

The report is Not Exempt

The report is for Information

REPORT TO: LOCAL PENSION BOARD

MEETING DATE: 22/04/24

SUBJECT: Firefighters' Pension Scheme(s) Activity Report

PURPOSE OF REPORT AND REASON FOR RECOMMENDATION(S):

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.

EXECUTIVE SUMMARY

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

RECOMMENDATIONS:

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

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:
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

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