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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