

FIRE FIGHTERS PENSION BOARD - MINUTES
NOTES of Meeting Held 7th August 2024
Hybrid

Attendees:	
Glynn Luznyj, (GL), Chair	Nicola Daniels, (ND)
David Greensmith, (DG)	Susan Wilkinson, (SW)
Louise Clayton, (LC)	Helen Scargill, (HS)
James (Jim) Bywater, (JB)	
Minutes: Liam Buckley (LB)	
Apologies: None	
Lee Russell, (LR)	Irina Volkova-Heath, (IVH)

1. Attendance and Apologies

Attendance and apologies were noted as above.

2. Minutes and Actions Arising

Minutes were reviewed.

Action 55 – JB is happy with the system that is in place, there is guidance in place that is being followed. Workforce planning board is set up and in motion. **ACTION CLOSED.**

Action 56 – Item superseded, the service is now in a different space. **ACTION CLOSED**

57 – This was resolved and is no longer an issue. **ACTION CLOSED**

58 – Promotion of the Matthews case is happening to a reasonable degree by the service and the action can now be closed off. **ACTION CLOSED**

59 – Item closed as similar to action 58. **ACTION CLOSED**

3. Pension Remedy Manager Update

SW explained that the McCloud cases in April were reported to the Strategic Governance Board, that there were issues raised by HMRC and the immediate choice cases were to be paused, since then there has been some progress which means that some cases can be processed. The LGA sorted the categories into Red, Amber & Green as to whether cases should be processed by the service. The pension arrears are taxable, so if there is a significant amount this may attract a higher rate of tax than it would've originally done. The issue with the red cases is that they have either got outstanding annual allowance issues or for members who took the maximum lump sum and paid tax on it at the time, the

top up lump sum from remedy will be taxed on the total amount not just the top up. There is no mechanism to claim the overpayment back due to the way this is processed within the Fire Service. The members that are in the red category have been written to and the situation has been explained, there are around 15 red cases that cannot be remedied yet. The green cases have gone to West Yorkshire to process, however no amber cases have been processed yet. HS explained that there is a process in place for West Yorkshire, 10 cases have currently been completed, this is a manual process and will be completed as soon as possible. LGA will be producing a guidance document for the immediate detriment cases in relation to the application of interest, so there is not a recommendation to process these until the guidance has been received. HS to share timeline when more information is available. Interest RE calculation for immediate detriment is around 9 cases.

SW explained that Matthews cases are being processed, of the members that have responded almost all active and deferred members have been sent calculations. The issue which has arisen is for the pensioners who are already in receipt of a pension and therefore had a lump sum when they retired, which pertains to another tax issue, where the policy states anything that is paid over 12 months after the first payment will attract a higher rate of tax. The recommendation to the board was to pause processing any pensioners that are already in receipt of a pension. There has been some progress on this issue, the LGA have had engagement from HMRC on the issue, but there is no further update as of this meeting. New members who have not had previously had the lump sum can be processed. There are 94 pensioners who are currently paused due to the tax issue. The service has 139 people who are outstanding (not responded) that are in scope, and there are 24 people who are currently unable to be reached, all of the members with new addresses are have been written to again and those who have not responded at all have now received a final reminder, this was sent by Royal Mail track and trace. 5 cases have gone through to West Yorkshire, with more cases being ready to go, following confirmation from West Yorkshire they are happy with the format in which the cases are being sent over. HS questioned if there is a process for the expression of interest form where the member says they are not interested. These members have been written to and acknowledged, whilst encouraging them to look at the information and a final date when they will need to reply by. GL stated that there is a lack of understanding around the process, the service has done everything reasonable to inform retired and active members but following feedback from members, SW is currently producing a new FAQ sheet which will be shared to try to clarify the facts and the process for those affected with some worked examples added to it. LC stated the SCO are content that the service has done as much as it can, but was curious on what another pension scheme managers/FRS's have done. SW stated that a few FRA's have used the tracing company and some have sent their officers out knocking on doors. LC questioned what the next steps were with the 24 people who are unable to be reached with the tracing company. SW explained that a full trace will be done, going into a lot more depth and searching, no response has been received as of yet with these. It is unlikely that they are deceased as the process to search for deceased members already being followed.

ACTION 60 - LC requested that the trail and a decision on what is happening with the 24 unresponsive Matthews cases to be shared internally, with rep bodies and governance boards.

4. Update from West Yorkshire Pension Fund

HS explained the client reports have been sent and welcomed any queries from these. Annual benefits statement has been confirmed to the service for the out of scope members have been 100% produced and sent, the members in scope will not meet the 31st August deadline, this will be reported to TPR. GL explained that the service will report direct to TPR as standard. HS explained that this should be a material breach as it is one specific batch of members in a specific situation. HS explained that FRA's are able to send breaches off before West Yorkshire, however not all information will be available that

TPR may request. Immediate choice work has started, and there is an area where there is an issue which the taper protected members who are dealt with via the beneficiary or retired with ill health injury, for those cases there is a strong possibility that the legacy and reformed option will provide lower payments.

ACTION 61 – GL to do the breach assessment for the Annual Benefits statement for the members in scope, which will then come through Pension Board for sign off, before going to sign off from the Commissioner and finally being sent to TPR.

5. Strategic Governance Board Papers

Pension Remedy Update

Item covered within agenda item 3.

Update Second Options Exercise (Matthews)

Item covered within agenda item 3.

Compensation Claims Process

DG explained that the paper went to the Strategic Governance Board. The paper is intended to provide clarity and to be used as a guidance tool for scheme managers. The governance board were asked to note the powers that have been given to pay compensation. It is important to note that any compensation that is paid is going to be centrally paid, but a robust audit trail will be kept on any payments that are made. The compensation payments will come through to this board to ensure this is documented correctly. The compensation claims arise that haven't been rectified as part of the remedy process. The communication of the guidance will need to be discussed and agreed, there have currently not been any claims that have come through. GL questioned the standard claim form and whether this was now available. DG explained that this has now been created but has not been seen as of yet. HS explained that this claim form is on the FPS website which can be downloaded and personalised.

ACTION 62 – DG to obtain the relevant claim form for the compensation process and to personalise it for Staffordshire.

ACTION 63 – DG to communicate the Compensation Claims process with the organisation and partners when appropriate, once the relevant claim form has been obtained.

6. Pension Board Risk Register

DG explained the paper in the pack.

The risk register is now in the new corporate format, this is not quite as easy as it was to read before. The annual benefits statement will now be added to this as well as the updates from SW today, with a more formal review to be discussed at the next meeting.

7. Update on Annual Benefit Statements

Item covered within agenda item 4.

8. Any Other Business

No further business was noted.

