



**DORSET & WILTSHIRE
FIRE AND RESCUE**

Minutes of the Local Pension Board meeting held at 13:00 hours on Thursday 25 August 2022 at the Poundbury offices, Conference room, Peverell Avenue West, Poundbury, Dorset

Members present:

Mr Ian Cotter	Employer Officer Representative
Cllr Richard Biggs	Employer Member Representative
Cllr Brian Ford	Employer Member Representative (Via MS teams)
Mr Sean Frampton	Scheme Member Retiree Representative
Mr Allan Frias-Robles	Scheme Member Employee Representative

Other staff:

Mrs Carol Swan	Head of HR
Mr Mike Rees	Employee Relations Officer
Ms Sadie Price	HR Business Partner and Employee Relations Manager

Guests:

Helen Scargill	West Yorkshire Pension Fund (WYPF) – Client Manager (via MS Teams)
Matthew Mott	West Yorkshire Pension Fund (WYPF) (via MS Teams)

Minute taker: David Shaw, Democratic Services Officer

22/25 Welcome and introductions

22/25.1 Ian Cotter, Employer Officer Representative, opened the meeting and welcomed the attendees.

22/26 Apologies

22/26.1 Apologies were received from:

Assistant Chief Fire Officer (ACFO), Andy Cole - Employer Officer Representative
Mr Gerard Senior - Scheme Member Retiree Representative

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22/27 Election of Chair and Vice Chair

22/27.1 **RESOLVED: That Ian Cotter be appointed Chair and Cllr Richard Biggs be appointed Vice Chair.**

22/28 Conflicts of Interest/Code of Conduct

22/28.1 The Chair asked the meeting for any declarations of conflicts of interest. There were no disclosures.

22/29 Minutes from the Local Pension Board meeting held on 13 April 2022

22/29.1 The Chair asked Members to review and approve the minutes from the meeting of 13 April 2022.

22/29.2 **RESOLVED: That the Minutes from the Local Pension Board meeting held on 13 April 2022 be agreed as a correct record.**

22/30 Review actions from all Local Pension Board meetings

22/30.1 The actions from the previous meetings were discussed and updated. Four actions remained open, numbers 43, 48, 49 and 52.

22/30.2 On Action 43 the Chair explained that training was required to be undertaken. Carol Swan, Head of HR, stated that contact would be made with the Local Government Association (LGA) to arrange joint training with other Authorities. Helen Scargill, West Yorkshire Pension Fund (WYPF) - Client Manager, mentioned that there would be a pre-retirement presentation on 7 September 2022, which Board members might wish to attend, and it was agreed that details of this event be circulated by Jacky White. Cllr Brian Ford added that as a new Board member a briefing on the work of the Board would be welcomed.

22/30.3 On Action 48, it was reported that there had been little interest in recruiting a new Scheme member Employee Representative, and Sadie Price, HR Business Partner and Employee Relations Manager, added that the Authority would continue to seek an appointment.

22/30.4 On Action 49, Carol Swan stated that a paper on day crewing pension issues was nearing completion to be submitted to the next Board meeting. Sadie Price provided details on the collective grievance which related to wholetime and day crewing contracts when two separate contracts had become a single contract of employment. There was considerable work to be undertaken to

identify who had been in each stream. The number of individuals affected could be in the region of 75 and might involve backdated contributions, which Sean Frampton commented might also have tax implications for the individuals involved.

22/30.5 On action 52 the Chair had amended the description against Risk 2 – legislative to reflect timescales for the introduction of Immediate Detriment legislation and this action was therefore complete.

22/30.6 **ACTION: That details of the pre-retirement presentation on 7 September 2022 be circulated by Jacky White to Board members.**

22/30.7 **RESOLVED: That the pending action on numbers 43, 48 and 49 be noted and that action number 52 was complete.**

22/31 Local Pension Board Risk Register

22/31.1 The Chair informed the Board that the description against Risk 2 – Legislative to reflect timescales for the introduction of Immediate Detriment legislation, had been amended in the risk register. Helen Scargill commented that legislation was proceeding but there were still unknown areas; for example, Her Majesty's Revenue and Customs (HMRC) was consulting early in the new year for all separate public service schemes, with variation in versions for fire, police etc, which made for slow progress. Helen Scargill added that the Matthews pension case should be noted within Risk 2 – Legislative, as it too would have an impact/consequence.

22/31.2 In reply to a question from Sean Frampton regarding Risk 5 – Communications, Mike Rees, Employee Relations Officer, stated that scheme members were contacted individually and via Connect (the DWFRS intranet). There were 19 individuals affected by Immediate Detriment and they had signed a disclaimer to acknowledge the implications of the current situation.

22/31.3 **ACTION: That the Matthews pension case be added to Risk 2 in the risk register.**

22/32 Scheme Manager update

22/32.1 Carol Swan presented the Scheme Manager Update for August which covered Age Discrimination Remedy and implementing the Immediate Detriment framework, Second Options Exercise update, Injury Award Pension review, consultations/surveys, internal disputes resolution, breaches, Board applications, general update/actions/information/communications and the Meetings, Events and Training Calendar.

Initials _____

- 22/32.2 Carol Swan informed the meeting that there was no further update for Immediate Detriment. The LGA has been working closely with Cleveland Fire and Rescue Service to establish a calculator which should enable Fire and Rescue Authorities to estimate their financial liabilities when considering adoption of the Framework, and the lessons learned from Matthews Remedy work. In reply to a question from the Chair, Carol Swan confirmed that there was no movement in discussions between the Home Office and the LGA.
- 22/32.3 Carol Swan referred to the Second Options Exercise. This related to the remedy for retained firefighters affected by the O'Brien judgment to be provided by way of a second options exercise allowing in-scope individuals the opportunity to purchase pension entitlement as a special member of the Fire Pension Scheme 2006. Initial data regarding numbers in scope was returned to the LGA by the end of May 2022; additional data was requested by the Home Office to gain a better understanding of how many people could be affected by both remedies in order to inform planning, and the Government Actuary's Department was provided with additional data to work on costing assumptions. This data was provided by end June 2022. Cllr Richard Biggs asked about the quality of the data and Mike Rees replied that pay data did not cover the whole period back to 1963, but the data was as accurate as was possible.
- 22/32.4 Carol Swan referred to the Injury Award Pension Review. In Autumn 2022, the West Yorkshire Pension Fund (WYPF) would lead on a review of all injury award pensions as part of its contract. There were currently 123 DWFRS pensioners in receipt of an injury award pension. Two cases of overpayment had been identified in advance of the full review, which would be reclaimed. It was estimated that perhaps 25% to 30% of cases might need to be rectified. Sean Frampton asked about the additional expense of the review and the Chair stated that this would fall on the Service rather than the Home Office to fund it. In reply to a further question from Sean Frampton, the Chair stated that extra staff resources had been requested to help deal with the additional work that was required.
- 22/32.5 Carol Swan reported on Consultation/Surveys and the draft Pensions Dashboards Regulations 2022. The staging deadline for all public service schemes had been extended by five months from 30 April 2024 to 30 September 2024, and further, the requirement to provide value data had been delayed to 1 April 2025 at the latest. Sean Frampton commented that considerable testing was taking place together with steps to safeguard against fraud. Cllr Ford stated that in his experience there were many permutations, and the project was very complex.
- 22/32.6 Carol Swan reported on Internal Dispute Resolution. On 28 June 2022, the Fire Authority received notification of an internal dispute regarding access to a firefighter's pension scheme. The dispute was at stage one of the process and involved a legacy situation.

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22/32.7 Carol Swan reported that there had been no reported breaches and that the vacancy for an Employee Scheme Member Representative remained advertised until filled. The meeting discussed the Fire Pensions Annual Conference to be held in October, and Sean Frampton spoke of the value of the LGA coffee mornings.

22/32.9 **RESOLVED: That the report be noted.**

22/33 West Yorkshire Pension Fund update

22/33.1 Helen Scargill gave a verbal update and stated that monthly report bulletins were submitted to the Authority.

22/33.2 Helen Scargill updated the meeting that in respect of Immediate Detriment Remedy, eligible members were defined as the individual person and not their post. The report was valid up to the 31 March 2022 and would be revised to include new additional persons.

22/33.3 Helen Scargill added that the LGA and Home Office working group continued to be supplied with information regards Matthews. Examples were being used to complete past data if payroll data did not exist. Cllr Biggs enquired about Annual Benefits Statements and Helen Scargill confirmed that both active and deferred members had one produced.

22/33.4 Helen Scargill shared with the meeting the August monthly bulletin. Highlighted were the opportunity for deferred pensioners to make monthly payments. WYPF needed to be informed when a person returned to service following a period of absence. Reference was also made to the Fire Brigade Union's view on McCloud cost remedies, new Key Performance Indicators and that there were no breaches to report. The meeting agreed that Jacky White circulate to Board members copies of the WYPF monthly bulletins dating back to April 2022.

22/33.5 **ACTION: That Jacky White circulate to Board members copies of the WYPF bulletins dating back to April 2022.**

22/33.6 In reply to a question from Allan Frias-Robles regarding a potential break in service due to taking industrial action, Helen Scargill stated that the affected individual had the opportunity to buy back within six months of returning to work. Sadie Price added that there was a need for individuals to understand their personal statements and a flow chart could be included in the Weekly Update to staff, with a frequently asked question sheet to signpost information. Allan Frias-Robles commented that the issues were complex.

22/33.7 **ACTION: That a pensions flow chart be included in the Weekly Update to staff with a frequently asked question sheet to signpost information.**

Initials _____

22/34 Training and Development

22/34.1 The training and development information detailed on the Agenda was noted.

22/35 Local Pension Board Work Programme

22/35.1 The work programme was noted.

22/36 Items agreed with the Chair (AOB)

22/36.1 There were no additional items of business.

22/37 Date of Next Meeting

22/37.1 The next Local Pension Board meeting will be held in October or November 2022.

The meeting closed at 14.40pm.