

**MINUTES OF PENSION BOARD MEETING  
19 September 2024**

**Present:**

Matthew Deadman (MD)	KFRS (Employer Representative) Vice Chair
Barrie Fullbrook (BF)	Head of Finance, Treasury and Pensions
Danny Barrett (DB)	FBU (Employee Representative)
Lawrence Pater (LP)	FOA (Employee Representative)
Jordan McEvoy (JM)	FRSA Representative (Deputy Employee Representative)
Jason Bardell (JB)	FF Pension Scheme Member
Marie Curry (MC)	Customer Support Manager/Clerk to the Authority

**Also in Attendance:**

Sarah-Jayne Hills	Senior Accountant
Amy Killick	Payroll and Pensions Manager

**Apologies:**

Mark Rist (MR)	KFRS (Employer Representative) Chair
Alison Hartley (AH)	Director Finance and Corporate Services
Neil Griffiths (NG)	KFRS (Employer Representative)
Leanne McMahon (LMc)	KFRS (Employer Representative)
Dylan McEvoy (DM)	FRSA Representative (Employee Representative)

<b>NEXT MEETING</b>	Date: 19 September 2024
	Venue: MS Teams
	Time: 11am

**1. Declarations of Interests on Items on this Agenda**

None

**2. Changes to the Board Membership**

Mark Rist will be stepping down from the Board due to retirement following this meeting. Matt Deadman will take over as Chair of Pension Board with immediate effect. Neil Griffiths will become Vice Chair of Pension Board with immediate effect. Steve Burwell was appointed as Deputy FOA representative on the Board.

Sarah Jayne Hills and Amy Killick will be attending future Pension Board meetings in an observing capacity.

**3. Minutes of the Pension Board Meeting held on 23 July 2024**

The minutes of the meeting held on 23 July were agreed in principle subject to the additions MC and BF will add. These will be circulated again for the Board's final sign off.

As discussed at the last meeting BF circulated the training log for the Board to complete. The log is here for reference [LPB Member Training Log.xlsx](#) MC has pinned this to the top of the SharePoint site for easy access. MD asked members of the Board to complete the log as a matter of priority and this should be done before the next Board meeting in December. LP asked if the links to the individual videos to support the training could be circulated again. **(Action: BF)**

**4. Pension Board Action Log - Update on Progress**

The action log can be viewed here [Current Pension Board Action Log.xlsx](#).

BF ran through the outstanding actions on the log and provided updates. Particular reference was made to the action on Contingent Decisions under the McCloud case. BF advised the Board that initially it was thought that members who had opted out of the 92 Scheme to go in to the 2015 Scheme could potentially revert back to the 92 Scheme under the current guidance. It transpires this is now not the case and that the 92 Scheme is closed so for those members who opted out of this, they can only opt to back in to the 2006 Scheme instead. BF said that the team are working on communicating this out to members. MD asked how many members this could affect. BF said he will need to check the figures with LPPA and report back to the Board with the exact data. **(Action: BF)**

DB confirmed he had 4 members from the FBU that this affected, and LP confirmed that he is aware of 2 members from FOA as well. DB said this is a reputational issue for the Service, for those members to get an email to confirm that you could opt back in and then be told you can no longer do this is not good. DB asked if there was some communication going out to explain the reasons as to why. BF said that he understood the frustrations this has caused but we were only acting on the guidance given to us at the time when those communications were sent to members. BF said that he will work with LPPA to get an accurate list to ensure that everyone affected is captured. **(Action: BF)**

## 5. LPPA Quarterly Report

BF ran through the key highlights on the latest LPPA report for July. The detailed report can be found on the Pension Board SharePoint site alongside the report for June.

### Operational Performance

Case work in relation to McCloud is given a RAG rating, there is 1 area within the report currently sitting at red and this is in relation to retirements from active performance vs SLA. This equates to 83.3% performance target based on 2 cases out of the 12 reported not being resolved within the required timeframe. BF said that he had a meeting with LPPA this week and asked them to provide the detail as to why the performance for the 2 cases were not met. He added that this could be for a number of reasons and could be beyond the control of LPPA, so we need to understand the detail. DB asked whether it was because at the time there were issues with the HMRC calculator which caused delays in completing the appropriate paperwork. BF said that this could be the case but was not certain so will be checking the information with LPPA to report back. **(Action: BF)**

### Helpdesk

BF said that there are no issues to report specifically in this area. He said he would like to raise that not many people are completing the survey at the end of the call. He is aware that a total of 4 people had this time around. This doesn't give a true reflection and provide sufficient feedback to monitor performance. BF asked the representatives on the Board to encourage their members to complete the satisfaction survey at the end of the call if they have made contact with LPPA. This will help us gain a better understanding of improvements needed. **(Action: DB, LP, JM)**

JB asked if we had any data on how many times someone has had to do a repeat call to LPPA for the same issue. BF said that is not detailed within this report however if it is something that the Board feels beneficial to monitor performance, he can speak with LPPA. LP said that this topic was raised at the Pension Board training yesterday that he and JB attended in London. MD asked BF to speak with LPPA to see how much work this would involve in capturing this data and whether it would be feasible to do. **(Action: BF)**

MD said that he will take the action to push the survey through the next One Team update. **(Action: MD)**

### Complaints

BF reported that there were 2 cases rolled forward from previous month. 1 case has now been resolved and the other case is outstanding and is in relation to payroll.

## IDRP cases

There are currently no IDRPs open, however contact was made this week with the team by an individual who does potentially want to go down the IDRPs route. BF will update the Board with more detail if this does progress. **(Action: BF)**

## Breaches

No breaches were reported June/July.

## Monthly Returns

Statutory deadline for the Annual Benefit Statements (ABS) was 31<sup>st</sup> August. In the recent meeting with LPPA they said that 88.5% of members received their ABS within the required timeframe. BF said that he is now aware of a few members who logged in to the portal on 1<sup>st</sup> September and the ABS was not available to them. BF said that he has asked LPPA to review this and provide the exact figures as there are specific rules set out in legislation if these targets are not met. It may mean that this needs to be reported to the Pensions Regulator.

BF said that he is aware of another issue with the RSS statements in the fact that the information presented didn't look right. BF said that the team have looked at this and the data return that was provided to LPPA to compare. It appears that the figures were right, the issue was with the incorrect data on the legacy scheme. This could have indicated that individuals owed money rather than the other way around. As a matter of urgency BF said that the team are working with LPPA to rectify this and reissue the ABS/RSS where necessary. This currently affects 20 members.

MD asked how the 88.5% figure equates to statutory requirements, is there a threshold for that figure before it is reported to the Pension Regulator for it to become a breach. BF said that it's a grey area and would have been down to each pension administrator to determine the breach. However, he added that a revised bulletin has been issued recently with guidance and any breach of not meeting the statutory deadlines does need to be reported regardless and will be down to the Pensions Regulator to decide the outcome. BF said that once he has the information back from LPPA, we would be required to report this.

DB confirmed he had received queries from members about this issue. Can some communications be put out to inform members of the error. BF said that his pensions team have also received individual queries. The team are reviewing what data was sent over to LPPA so that this can be checked. BF said that once this and the information is reviewed from LPPA, he can look at communications.

MD said that there could also be an element of misinterpretation of the information contained within the ABS/RSS. There needs to be a balance as it is not the Service's responsibility to produce guidance but perhaps it is something that we can explore with LPPA to assist with. BF will keep the Board updated on progress **(Action: BF)**

## Key Projects

BF said that there is nothing additional to add here and will cover the cases updates under the relevant item on this agenda.

### 6. **Update on Cases (standing item)**

#### McCloud vs Sargent Case

BF said that the Board will remember the issues in relation to tax and interest payments discussed at the last meeting. The issue being that when a member's pension benefits are recalculated under remedy, the individual is currently unable to offset the tax charge that they have previously paid to HMRC. BF said that since our last discussions, the fire minister has confirmed that a HMRC newsletter is being produced outlining the changes to this process and what pension administrators will be allowed to do ahead of new legislation coming into effect. Essentially it will say that we can now offset the tax charge, but we are waiting for the confirmation of this.

DB said that at the last Board meeting, a discussion took place on whether a recommendation was going to be put forward to the Fire Authority by the Board to get on with administering payments. He added that some members have been waiting a long time to resolve this issue. BF said that if action was taken sooner then the scheme manager would be acting outside legislation so would have needed some form of guidance to act upon. BF said that what he understands now is that this new guidance will allow us to process payments, but we just need to wait for this to be formally released.

DB said that when some members have gone online to look at their ABS, they have noticed a letter from LPPA about making a decision remedy. He said that he has received an influx of calls from members asking what they should do. This doesn't just relate to the 92 Scheme but also 2006. There is a 12-week deadline to make this decision. DB asked if there was anything that could be passed on to members to help them make the decision. DB asked what the tax rate would be on the refund of contributions. BF said he will go away and find out this information to provide to DB **(Action: BF)**

#### Matthews/O'Brien Case

BF gave an update on the work in relation to this case. The figures were outlined as follows:

1300 letters went out in December 2023

900 went out again in April 2024

556 expressions of interest forms now received to date (made up of 66 active members, 238 deferred and 252 immediately entitled to a pension)

431 statements issued and 10 calculations sent to other FRAs to deal with due to previous employment.

98 cases in progress

of the 431 statements issued, 155 election forms have been received.

of the 155 forms received, (this is made up of 12 active members, 35 deferred members, 108 members immediately entitled to a pension) 153 elected to join the scheme.

discussions are taking place with the 2 individuals who have opted out. This is to understand the reasons as to why.

BF said that by early October he will be in a position to understand what the timeframe looks like for completion, and this will help set out expectations. BF will update the Board accordingly.

**(Action: BF)**

DB asked what the position is for those members who have retired on ill-health grounds. BF said that he needs to go away and find out the detail on this to report back **(Action: BF)**

DB also asked if some communications could be issued around the uptake of options under the Matthews/O'Brien case. He said that he is receiving queries from members about the 2006 Scheme and modified 2006 Scheme which he cannot answer. At the moment on average, he is receiving 5 calls a week about this. BF said that he and some members of the team have gone out on station visits to go through and explain the detail and what is required in terms of completing the forms. He said he is happy to continue these visits or explore the option of having an item on the regular on-call webinars. Alternatively, he is happy to explore what guidance can be produced to support this and perhaps there is something the LGA has already produced we can use. **(Action: BF)**

MD said that he is aware of that guidance, but it was not the easiest to follow or understand as each individual's circumstances are different. He said it seems that people are after advice on what option they should pick and that is not down to the Service to provide, plus it could also have a detrimental effect if that advice, at a later date, is not correct. He said that whilst the Service is happy to support there is a limit and it should always be the responsibility of individuals to source their own financial advice.

#### IDRP Cases Update

There have been no IDRP cases since the last meeting and as already mentioned correspondence is taking place with one individual currently. Further updates will be provided when available. **(Action: BF)**

## 7. AOB

#### Pension Dashboard

MC has been asked to add the Pension Dashboard on to the agenda as a standing item for future discussions.

### Meetings of the Pension Board

LP asked whether it would be beneficial for the Board to revert back to face to face meetings. MD said that there have been challenges in the past with this. MD said he will consider that option **(Action: MD)**

### One Team Update

In addition to the survey mentioned previously on the agenda, BF said that he will add some something in this month's update around the ABS now being available and reminding colleagues to log on and view. **(Action: BF)**

MD closed the meeting by thanking BF and the Pensions team for all their hard work.