



**LINCOLNSHIRE FIRE AND RESCUE FIRE
PENSION SCHEME BOARD
23 NOVEMBER 2023**

PRESENT:

Employer Representatives: Councillor L A Cawrey and Mark Baxter

Employee Representatives: William Dziadkiewicz and Richard Wright

Officers in attendance:-

Alex Clelland (Strategic Finance Manager), Elizabeth Hipworth (HR Advisor to the Board) and Thomas Crofts (Democratic Services Officer)

Others in attendance:-

Helen Scargill (West Yorkshire Pension Fund)

36 APOLOGIES FOR ABSENCE AND INTRODUCTIONS

There were no apologies for absence received.

37 DECLARATIONS OF INTEREST

There were no declarations of interest made at this point in proceedings.

38 MINUTES OF THE PREVIOUS MEETING HELD ON 14 SEPTEMBER 2023

RESOLVED

That the minutes of the previous meeting be agreed and signed by the Chair.

39 PERFORMANCE DATA (WEST YORKSHIRE PENSION FUND)

Consideration was given to the latest monthly report by West Yorkshire Pension Fund (WYPF). The following matters were highlighted:

- Regarding KPIs, two had performed outside of the agreed timeframe. This was due to non-urgent cases having been delayed by the processing of urgent cases.
- There had not been much movement in terms of web registration numbers in November.
- The administrator asked the FRA to promote the need for members to provide good notice of intention to retire to help the processing of cases, especially concerning those requiring reassessment.

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- Currently there were no cases needing reassessment.
- Internal ill health processes required improvement as audits had found that 50% of the claims submitted used incorrect certification. This was a national issue and work was underway sector wide. The FRA was to conduct a quality assurance exercise in relation to this matter.
- The Affinity Connect course continued to successfully run for members.
- Resilience against ransomware testing proved positive and a full report on this exercise was to be reported back to the Board.

The Board discussed the report and the following comments were raised:

- Annual statements had been submitted and it was confirmed that those in breach of their annual allowance would not need to take any further action unless they had been written to by the administrator. This only applied to unprotected members and those members were signposted towards the Remedy tax calculator.
- Home Office grant funding regarding the Matthews and Remedy changes were to be explored by the FRA.

ACTIONS

- FRA to promote the need for scheme members to provide good notice of intention to retire, i.e. 3 months notice rather than contractual notice
- FRA to continue to promote the Affinity Connect pre-retirement course to staff.
- Review warm up comms letter for those who retired on ill health.
- FRA to investigate Home Office funding in relation to undertaking work to ensure Matthews and Remedy changes

RESOLVED

That the report and agreed actions be noted.

40 CURRENT ISSUES

An update on current issues was given by Elizabeth Hipworth, HR Advisor to the Board. The status concerning current cases was as follows:

- IDRPs Cases – none
- Breaches – none
- Sargeant / McCloud Age Discrimination Remedy – 590 pension records in scope. Some individuals had more than one pension record and of these 221 records were also in scope of the Matthews Second Options Exercise.
- Matthews Second Options Exercise – 866 in scope. It was required that those in scope needed to be written to by the 31 December.
- There were 62 individuals where the address held was incorrect as the letters sent to them in the first options exercise were returned as not known. There were a further

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496 individuals whose addresses were unable to be validated. Tracing needed to be employed to validate and track these addresses.

- A contract had been drawn up and was being finalised with Legal Services and the Tracing Company.
- Some of those in scope of the Matthews Second Options Exercise may also be in scope of the Sargeant Age Discrimination Remedy.
- Richard Wright, Employee Representative, was retiring in December and the role had been advertised in the Fire Weekly Bulletin. No individuals had come forward to date to express interest.

The Board discussed the report and noted the need to recruit an employee representative as there was currently a vacancy for the substitute representative and Richard Wright was about to retire. It was recognised that lots of communications had been issued in relation to recruiting to the Board and that it would be beneficial to create a more diverse group. It was also noted that the quorum stated by the Board's Terms of Reference might present an issue if another employee representative was not successfully appointed.

RESOLVED

That the update be noted.

41 FIRE PENSION BOARD PLAN

An update on the Fire Pensions Board Plan was given by Mark Baxter, Employer Representative (Chair). The following matters were highlighted:

- The Annual Scheme Return to the Pensions Regulator had now been submitted.
- There were no changes to the training record.
- There were no changes to the risk register.
- Once the new employee representative had been recruited they would be signposted to all relevant training.

ACTIONS

That action 2113 (Annual Scheme Return to the Pensions Regulator) be marked as complete.

RESOLVED

That the Fire Pensions Board Plan be noted.

42 FIRE PENSIONS SCHEME BULLETINS

An update on recent scheme bulletins was given by Elizabeth Hipworth, HR Advisor to the Board. The following matters were highlighted:

September Bulletin

- The Firefighters' Pension Schemes (England) (Amendment) Order 2023 was laid and the regulations came into force on the 1 October 2023.
- Sargeant Age Discrimination Remedy:
 - Warm up letters had been sent to members in scope by WYPF on behalf of LFR
 - Government Actuaries Department released a Tax and Contribution Calculator on 12 September 2023. This provided information on tax relief and interest to be applied to benefits. In order to provide benefits on time, 3 cases where the gross contributions were deducted from lump sums where individuals chose legacy scheme benefits, members were informed in writing that this was an outstanding issue and needed to repay any underpayments that may be due. Colleagues at Serco were currently looking into this.
 - Member Videos – one for retired members and one for active and deferred members had been added to the fps member website. These were to be published in the Fire Weekly Bulletin.
- Matthews 2nd Options Exercise:
 - Supporting Documentation (template letters and guidance) had been reviewed by the Communications Working Group which could be found on the Special Members of the FPS 2006 page of the regulations and guidance website.
 - Initial expression of interest letters were to be issued by 31 December 2023 to comply with the disclosure requirements under Regulation 8 of the Occupational and Personal Pension Schemes (Disclosure of Information) Regulation 2015. Under the Disclosure requirements, Scheme Managers had to notify individuals of any material alterations to basic scheme information within 3 months of the changes taking place. A contract with a tracing company was being finalised to identify addresses for lost contacts of those in scope.

October Bulletin

- Sargeant Age Discrimination Remedy:
 - Contingent Decision Guidance was available from the FPS regulations and guidance website and set out the approach a scheme manager should take when considering a contingent decision claim which fell into the following three categories:
 - Opt-out: A member would not have opted-out if they had been allowed to remain in the legacy scheme beyond their transition date or if protected members had been allowed to join the reformed scheme from 1 April 2015.
 - Transfers: Members chose to transfer (in or out) and now wish to revisit the decision, or they chose not to transfer and now wish to do so.
 - Additional Service: Members argue they would have purchased (more) additional service if they were in the alternative (legacy) scheme (guidance to follow on this category).
 - A member guidance was also being developed.

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- Age Discrimination Remedy – HMRC member tax adjustment calculator had been designed for members to correct their tax position if they had been affected by the age discrimination remedy. Information had also been added to the FPS member website.
- Matthews Second Options Exercise
 - Pay Assumptions – in the absence of data for eligible individuals to purchase historic service prior to the 1 July 2000, regulations allowed for a central set of assumptions including assumption that the individual was a firefighter and that retained firefighters earn on average 25% of a whole-time regular firefighter.
 - Individual who defaulted on payments in the first options exercise were able to purchase any service which was previously defaulted on.

The Board thanked officers for regularly circulating monthly bulletins and updating the website accordingly.

RESOLVED

That the update be noted.

43 FIRE PENSION OFFICERS' GROUP

An update was given by Elizabeth Hipworth, HR Advisor to the Board. It was stated that the Fire Pension Officers' Group met on 4 October 2023 and key points from the meeting were the GAD Sergeant and the GAD Matthews Second Options Exercise calculators, the HMRC member tax calculator, Contingent Decision Guidance and the Matthews Data Sharing Agreement. It was also noted that there was to be a further revision of the Matthews GAD calculator released in December.

RESOLVED

That the update be noted.

44 UPDATE FROM SCHEME ADVISORY BOARD

The Board was updated that the Scheme Advisory Board met on 14 September 2023 and discussions largely concerned the awaited response from the Home Office in relation to the Sergeant consultation.

RESOLVED

That the position be noted.

45 DATE OF NEXT MEETING

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The date of the next meeting of the Board was scheduled for 7 March 2024, 10am.

The meeting closed at 10.41 am