bwrdd Pensiwn Lleol

Awdur(on) yr Adroddiad a'u Swyddi

Sarah Tillman
Swyddog Pensiynau

Dyddiad yr ysgrifennwyd yr adroddiad
gwreiddiol

02/03/2024

LOCAL PENSION BOARD
22 APRIL 2024
TRAINING NEEDS ANALYSIS AND TRAINING PROGRAMME

1 Executive Summary

- 1.1 The Local Pension Board Forward Work Programme makes provision for a review at each meeting of the training needs of Local Pension Board members to inform a suitable Training Programme. The current training needs analysis document is attached at Appendix 1 for Members' consideration along with the Training Programme at Appendix 2.

2 National/Wales Position

- 2.1 Each Authority will be responsible for the training needs of Local Pension Board Members.
- 2.2 Whenever possible, joint training events are held with Local Pension Board members from each of the three Fire and Rescue Services within Wales, or training is secured via the Local Government Association.

3 Mid and West Wales Fire and Rescue Service Current Position

- 3.1 A training event is usually programmed in prior to each Local Pension Board meeting. The training is aligned to the Local Government Association Training Needs Analysis document as set out at Appendix 1.
- 3.2 The current Training Programme is set out at Appendix 2. However, this requires review to inform the Training Programme for the next 12 months.
- 3.3 In addition, any Local Pension Board training events advertised by the Local Government Association or other providers will be brought to the attention of Local Pension Board members to consider attendance.
- 3.4 Local Pension Board Members are required to have the relevant experience and knowledge relating to the Firefighter Pension Scheme(s).

4 Proposal

- 4.1 That Local Pension Board members consider the current Local Pension Board Training Needs Analysis and Training Programme as set out in Appendix 1 and advise of any future training that they may require to inform the Training Programme for the next 12 months.

5 Service Commitments, Improvement Objectives and Well-being goals

- 5.1 The Service is committed to ensuring that the key principles of the Wellbeing of Future Generations (Wales) Act 2015 are supported.

6 Financial/Procurement Implications

- 6.1 There is a dedicated budget for the Local Pension Board which includes a provision for training activities.

7 Risk Assessment/Legal and Compliance Implications

- 7.1 A member of the Local Pension Board must be conversant with:
- the legislation and associated guidance of the Firefighters' Pension Scheme(s), and Firefighters' Compensation Scheme;
 - any policies, procedures or decision-making processes about the administration of the Firefighters' Pension Scheme(s) adopted by Mid and West Wales Fire and Rescue Authority.
- 7.2 A member of the Local Pension Board must have knowledge and understanding of the law relating to pensions and any other matters which are prescribed in Regulations.
- 7.3 It is for individual Local Pension Board Members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Local Pension Board.
- 7.4 Local Pension Board Members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Local Pension Board members are therefore required to maintain a written record of relevant training and development.
- 7.5 Local Pension Board Members will undertake a personal training needs analysis and regularly review their skills, competencies and knowledge to identify gaps or weaknesses.

8 Fire Authority Governance Implications

- 8.1 The requirements for knowledge and skills relating to Local Pension Board Members is set out in the Local Pension Board Terms of Reference.

9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications

- 9.1 All practices are considered compliant. The use of the Welsh Language can be facilitated through simultaneous translation.

10 Data Protection and Privacy Issues

- 10.1 All personal information collected and stored as part of pension scheme administration is processed in accordance with the Authority's Data Protection Procedures.

11 Consultation and Communication

- 11.1 Considered, but not deemed relevant to the report.

12 Prevention, Protection and Response Implications

- 12.1 Considered, but not deemed relevant to the report.

13 Human Resources and People Development Implications

- 13.1 Local Pension Board training activities are coordinated by the Human Resources Department.

14 Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications

- 14.1 Considered, but not deemed relevant to the report.

15 Estates Implications

- 15.1 Considered, but not deemed relevant to the report.

16 Fleet, Engineering and Logistics Implications

- 16.1 Considered, but not deemed relevant to the report.

17 Evaluation

- 17.1 Considered, but not deemed relevant to the report.

18 Recommendations

- 18.1 That Local Pension Board Members note the Local Pension Board Training Programme attached at Appendix 2 and consider the Training Needs Analysis set out at Appendix 1 to inform future training events.

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**Mid and West Wales Fire and Rescue Authority
Training Event for Local Pension Board Members**

Training Needs Analysis

Delegate's name: _____

Date: _____

| Ref | Topic | Training Required (Tick if applicable) |
|----------|--|--|
| A | Background and Understanding of the Legislative Framework of the Firefighters' Pension Scheme | |
| A1 | Differences between public service pension schemes like the FPS and private sector trust-based schemes | |
| A2 | Role of the IPSPC and its recommendations | |
| A3 | Key provisions of the 2013 Act | |
| A4 | The structure of the FPS and the main bodies involved including the Responsible Authority, the Scheme Manager, Scheme Advisory Board for Wales, the Local Pension Board and the Scheme employers | |
| A6 | FPS rules overview (including the Regulations, and the Transitional Regulations) | |
| | | |
| B | General pensions legislation applicable to the FPS - An overview of wider legislation relevant to the FPS including: | |
| B1 | Automatic Enrolment (Pensions Act 2008) | |
| B2 | Contracting out (Pension Schemes Act 1993) | |
| B3 | Data protection (Data Protection Act 1998) | |
| B4 | Employment legislation including anti-discrimination, equal treatment, family related leave and redundancy rights | |
| B5 | Freedom of Information (Freedom of Information Act 2000) | |
| B6 | Pensions sharing on divorce (Welfare Reform and Pensions Act 1999) | |
| B7 | Tax (Finance Act 2004) | |
| | | |
| C | Role and responsibilities of the Local Pension Board | |
| C1 | Role of the Local Pension Board | |
| C2 | Conduct and conflicts | |
| C3 | Reporting of breaches | |
| C4 | Knowledge and understanding | |
| C5 | Data protection (<i>in the context of LPBs</i>) | |
| | | |
| D | Role and responsibilities of the Scheme Manager | |
| D1 | Membership and eligibility | |
| D2 | Benefits and the payment of benefits | |
| D3 | Decisions and discretions | |
| D4 | Disclosure of information | |
| D5 | Record keeping | |
| D6 | Internal controls | |
| D7 | Internal dispute resolution | |
| D8 | Reporting of breaches | |
| D9 | Statements, reports and accounts | |

| Ref | Topic | Training Required (Tick if applicable) |
|----------|---|--|
| E | Funding and Accounting | |
| E1 | Requirement for triennial and other valuations | |
| E2 | Pension Fund arrangements | |
| | | |
| F | Role and responsibilities of Scheme Employers | |
| F3 | Automatic Enrolment | |
| F4 | Deduction and payment of contributions | |
| F5 | Special contributions | |
| F6 | Employer decisions and discretions | |
| F8 | TUPE and outsourcing (including Fair Deal and the Best Value Authorities Staff Transfers (Pensions) Direction 2007) | |
| | | |
| G | Tax and Contracting Out | |
| G1 | Finance Act 2004 | |
| G2 | Role of HMRC | |
| G3 | Registration | |
| G4 | Role of 'scheme administrator' | |
| G5 | Tax relief on contributions | |
| G6 | Taxation of benefits | |
| G7 | Annual and lifetime allowances | |
| G8 | Member protections (<i>primary, enhanced, IP etc</i>) | |
| G9 | National Insurance | |
| G10 | Contracting out (Pensions Scheme Act 1993) | |
| G11 | Impact of abolition of contracting out in 2016 | |
| | | |
| H | Role of advisors and key persons | |
| H1 | Officers of the Fire and Rescue Authority | |
| H2 | Auditor | |
| H3 | Lawyers | |
| H4 | Administrators – in house v. third party | |
| H5 | Procurement of services | |
| H6 | Contracts with third parties | |
| | | |
| J | Key Bodies connected to the FPS - an understanding of the roles and powers of: | |
| J1 | Courts | |
| J2 | HMRC | |
| J3 | Information Commissioner | |
| J4 | Pensions Advisory Service | |
| J5 | Pensions Ombudsman | |
| J6 | The Pensions Regulator (including powers in relation to Local Pension Boards) | |

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Training Programme

| Date | Training Needs Analysis Reference | Event and Core knowledge & Skills Areas Covered | Provider |
|---------------|--|---|--|
| July 2024 | N/A | The Pension Regulator revised Tool Kit TBC | The Pension Regulator |
| November 2024 | N/A | Pension Ombudsman – Background of the Service they provide, complaints they are currently receiving and case studies) | Alexander Waters Senior Lawyer, Pensions Ombudsman. |
| April 2025 | N/A | LGA update on Fire Pension Scheme topics | Claire Johnson / Tara Atkins LGA Firefighter Pensions Advisor |

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The report is Not Exempt

The report is for Information

REPORT TO: LOCAL PENSION BOARD

MEETING DATE: 22/04/24

SUBJECT: Local Pension Board Budget Update

PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S):

To provide Local Pension Board Members with information relating to expenditure of Local Pension Board activities.

EXECUTIVE SUMMARY

The Local Pension Board Forward Work Programme makes provision for budget monitoring of the Local Pension Board Budget. The current position regarding expenditure related to Local Pension Board activities is set out in Section 6 of the report for member's information.

RECOMMENDATIONS:

That Local Pension Board members note the current Local Pension Board budget update.

REPORT APPROVAL

Clerk / Monitoring Officer:

Comments: Approved

Relevant Director:

Comments: Approved

Section 151 Officer/Treasurer:

Comments: Approved

Chief Fire Officer /
Deputy Chief Fire Officer

Comments: Approved

ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT:

Presenting the Report:

Ian Coleman
Chair of the Local Pension Board

Report Author(s) and Designation

Sarah Tillman
Pensions Officer

Date original report written

02/03/2024

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad ER GWYBODAETH

ADRODDIAD I'R: BWRDD PENSIWN LLEOL

DYDDIAD Y CYFARFOD:
22/04/24

TESTUN: Diweddariad ar Gyllideb y Bwrdd Pensiwn Lleol

PWRPAS YR ADRODDIAD A RHESWM DROS YR ARGYMHELLION:

Darparu gwybodaeth i Aelodau'r Bwrdd Pensiwn Lleol ynghylch gwariant ar weithgareddau'r Bwrdd Pensiwn Lleol

CRYNODEB:

Mae Rhaglen Gwaith Cychwynnol y Bwrdd Pensiwn Lleol yn gwneud darpariaeth ar gyfer monitro cyllideb Cyllideb y Bwrdd Pensiwn Lleol. Mae'r sefyllfa bresennol o ran gwariant sy'n ymwneud â gweithgareddau'r Bwrdd Pensiwn Lleol wedi'i nodi yn Adran 6 o'r adroddiad er gwybodaeth i aelodau.

ARGYMHELLION: Bod aelodau'r Bwrdd Pensiwn Lleol yn nodi diweddariad cyfredol cyllideb y Bwrdd Pensiwn Lleol.

CYMERADWYO'R ADRODDIAD

Clerc:

Sylwadau: Cymeradwyd

Cyfarwyddwr berthnasol:

Sylwadau: Cymeradwyd

Swyddog Adran 151/Trysorydd:

Sylwadau: Cymeradwyd

**Prif Swyddog Tân /
Dirprwy Brif Swyddog Tân**

Sylwadau: Cymeradwyd

PAPURAU CEFNDIR A DDEFNYDDIWDYD WRTH BARATOI'R ADRODDIAD HWN:

Yn cyflwyno'r Adroddiad:

Ian Coleman
Cadeirydd y Bwrdd Pensiwn Lleol

Awdur(on) yr Adroddiad a'u Swyddi

Sarah Tillman
Swyddog Pensiynau

**Dyddiad yr ysgrifennwyd yr adroddiad
gwreiddiol**

02/03/2024

**LOCAL PENSION BOARD
22 APRIL 2024
LOCAL PENSION BOARD BUDGET**

1 Executive Summary

- 1.1 The Local Pension Board Forward Work Programme makes provision for budget monitoring of the Local Pension Board Budget. The current position regarding expenditure related to Local Pension Board activities is set out in Section 6 of the report for member's information.

2 National/Wales Position

- 2.1 Each Authority will be responsible for the allocation of a budget for Local Pension Board activities.

3 Mid and West Wales Fire and Rescue Service Current Position

- 3.1 A budget of £10,000 for Local Pension Board activities has been set for 2023/24 and is contained within the Human Resources Department budget.

4 Proposal

- 4.1 This report is for information.

5 Service Commitments, Improvement Objectives and Well-being goals

- 5.1 Considered, but not deemed relevant to the report.

6 Financial/Procurement Implications

- 6.1 Local Pension Board expenditure is set against a specific budget code to accurately monitor expenditure, and in 2022/23 costs associated with Local Pension Board activities was £6,402.97.

- 6.2 The Local Pension Board budget for 2023/24 was £10,000, and expenditure during 2023/24 was £9,218.37.

- 6.3 Local Pension Board expenditure is predominately related to costs associated with:

- Independent Chair Fees
- Training
- Travel and subsistence

- 6.4 The approved budget for 2024/25 is £10,400.

7 Risk Assessment/Legal and Compliance Implications

7.1 All expenditure is fully compliant with financial and/or procurement regulations.

8 Fire Authority Governance Implications

8.1 The Fire and Rescue Authority, as a Scheme Manager, is responsible for ensuring that the Local Pension Board has enough funding to enable Board members to fulfil their roles.

9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications

9.1 Considered, but not deemed relevant to the report.

10 Data Protection and Privacy Issues

10.1 All personal information collected and stored as part of the appointment of Members to the Local Pension Board are processed in accordance with the Authority's Data Protection Procedures.

11 Consultation and Communication

11.1 Considered, but not deemed relevant to the report.

12 Prevention, Protection and Response Implications

12.1 Considered, but not deemed relevant to the report.

13 Human Resources and People Development Implications

13.1 The Human Resources Department has responsibility for the Local Pension Board Budget.

14 Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications

14.1 Considered, but not deemed relevant to the report.

15 Estates Implications

15.1 Considered, but not deemed relevant to the report.

16 Fleet, Engineering and Logistics Implications

16.1 Considered, but not deemed relevant to the report.

17 Evaluation

17.1 Considered, but not deemed relevant to the report.

18 Recommendations

18.1 That Local Pension Board Members note the current Local Pension Board budget update.

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| The report is Not Exempt |
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| The report is for Decision |
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| REPORT TO: LOCAL PENSION BOARD | MEETING DATE: 22/04/24 |
|---------------------------------------|-------------------------------|

| |
|--|
| SUBJECT: Forward Work Programme |
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| PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S): |
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|---|
| To provide Local Pension Board Members with the agenda items for forthcoming meetings and training topics where required. |
|---|

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| EXECUTIVE SUMMARY |
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| |
|---|
| The Forward Work Programme is used to formulate future Local Pension Board agenda items. The Forward Work Programme for 2024/25 is attached at Appendix 1 as a guide for Members to discuss and this can be amended as necessary at each meeting to reflect any changes within the Firefighter Pension Scheme(s). |
|---|

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| RECOMMENDATIONS: |
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|---|
| That Local Pension Board Members review the Local Pension Board Forward Work Programme as set out in Appendix 1, and approve any amendments deemed necessary. |
|---|

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|------------------------|
| REPORT APPROVAL |
|------------------------|

| | |
|------------------------------------|---------------------------|
| Clerk / Monitoring Officer: | Comments: Approved |
|------------------------------------|---------------------------|

| | |
|---------------------------|---------------------------|
| Relevant Director: | Comments: Approved |
|---------------------------|---------------------------|

| | |
|---------------------------------------|---------------------------|
| Section 151 Officer/Treasurer: | Comments: Approved |
|---------------------------------------|---------------------------|

| | |
|---|---------------------------|
| Chief Fire Officer / Deputy Chief Fire Officer | Comments: Approved |
|---|---------------------------|

| |
|---|
| ACCESS TO INFORMATION LIST OF BACKGROUND PAPERS USED IN THE PREPARATION OF THIS REPORT:. |
|---|

| | |
|-------------------------------|--|
| Presenting the Report: | Mr Ian Coleman Chair of the Local Pension Board |
|-------------------------------|--|

| | |
|---|-----------------------------------|
| Report Author(s) and Designation | Sarah Tillman Pensions Officer |
|---|-----------------------------------|

| | |
|-------------------------------------|------------|
| Date original report written | 02/03/2024 |
|-------------------------------------|------------|

Mae'r Adroddiad Heb ei eithrio

Mae'r Adroddiad AR GYFER PENDERFYNIAD

ADRODDIAD I'R: BWRDD PENSIWN LLEOL

DYDDIAD Y CYFARFOD:
22/04/24

TESTUN: Rhaglen Gwaith i'r Dyfodol

PWRPAS YR ADRODDIAD A RHESWM DROS YR ARGYMHELLION:

Darparu'r eitemau agenda ar gyfer cyfarfodydd sydd i ddod a phynciau hyfforddi i Aelodau'r Bwrdd Pensiwn Lleol lle bo angen.

CRYNODEB: Defnyddir y Flaenraglen Waith i lunio eitemau agenda'r Bwrdd Pensiwn Lleol yn y dyfodol. Mae Rhaglen Gwaith i'r Dyfodol 2024/25 wedi'i hatodi yn Atodiad 1 fel canllaw i'r Aelodau ei drafod a gellir ei diwygio yn ôl yr angen ym mhob cyfarfod i adlewyrchu unrhyw newidiadau o fewn y Cynllun(iau) Pensiwn Diffoddwyr Tân.

ARGYMHELLION: Bod Aelodau'r Bwrdd Pensiwn Lleol yn adolygu Rhaglen Gwaith i'r Dyfodol y Bwrdd Pensiwn Lleol fel y nodir yn Atodiad 1, ac yn cymeradwyo unrhyw ddiwygiadau y bernir eu bod yn angenrheidiol.

CYMERADWYO'R ADRODDIAD

Clerc:

Sylwadau: Cymeradwyd

Cyfarwyddwr berthnasol:

Sylwadau: Cymeradwyd

Swyddog Adran 151/Trysorydd:

Sylwadau: Cymeradwyd

**Prif Swyddog Tân /
Dirprwy Brif Swyddog Tân**

Sylwadau: Cymeradwyd

PAPURAU CEFNDIR A DDEFNYDDIWDYD WRTH BARATOI'R ADRODDIAD HWN:

Yn cyflwyno'r Adroddiad:

Mr Ian Coleman
Cadeirydd y Bwrdd Pensiwn Lleol

Awdur(on) yr Adroddiad a'u Swyddi

Sarah Tillman
Swyddog Pensiynau

**Dyddiad yr ysgrifennwyd yr adroddiad
gwreiddiol**

02/03/2024

**LOCAL PENSION BOARD
22 APRIL 2024
FORWARD WORK PROGRAMME**

1 Executive Summary

- 1.1 The Forward Work Programme is used to formulate future Local Pension Board agenda items. The Forward Work Programme for 2024/25 is attached at Appendix 1 as a guide for Members to discuss and this can be amended as necessary at each meeting to reflect any changes within the Firefighter Pension Scheme(s).

2 National/Wales Position

- 2.1 The Forward Work Programme is specific to each individual Fire and Rescue Service.

3 Mid and West Wales Fire and Rescue Service Current Position

- 3.1 The Forward Work Programme for 2024/2025 is attached at Appendix 1.

4 Proposal

- 4.1 That Local Pension Board Members review and, if necessary, amend the Local Pension Board Forward Work Programme attached at Appendix 1.

5 Service Commitments, Improvement Objectives and Well-being goals

- 5.1 The Service is committed to ensuring that the key principles of the Wellbeing of Future Generations (Wales) Act 2015 are supported.

6 Financial/Procurement Implications

- 6.1 Any cost associated with the Forward Work Programme will be charged to the Local Pension Board budget for Local Pension Board activities which is contained within the Human Resources Department budget.

7 Risk Assessment/Legal and Compliance Implications

- 7.1 The Local Pension Board has its own risk register which covers all risks which might arise from this report.

8 Fire Authority Governance Implications

- 8.1 Pension Scheme Governance is the responsibility of the Fire Authority, assisted by the Local Pension Board.

- 9 Equality and Diversity, including the Socio-economic Duty and Welsh Language Standards implications**
- 9.1 Considered, but not deemed relevant the report.
- 10 Data Protection and Privacy Issues**
- 10.1 All personal information processed as part of pension scheme administration is done so in accordance with the Authority's Data Protection Procedures.
- 11 Consultation and Communication**
- 11.1 Considered, but not deemed relevant the report.
- 12 Prevention, Protection and Response Implications**
- 12.1 Considered, but not deemed relevant the report.
- 13 Human Resources and People Development Implications**
- 13.1 The Human Resources Department is responsible for coordinating the Local Pension Board forward work programme and arranging training activities.
- 14 Information and Communications Technology (ICT) / ICT Strategic Advisory Team (ISAT) Implications**
- 14.1 Considered, but not deemed relevant the report.
- 15 Estates Implications**
- 15.1 Considered, but not deemed relevant the report.
- 16 Fleet, Engineering and Logistics Implications**
- 16.1 Considered, but not deemed relevant the report.
- 17 Evaluation**
- 17.1 Considered, but not deemed relevant the report.
- 18 Recommendations**
- 18.1 That Local Pension Board Members review the Local Pension Board Forward Work Programme as set out in Appendix 1, and approve any amendments deemed necessary.

Mid and West Wales Fire Authority Local Pension Board Work Plan April 2024 - November 2024

Appendix 1

| | Apr-24 | Jul-24 | Nov-24 |
|------------------------------------|--|---|--|
| Administration | Pension Communication Pension Scheme Activity | Pension Communication Pension Scheme Activity | Pension Communication Pension Scheme Activity |
| Training | Training Needs Analysis & Training Programme | Training Needs Analysis & Program Data Protection & Cyber Security Pension Fund Arrangements LGA update on Fire Pension Scheme | Training Needs Analysis & Program The Pension Regulator Toolkit |
| Governance | Pension Regulator Scheme Return | Draft Annual Report 2023/24 Review Terms of Reference Review TPR General Code (subject to publication) | Update on Annual Benefit Statements 2024 Review Procedure for Reporting Breaches of the Law |
| Audit & Risk Management | Risk Register | Risk Register | Risk Register |
| Accounts & Budget | Pension Board Budget Monitoring | Pension Board Budget Monitoring | Pension Board Budget Monitoring |

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