



## FPS Bulletin 48 – August 2021

Welcome to issue 48 of the Firefighters' Pensions Schemes bulletin. We hope that readers remain safe and well.

If you are looking for information on a certain topic, issue and content indexes are held on the [main bulletin page](#) of the website and are updated following each new issue.

If you have any comments on this bulletin or suggested items for future issues, please email [claire.hey@local.gov.uk](mailto:claire.hey@local.gov.uk).

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## Calendar of events

Please see below a calendar of upcoming events relevant to the Firefighters' Pension Schemes. Only those events which are hyperlinked are currently available to book. If you have any events you would like to be included in a future bulletin, please email [claire.hey@local.gov.uk](mailto:claire.hey@local.gov.uk)

Table 1: Calendar of events

Event	Date
<a href="#">FPS coffee and catch up</a>	14 and 28 September 2021
Eastern regional group	7 September 2021
SAB	9 September 2021
<a href="#">Eversheds Sutherland cyber and data breach training</a>	20 September 2021
North East regional group	17 November 2021
SAB	9 December 2021

## Actions arising

Readers are asked to note the following actions arising from the bulletin:

[TPR scheme return](#): Scheme managers to check contact details are correct on the Exchange.

[Managing Pension Schemes \(MPS\) service](#): FRAs to enrol on to the new MPS service, no later than 24 September 2021.

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## FPS

### **PSP&JO Bill Home Office guidance**

Home Office guidance has now been published, following the announcement of the introduction of [Public Service Pensions & Judicial Offices \(PSP&JO\) Bill](#) and the accompanying centralised Q & A document in [FPS Bulletin 47 – July 2021](#).

The [PSP&JO Bill Home Office guidance](#) is a more tailored version of the central FAQs for the FPS. It provides a detailed summary of how the Bill legislates to remove the discrimination identified in the McCloud/Sargeant litigation and what it means for affected scheme members.

For reference, it contains information on:

- what the Government has published;
- the background and detail of the Public Service Pensions and Judicial Offices Bill;
- how the Bill will implement changes across all the main public service pension schemes in response to the Court of Appeal judgment in the McCloud and Sargeant cases;
- the next steps following the Bill and any additional information which may be helpful to members.

Please note that the guidance will be kept under review.

### **LGA update on the PSP&JO Bill**

We are pleased to publish an [LGA update on the PSP&JO Bill](#) and what it means for the FPS.

The update comments on the main provisions of the Bill and looks in particular at the effect for transition members.

### **Technical query log**

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website. The queries have been anonymised and divided into topics. The log will be updated monthly in line with the bulletin release dates.

Queries have been answered this month in the following categories: compensation scheme (page 35).

Please bear with us if you experience a delay in response to your technical query. As you can imagine, much of our resource is currently focused on remedy-related issues.

If you need an informal steer from sector colleagues in the meantime, please use the recently reinstated [Knowledge Hub technical forum](#), as detailed in [FPS Bulletin 47 – July 2021](#).

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## FPS England SAB updates

### SAB response to HMT consultations

We told readers in [FPS Bulletin 46 – June 2021](#) that HM Treasury (HMT) had published two public consultations seeking views on proposals to reform the cost control mechanism in public service pension schemes, and secondly on the appropriate methodology for setting the discount rate used in scheme valuations.

The Scheme Advisory Board (SAB) submitted responses to both consultations on 19 August, working closely with the [Cost-effectiveness committee](#) and the actuarial advisers to the SAB, First Actuarial.

The responses can be found on the [consultations page](#) of the SAB website.

### TPR publishes interim response to code of practice consultation

Between 17 March and 26 May 2021, the Pensions Regulator (TPR) consulted on a proposed new code of practice. The first phase of the new modular code contains 51 topic-based units and replaces 10 of the longer existing codes of practice.

TPR published its [interim response to the code of practice consultation](#) on 24 August 2021. Key points or issues raised were support for setting common expectations of all schemes, the intended audience for modules, use of the new term 'governing body', and the requirement for schemes to undertake an own risk assessment.

TPR is currently reviewing the detailed feedback received and the earliest time that the new code might become effective is summer 2022.

## Other News and Updates

### Farewell from Clair Alcock

As announced in the last bulletin, I have been offered the post of Head of Police Pensions for NPCC and I will leave LGA on 3 September.

I have been lucky to work in a sector with so many committed stakeholders who have shared my vision in building the delivery of Fire pensions and thank you all for your support and encouragement. It has been an absolute pleasure working with the Fire sector and thank you for the kind words I have already received.

I am delighted to announce that after a successful interview Claire Hey has been offered the post as my successor, and I wish her all the best and know that she will receive wide support from the sector.

### Briefing paper on the PSP&JO Bill published

The House of Lords Library published [briefing paper LLN-2021-0019](#) about the PSP&JO Bill on 26 August 2021.

The paper gives an overview of the Bill and a useful explanation of the policy background. The provisions of the Bill are listed by clause with a brief description of what each intends to achieve.

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## TPR scheme return

Scheme return notices are being sent to public service pension scheme managers in September.

[Information about completing and submitting a public service scheme return](#) can be found on the TPR website. Schemes are advised to make sure that their contact details are up to date on the [Exchange](#) system.

Completing the scheme return is a legal requirement and scheme managers could be fined for failing to submit a completed return by the deadline.

## Guidance on GMPs and new State Pension

On 12 August 2021, the Department for Work and Pensions (DWP) published a factsheet: [Guaranteed Minimum Pension \(GMP\) and the effect of the new State Pension](#). The factsheet is for individuals who have a GMP and reach their State Pension age after 5 April 2016.

## Action Fraud webinars

Action Fraud is hosting a series of free webinars on reporting pension scams, supported by TPR, Pension Scams Industry Group (PSIG) and the National Economic Crime Centre (NECC).

View the agenda and register for one of the webinars below:

- [16 September 2021](#)
- [21 October 2021](#)
- [25 November 2021](#)

The webinar will provide clarity on when to report, what to report and who to report to, and will feature expert speakers with a short Q and A session.

## HMRC

### Managing Pension Schemes (MPS) service

On 16 August 2021, HMRC published [Managing Pension Schemes service newsletter – August 2021](#). The latest newsletter has articles on:

- declaring as pension scheme administrator for a retirement annuity contract and deferred annuity contract
- submitting an Event Report
- migration
- Accounting for Tax (AFT) return
- how you can help us
- signing into online services
- updating your details

HMRC is currently contacting all FRAs by email to help them enrol on the new MPS before migration. Enrolment should ideally take place before 24 September 2021.

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HMRC has emphasised the importance of the FRAs making sure that the correct legal sub-scheme administrator registers on MPS. The legal sub-scheme administrator is the named FRA, not the appointed pension administrator (practitioner). This is important as HMRC may issue tax assessments, penalty notices and Information notices on the sub-scheme administrator. If these are not paid and enforcement action proceeds, this should be on the legal sub-scheme administrator.

The provisions for sub-schemes are set out in [The Registered Pension Schemes \(Splitting of Schemes\) Regulations 2006](#). The core regulations set out the basic rules for splitting a scheme. There are then three schedules:

- schedule 1 sets out the schemes to be split
- schedule 2 sets out the names of the sub-scheme administrators for each split scheme
- schedule 3 sets out those responsibilities and liabilities of a scheme administrator in FA04 and secondary legislation which are to apply instead to a sub-scheme administrator.

If you have any questions about or feedback on the Managing Pension Schemes service, please contact [migration.mps@hmrc.gov.uk](mailto:migration.mps@hmrc.gov.uk).

### **HMRC newsletters/bulletins**

On 27 August 2021, HMRC published [Pension schemes newsletter 132](#) containing important updates and guidance for schemes. Articles include:

- Relief at source
  - annual return of information — interim repayments
  - APSS106 annual claims for tax year 2020 to 2021
  - reporting excess relief
- Annual allowance
  - pension savings statements for tax year 2020 to 2021
- Pension scheme migration:
  - viewing pension schemes
  - schemes without Pension Scheme Tax References (PSTRs)
  - wound up pension schemes
  - multiple IDs

## **Events**

### **FPS coffee mornings**

Our MS Teams coffee mornings are continuing every second Tuesday. The informal sessions lasting up to an hour allow practitioners to catch up with colleagues and hear a brief update on FPS issues from the LGA Bluelight team.

The next session is due to take place on 14 September 2021.

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If you do not already receive the meeting invitations and would like to join us, please email [bluelight.pensions@local.gov.uk](mailto:bluelight.pensions@local.gov.uk). Please note that attendance at the coffee mornings is generally restricted to FPS practitioners and managers.

## Legislation

SI	Reference title
2021/950	<a href="#"><u>The Pension Schemes Act 2021 (Commencement No. 3 and Transitional and Saving Provisions) Regulations 2021</u></a>

## Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khuf Firefighters Pensions Discussion Forum](#)
- [FPS1992 guidance and commentary](#)
- [The Pensions Regulator Public Service Schemes](#)
- [The Pensions Ombudsman](#)
- [HMRC Pensions Tax Manual](#)
- [LGA pensions website](#)
- [LGPS Regulations and Guidance](#)
- [LGPC Bulletins](#)
- [LGPS member site](#)
- [Welsh Government Fire circulars](#)

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