

MINUTES of the meeting of the **SURREY LOCAL FIREFIGHTERS' PENSION BOARD** held at 1.00 pm on 18 November 2020 held remotely via Microsoft Teams.

These minutes are subject to confirmation by the Committee at its meeting on Friday, 15 January 2021.

(* present)

Elected Members:

- * Mr Nick Harrison (Chairman)
- * Richard Jones
- * Glyn Parry-Jones
- * Dan Quin (Vice-Chairman)

12/20 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

There were no apologies.

13/20 MINUTES FROM THE PREVIOUS MEETING: [Item 2]

The notes of the informal meeting held on 6 August were agreed as an accurate record of the meeting.

It was noted that minute 9c, regarding the 10% adjustment having its own entry on the risk register had not been actioned.

There was some discussion about the training for new members of the Board being completed before they could join discussions at the meeting. The Chairman noted the concern and stated that there was a need to be practical in such situations and that the same rule would apply for substitute representatives. The Scheme Manager pointed out the Terms of Reference were not that specific.

14/20 DECLARATIONS OF INTEREST [Item 3]

There were none.

15/20 QUESTIONS AND PETITIONS [Item 4]

There were none.

16/20 ACTION TRACKER [Item 5]

Witnesses:

Sally Wilson, Scheme Manager

Key points raised during the discussion:

1. A Member requested that a copy of all advice and reports from Weightman's to the Service or Surrey County Council on pensionable pay with regard to tracker item A16/20, be shared with the Board. The
2. The Board requested that each item on the tracker be updated for future meetings and for old items in particular.

Actions/ further information to be provided:

1. The Board concurred with the Member's request for copies of Weightman's reports which the Scheme Manager agreed to consider.
2. That the Action Tracker have an update for each item for each meeting.

Resolved:

The Board noted the action tracker.

17/20 ADMINISTRATION UPDATE: 1 JULY 2020 - 30 SEPTEMBER 2020 [Item 6]

Witnesses:

Tom Lewis, Pensions Support & Development Manager
Lindsey Shaw, Workforce Information Officer
Sally Wilson, Scheme Manager

Key points raised during the discussion:

1. The Pensions Support & Development Manager introduced the updated report and highlighted paragraph 7 relating to the successful delivery of the Annual Allowance Statement to members. The Board noted that the tracker stated that tracing would be done in May 2020 and asked if this was delayed due to Covid. It was thought that the comment may have referred to some other project as officers would not have known about these cases in May. The tracing was due to take place in January 2021.
2. The Pensions Support & Development Manager also spoke of the progress that had been made with regard to the 180 outstanding tasks in the administration system. The Chairman referred to the total number of cases in the KPI annex and asked if the 106 total outstanding cases would go down considerably for the next meeting as most of them were issues with transferring in or out. This was confirmed. The Chairman also stated that if someone asks for information about a transfer and it is supplied then the case should be closed down until the member made a decision to transfer. The Workforce Information Officer stated that a few people had made requests but were a long way off retirement. There were a few transfers to London Fire Brigade but these cases had been dealt with. The Chairman requested that she inform the Pensions Support & Development Manager of any members whose requests were delayed so they can be expedited.
3. The Pensions Support & Development Manager confirmed that the statutory TPR scheme return was scheduled to be completed by the deadline. He then went on to talk about bulletin 38 which had been received but was not on the agenda. The Chairman asked that any bulletins received before a meeting be included in the papers rather than waiting until the next meeting.
4. There was some discussion regarding the pensions helpdesk and the work being undertaken to support the helpdesk and deal with the staff shortage. It was reported that recruitment was being undertaken now and some leavers had been retained as bank staff to help with training

new staff. The Chairman requested an update on the backlog and on recruitment on a monthly basis from the end of November.

5. The Scheme Manager explained that she was looking at pension administration options for the future and was working with the procurement team to go out to market at the end of November. They would then be looking for a supplier in December with the aim to have them confirmed and in place by April 2021. She also explained that all policies were being reviewed to ensure they were compliant and current, and that governance arrangements were being reconfirmed to ensure that decisions were being made at an appropriate level. A written report would be forthcoming from the Scheme Manager to future meetings. She also confirmed that there was communication regarding the modified scheme and would be able to give the Board more detail at the next meeting.

Actions/ further information to be provided:

1. That any bulletins received before a meeting be included in the papers rather than waiting until the next meeting.
2. The Chairman requested an update on the pensions helpdesk backlog, and on recruitment, on a monthly basis from the end of November.
3. That a written report from the Scheme Manager be presented to future meetings.

Resolved:

The Board **noted** the report.

18/20 RISK REGISTER [Item 7]

Witnesses:

Sally Wilson, Scheme Manager

Key points raised during the discussion:

1. It was confirmed that the Scheme Manager would be taking ownership and responsibility for the risk register and would ensure that it was updated for the next meeting. She had updated it for the meeting to remove duplications. Risk owners should also be updating their individual risks as appropriate.
2. Regarding risk F16 (Workforce strategy leads to changes in working arrangements without consideration of pensions implications), a Member highlighted there had been another incidence of a workforce change being made without consideration of pensions implications and the risk should be ranked red and the control measures broadened. The Scheme Manager stated that she would review the risk and mitigating actions and will continue to ensure pensions were considered going forward. The Scheme Manager also confirmed that she forms part of the Service Workforce Working Group for this purpose.

Actions/ further information to be provided:

1. That the issues of 10%, resources and the O'Brien case show as separate risks and be rated accordingly.
2. Regarding risk F16, the risk and control measures should be reviewed.

Resolved:

The Board noted the risk register.

19/20 PENSIONABLE PAY UPDATE AND DISCUSSION [Item 8]

Witnesses:

Sally Wilson, Scheme Manager

Key points raised during the discussion:

1. The Scheme Manager introduced an update report on pensionable pay and highlighted that following taking of legal advice all those affected had received communication. Governance processes and financial implications had been reviewed. Further communications would be sent to members aligned to their individual circumstances and an email box had been set up to deal with concerns raised.
2. A Member stated that the last sentence of paragraph 2.2 was incorrect in that the Fire Brigade Union did consider this to be pensionable pay. The Scheme Manager, although not involved in historical discussions, explained that legal advice was taken at the time and this was the national picture.
3. A Member stated that the letter sent out regarding overpayment made no mention of entitlement to additional pension benefit and had caused confusion. He requested that a second letter be sent. The Scheme Manager explained that the letter was intended to highlight both and that it had been worked with legal colleagues. She assured the Board that future communications would be clear and undertook to update the 'Frequently Asked Questions' page.
4. A Member asked what criteria had been applied in determining which members should or shouldn't have their entitlement increased because of this or have all those that have either worked on the variable duty crewing system or on the day contracts since their inception in 2004 and 2008 been written to. The Scheme Manager confirmed that they had all been written to.
5. A Member asked what criteria had been applied to determine who would or wouldn't have to pay the difference in their pension contributions and how any underpayments on contributions were to be made. The Scheme Manager explained that this was being looked at and was part of the next steps to be taken and was happy to update outside of the Board meeting as well as to the next Board meeting. The Chairman requested that both happen.
6. A Member questioned why overpayments could be requested before underpayments had been paid to members. He also stated that the statute of limitations gives a limit of six years for underpayments and the legislation regarding overpayment is separate and has no limit. Therefore, payments need to be made quickly to members. The Scheme Manager explained that this was a complex process and these questions were being discussed at the project board but action was being taken as quickly as possible and not waiting until all the answers were known.
7. A Member stated that, in relation to the risk register, in April 2020 some members pay had been reduced and the variable crewing contract had ceased. Members that were working that contract until April could now be asked to pay overpayments but receive no pension benefits for that service on a final salary scheme. He also stated that members were

asking why they were being chased for payments when their contracts stated it was not pensionable and this influenced their signing to the contract and that they would receive no benefit for working that system. The Scheme Manager said that conversations were ongoing regarding pension implications and that the Council were obliged to work within the legal landscape which had changed. The Member was unhappy with this response and said that action should have started in 2011 and wants the Council to take this into consideration when asking for payments as many members were suffering financial hardship.

8. In response to a Member question the Scheme Manager confirmed that there was no timescale yet for when benefit payments would be made but work was being undertaken as quickly as possible. She also confirmed that the Project Board next meets in December.

Actions/ further information to be provided:

1. That the Scheme Manager update the Board outside the Board meeting as well as to the next Board meeting.

Resolved:

The Board noted the report.

20/20 DATE OF THE NEXT MEETING [Item 9]

The next meeting will be held on 15 January 2021.

Meeting ended at: 2.22 pm

Chairman

