



## **NORTHAMPTONSHIRE FIRE AND RESCUE AUTHORITY**

### **PENSION BOARD MEETING**

**30<sup>th</sup> September 2021 at 10.30 – 12.30**

**Microsoft Teams virtual meeting / Keany Room Darby House**

**If you should have any queries in respect of this agenda, or would like to join the meeting please contact Kate Osborne 03000 111 222**

**[Kate.Osborne@northantspfcc.gov.uk](mailto:Kate.Osborne@northantspfcc.gov.uk)**

Members of the public, with the permission of the Chair of the Committee, may ask questions of members of the Committee, or may address the Committee, on an item on the public part of the agenda.

***Further details regarding the process for asking questions or making an address to the Committee are set out at the end of this agenda notice***

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<b>Public Meeting of the Fire Pension Board</b>				Time
1	Welcome and Apologies for non- attendance			10:30
2	Declarations of Interests			10:35
3	Meetings and Action log 27 <sup>th</sup> JULY 2021	HK/KO	Report	10:40
4	Knowledge Management and Representative Self-Assessments	KO/ SH	Report/ Verbal	
5	Fire Pension Board Terms of Reference	ALL	Report	
6	Fire fighters pension scheme administration update	NA/ Yunus Gajra	Verbal	
7	Update and Breaches of Law	YG WYPF	Verbal/ report	
8	LGA Bulletin – points of interest <a href="https://fpsregs.org/index.php/bulletins-and-circulars/bulletins">https://fpsregs.org/index.php/bulletins-and-circulars/bulletins</a>	HS	Report	
9	Risk Register	NA	Report	
10	Age discrimination remedy	NA	Report	
11	Data Improvement Plan	YG	Report	
12	Policy review and sign off	KO/ SH	Report	
13	Agenda Plan	HK / KO	Report	
14	AOB	Chair		
15	Confidential items – any	Chair		
16	Resolution to exclude the public	Chair		
17	Future Meetings:  - 30 <sup>th</sup> September 2021 - 9 <sup>th</sup> December 2021 - 24 <sup>th</sup> March 2022			12.25

NFRS Pension Board meeting NOTES AND ACTION LOG – 27<sup>th</sup> July 2021

Attendees: Helen King (HK); Kev Aitken (KA); Shaun Hallam (SH); Nick Alexander (NA); Helen Scargill (HS); Yunus Gajra (YG); Darren Dovey (DD); Kate Osborne (KO)

Age nda	Issue	Respon sible	Comments
1	Welcome and apologies	Chair	<ul style="list-style-type: none"> <li>Welcome –</li> <li>Apologies – Aiden Philips (AP)</li> </ul>
2	Declarations of Interests	Chair	<ul style="list-style-type: none"> <li>SH declared an interest in item 10 as he was an immediate detriment case.</li> </ul>
3.	Meetings and Action Log	HK/ KO	<ul style="list-style-type: none"> <li>All actions closed or resolved</li> <li><b>ACTION: NA - Risk register to be tabled for review for next meeting</b></li> <li>Policies and procedures being updated – handover ongoing.</li> </ul>
4.	Handover Governance from NCC to OPFCC	KO	<ul style="list-style-type: none"> <li>All previous papers have been downloaded from NCC website, currently saved in PCC drive</li> <li>KO is awaiting discussion with Stuart McCartney OPFCC to decide most suitable place on OPFCC website. Once uploaded, link will be shared with fire colleagues to put link/ upload content to their website.</li> </ul>
5.	Fire Pension Board TOR	ALL	<ul style="list-style-type: none"> <li>KO to make initial changes to remove NCC and OPFCC and link to workplan</li> <li>Workplan needs to be refreshed as this will tie in with the TOR, workplan and agenda plan</li> <li><b>ACTION: KO to update and add to next meeting agenda</b></li> </ul>
6.	Firefighters pension scheme administration update	NA/ YG/ HS	<ul style="list-style-type: none"> <li>YG – administration went live 01/07/2021</li> <li>Project went well, no major issues</li> <li>No negative feedback received so appears to have gone through fine.</li> <li>Priority month 1 was paying pensioner profiles.</li> </ul>

			<ul style="list-style-type: none"> <li>• YG big thanks to everyone involved for smooth transition</li> <li>• Feedback from NA – pensions run – went smoothly, nothing untoward.</li> <li>• NA – outstanding – discretions, policies and procedures required to update and areas being tied up with transfers about historic actions from LGPS. These are expected as part of the transition process.</li> <li>• KA – do you have a target response time for responding to target requests – YG if straightforward 10 days but sometimes longer.</li> <li>• Initial response may have been delayed because of transference process.</li> <li>• NA Monthly transfer file to be provided – this is currently an action for the current payroll team.</li> <li>• <b>ACTION - HK, YG, NA – to discuss the outstanding transfer documentation to see how best to move that forward.</b></li> </ul>
7.	Update and breaches of law	YG/ HS	<ul style="list-style-type: none"> <li>• No breaches had been identified.</li> <li>• Partnership meeting recently – in future Northants representative should attend. Minutes will be shared once they have been released.</li> <li>• Monthly report will be provided from august – NA is fully supportive of monthly return as this reduces workload at year end.</li> <li>• HS part of two meeting groups run by LGA</li> <li>• Fire communications group – meeting 13<sup>th</sup> July – confirmed member website launched in May 2021. Positive feedback received plus additions suggested. Confirmed remedied data collecting document has been published in May and now data suppliers are working with this template. This will look at data improvement and filling in gaps in data.</li> <li>• Pensions administration strategy document 2020 – LGA – revised documents have gone to interested parties and this will be published with July bulletin.</li> <li>• Main focus will be on Remedy moving forward. Q&amp;A being developed with example calculations. Explains about changes from 31<sup>st</sup> March.</li> <li>• 1<sup>st</sup> April 2022 – transition members – for both those who are and are not in scope for the Remedy programme.</li> <li>• Fire Technical Community – 15<sup>th</sup> July – special meeting on Remedy – HO confirmed Bill was on target – prospective remedy from April 2022 – all final salary schemes closed at 1<sup>st</sup> April, everyone becomes member of 2015 scheme from this date and everyone’s record has legacy scheme benefits. MUST be done by 1<sup>st</sup> October 2023 – final date of enacting remedy.</li> <li>• Update on Matthews – been working with claimants and legal representatives etc and are close to agreeing the terms of Matthews. Hoping to get that finalised in next</li> </ul>

			<p>few months. FRAs will then have 18 months to complete the exercise and this is likely to overlap with remedy.</p> <ul style="list-style-type: none"> <li>• Today's coffee morning – examining new Bill and new points. No surprises – it is doing what the consultation response said it was going to do. Treasury can direct a different date for different schemes.</li> </ul>
8.	Compliance with the pensions regulator and Code of Practise	YG/ HS	<ul style="list-style-type: none"> <li>• No regulatory amendments – nothing to report</li> <li>• No major issues experienced as a result of COVID working arrangements. And once return to workplace is decided it is likely there will be half time homeworking and half time working from office date TBC</li> <li>• Currently recruiting for a number of posts (8) – senior posts developing and strengthening shared service partnerships.</li> <li>• Monthly returns – still awaiting first test file to progress monthly returns. But hopeful this will alleviate waiting times and improve data quality and subsequent data quality scores</li> <li>• Annual benefit statement – comprehensive</li> <li>• Currently we have 20+ queries which are with LGSS and are being examined. And ABS template received, and NA agrees it is very comprehensive.</li> <li>• 21 fire authorities currently being looked after. The ABS process has begun and ensuring all officer data is to date to ensure accuracies.</li> <li>• Data improvement plan – once all data has been received and on systems and all issues resolved. A data quality report will then be run to gauge data quality. This will then inform a data quality plan.</li> <li>• <b>ACTION - Data improvement plan to be brought to next meeting YG</b></li> </ul>
9.	Dispensations	NA	<ul style="list-style-type: none"> <li>• Outstanding actions to consider all the actions and dispensations.</li> <li>• Currently there are discrepancies between processes of previous advisors vs WYPF.</li> <li>• In order to ensure optimum service level agreement, need to have suitable procedure in place to fit both organisations to ensure members are receiving the timely response they have grown to accept.</li> <li>• NA recommends a virtual vote across the pension board to agree position to accept discretions</li> <li>• 188 discretions available and a further 33 compensations discretions.</li> <li>• Around 50 per pension scheme.</li> <li>• Broadly categorised into three groups – 1.) cost; 2.) flexibility; 3.) equality and fairness</li> </ul>

			<ul style="list-style-type: none"> <li>• WYPF – how often are they asked to consider things? NA gave some examples. How frequently do you feel these queries are presented. HS – not that often – occasional flurry or transfers in. HS – “fairly rare”</li> <li>• NA most keen to highlight blue – as these could give rise to political risk – i.e. those likely to reach the media.</li> <li>• Most of white ones you would expect in normal business and wouldn’t post as much of a risk.</li> <li>• DD – in 5 years as scheme manager hasn’t required to make decisions on this.</li> <li>• Discussion from DD and HS to highlight why some discretions would be useful to be delegated to WYPF</li> <li>• There are some you can make decisions on, others that can be delegated and then some which will need to be assessed on a case by case basis.</li> <li>• 2015 scheme – 1.48 – yellow highlighted – can this be done on a policy basis. HS yes. HS – caution – just be careful on making a decision on behalf of a member. NA would suggest as an authority we have the ability to enact a members decision after they have individually sought independent financial advice.</li> <li>• ACTION - NA – bring forward a policy around application of tapering for immediate detriment.</li> <li>• ACTION - NA – look at good administration policies and procedures and make recommendations</li> <li>• <b>ACTION – NA/DD - To go through the proposed discretions</b></li> </ul> <p>At next board these are signed off and those not included will be assessed on a case by case basis.</p>
10.	Immediate Detriment Position	HK	<ul style="list-style-type: none"> <li>• The board noted the paper and the authorities commitment to deal with immediate detriment cases when they are able to do so.</li> <li>• Paper gives update on relevant elements</li> <li>• Commitment to pay at correct time</li> <li>• Update on background and factors involved in it.</li> <li>• DD – picking up on Comms into the service – authority vs power to do something.</li> <li>• NA – every decision we make about immediate detriment will be of interest. If we are making decisions to move forwards or not it is one of those things to ensure the communications with members are good and timely.</li> <li>• We also need to ensure we learn from others in how they are dealing with Immediate Detriment Cases. NA to work with HS to ensure we are doing this right in the right</li> </ul>

			<p>way. NA to share any papers with HS prior to circulate to ensure we are being careful.</p> <ul style="list-style-type: none"> <li>• DD – was there any more update on framework</li> <li>• Acknowledging the work Na is doing, DD and communications plan</li> <li>• Acknowledging from a board POV that we as an authority/ board are paying pensions and pension benefits.</li> <li>• KA – scheme members not aware of some things relating to new provider SLA that should be included in any comms. Many members are only receiving information from FBU – KA recommends sending comms to Northampton members to update them on new terms.</li> <li>• HS – advise go backwards through LGA comms as it gives background on decisions made – use these in comms or support comms that we send out to members.</li> </ul>
11	Agenda Plan	HK/ KO	<ul style="list-style-type: none"> <li>• The Board agreed the proposed agenda plan, with addition of ensuring the Risk Register is reviewed at each meeting.</li> </ul>
12	AOB		<p>KEVIN AITKEN emailed after the meeting had ended and asked the following;</p> <ul style="list-style-type: none"> <li>• When is more information expected from Government to enable the scheme administrators to provide pension forecasts beyond March 2022?</li> <li>• Is there a contingency plan – or discussions – for the potential that this government advice may be delayed which would result in the scheme administrators being unable to provide pension forecasts?</li> <li>• Should this be included in the Boards Risk Register?</li> <li>• Will the upcoming Annual Pension Forecasts be calculated as current schemes or legacy schemes? If its current schemes can this be made very clear on the statements to provide clarity for scheme members?</li> </ul> <p><b>ACTION: DD, SH and NA to do a joint response to KA</b></p>
13	Confidential items – any		<ul style="list-style-type: none"> <li>• N/A</li> </ul>
14	Resolution to exclude the public		<ul style="list-style-type: none"> <li>• N/A</li> </ul>
15	Future meetings - 30 <sup>th</sup> September 2021		

	<ul style="list-style-type: none"><li>- 9<sup>th</sup> December 2021</li><li>- 24<sup>th</sup> March 2022</li></ul>		
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# Member Training Policy

## 2020

**NORTHAMPTONSHIRE FIREFIGHTERS' PENSION  
SCHEME(s)**

## **1. Introduction**

- 1.1 This is the Member Training Policy for the Firefighters' Pension Schemes, which is managed by Northamptonshire County Council (the Scheme Manager).
- 1.2 The day to day administration of the Firefighters' Pension Schemes is carried out by LGSS Pensions, a joint partnership of Cambridgeshire County Council, Northamptonshire County Council and Milton Keynes Council.

## **2. Purpose of the Policy**

- 2.1 The policy is designed to provide assurance to stakeholders that:
  - Ensure the Local Pension Board is constituted by people who have the appropriate knowledge and expertise to assist the Scheme Manager in ensuring the Firefighters' Pension Schemes are being managed and operated in an effective and efficient way;
  - Ensure decisions are robust, are well founded and comply with regulatory requirements or guidance from the Pensions Regulator and the Scheme Advisory Board.

## **3. Effective Dates and Reviews**

- 3.1 This policy was approved by the Local Pension Board on 10 September 2018 and was reviewed for continuing appropriateness at the meeting of the 9 March 2020..
- 3.2 The Local Pension Board will review the training policy on an annual basis.

## **4. Scope**

- 4.1 The policy applies to Local Pension Board members and the Scheme Manager.

## **5. Legal Requirements**

- 5.1 In accordance with the Public Service Pensions Act 2013, each member of the Local Pension Board (LPB) should have the capacity to become conversant with, and will develop a knowledge and understanding of the rules of the relevant Firefighters' Pension Schemes and the law relating to pensions and such other matters

## **6. The Pensions Regulator Code of Practice**

- 6.1 The Pensions Regulator's statutory objectives include protecting the benefits of pension scheme members and promoting the good administration of work-based pension schemes.
- 6.2 The Pensions Regulator has a number of regulatory tools, including issuing codes of practice, to enable it to meet its objectives.

- 6.3 The code of practice number 14 (governance and administration of public service pension schemes) is structured as a reference for scheme managers and pension boards to use to inform their actions in four core areas:
- governing the scheme;
  - managing risks;
  - administration; and
  - resolving issues.
- 6.4 The section of the code of practice covering governance of the scheme contains the expectations of the scheme manager and local pension board members in terms of knowledge and understanding.
- 6.5 Whilst codes of practice are not statements of the law and there is no penalty for failing to comply with them, codes have legal effect; they must be taken into account by the regulator, a court or tribunal, if they are relevant to what is being decided.
- 6.6 This policy has been written fully incorporating the expectations of the Pensions Regulator as laid out in the code of practice.

## **7. Knowledge required**

- 7.1 The Local Pension Board are required to attain knowledge in the following areas:
- Legislative framework of Firefighter Pension Scheme(s)
  - General applicable pension legislation
  - Role and responsibilities of the Local Pension Board
  - Role and responsibilities of the Scheme Manager
  - Role of advisors and key personnel

## **8. Delivery of training**

- 8.1 It is for individual Local Pension Board members to ensure they have the appropriate knowledge and understanding to enable them to properly exercise their functions as a member of the Local Pension Board. This knowledge and understanding must be kept up to date.
- 8.2 As a guide four training opportunities should be undertaken by members in a year.
- 8.3 Members will be expected to undertake a personal training needs analysis shortly after appointment to inform of further training required. The Pensions Regulator's public service toolkit is also a compulsory requirement and all members will be expected to complete within 6 months of appointment.
- 8.4 LGSS Pensions will provide members with upcoming events that maybe relevant, however, it is also the responsibility of Board members to take an interest in training and request to go on relevant courses as appropriate.
- 8.5 LGSS Pensions will maintain a written record of training and development undertaken and will send to members annually.

## **9. The Firefighters' Pensions (England) Scheme Advisory Board**

- 9.1 Each Local Pension Board is entitled to a free annual training session, funded by the statutory levy. Training will be delivered at a local venue and will be compulsory for all members to attend unless there is a substantial reasons why a member is unable to do so.

## **10. Reporting**

- 10.1 Each year the Chairman of the Local Pension Board will presented with details of the training opportunities that have been undertaken by members. The Chairman in conjunction with the Scheme Manager will determine whether sufficient training has been undertaken and will contact members individually if appropriate to do so.

## **11. Useful Links**

- 11.1 The Firefighters' Pensions (England) Scheme Advisory Board  
<http://www.fpsboard.org/index.php/local-pension-boards/training>

The Pensions Regulator Toolkit

<http://www.thepensionsregulator.gov.uk/public-service-schemes/learn-about-managing-public-service-schemes.aspx>

**Appendix 1a**

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# **Firefighters' Pension Scheme(s) Training Needs Analysis**

**This document can be used by delegates as part of their assessment of training needs.**

**Delegate's Name:** \_\_\_\_\_

## TRAINING NEEDS ANALYSIS – Self Assessment

Please tick appropriate level of knowledge for each topic

Topic	Familiar	Almost	Unsure
<b>Background and Understanding of the Legislative Framework of the Fire Pension Scheme</b>			
Differences between public service pension schemes like the FPS and private sector trust-based schemes	X		
Role of the Independent Public Service Pensions Commission	X		
Key provisions of the Public Service Pensions Act 2013		X	
The structure of the scheme and the main bodies involved including the Responsible Authority, the Scheme Manager, the Scheme Advisory Board, the Local Pension Board and the scheme employer.	X		
An overview of local authority law and how Administering Authorities are constituted and operate	X		
Scheme and connected scheme rules overview (including the Regulations)		X	

<b>General pensions legislation applicable to the schemes- An overview of wider legislation relevant to the schemes including:</b>			
Automatic Enrolment (Pensions Act 2008)	X		
Contracting out (Pension Schemes Act 1993)	X		
The General Data Protection Regulation 2016	X		
Employment legislation including anti-discrimination, equal treatment, family related leave and redundancy rights		X	
Freedom of Information (Freedom of Information Act 2000)	X		
Pensions sharing on divorce (Welfare Reform and Pensions Act 1999)		X	
Tax (Finance Act 2004)		X	

<b>Role and responsibilities of the Local Pension Board</b>			
Role of the Local Pension Board	X		
Conduct and conflicts	X		
Reporting of breaches	X		
Knowledge and understanding	X		

<b>Role and responsibilities of the Scheme Manager</b>			
Membership and eligibility	X		
Benefits and the payment of benefits	X		
Decisions and discretions		X	
Disclosure of information	X		
Record keeping	X		
Internal controls	X		
Internal dispute resolution	X		
Reporting of breaches	X		
Statements, reports and accounts	X		



## Appendix 3

# Firefighters' Pension Scheme(s) Training Needs Analysis

This document can be used by delegates as part of their assessment of training needs.

Name: \_\_\_\_\_



## TRAINING NEEDS ANALYSIS – Self Assessment

Please tick appropriate level of knowledge for each topic

Topic	Familiar	Almost	Unsure
<b>Background and Understanding of the Legislative Framework of the Fire Pension Scheme</b>			
Differences between public service pension schemes like the FPS and private sector trust-based schemes			
Role of the Independent Public Service Pensions Commission			
Key provisions of the Public Service Pensions Act 2013			
The structure of the scheme and the main bodies involved including the Responsible Authority, the Scheme Manager, the Scheme Advisory Board, the Local Pension Board and the scheme employer.			
An overview of local authority law and how Administering Authorities are constituted and operate			
Scheme and connected scheme rules overview (including the Regulations)			

<b>General pensions legislation applicable to the schemes- An overview of wider legislation relevant to the schemes including:</b>			
Automatic Enrolment (Pensions Act 2008)			
Contracting out (Pension Schemes Act 1993)			
The General Data Protection Regulation 2016			
Employment legislation including anti-discrimination, equal treatment, family related leave and redundancy rights			
Freedom of Information (Freedom of Information Act 2000)			
Pensions sharing on divorce (Welfare Reform and Pensions Act 1999)			
Tax (Finance Act 2004)			

<b>Role and responsibilities of the Local Pension Board</b>			
Role of the Local Pension Board			
Conduct and conflicts			
Reporting of breaches			
Knowledge and understanding			

<b>Role and responsibilities of the Scheme Manager</b>			
Membership and eligibility			
Benefits and the payment of benefits			
Decisions and discretions			
Disclosure of information			
Record keeping			
Internal controls			
Internal dispute resolution			
Reporting of breaches			
Statements, reports and accounts			





# Northamptonshire Firefighters' Pension Scheme Local Pension Board



## Terms of Reference

(Reviewed July 2021)

## Background

The Public Services Pensions Act 2013 requires all Public Service Pension Schemes—

to establish a Local Pension Board. In the case of the Firefighters' Pensions Scheme, the role of the Board is to assist the Authority (Northamptonshire Commissioner Fire and Rescue Authority) and the Scheme Manager (Currently the Chief Fire Officer on behalf of the Authority):

- to secure compliance with:
  - the relevant regulations
  - any other legislation relating to the governance and administration of the Scheme (and any Connected Scheme); and
  - the requirements imposed by the Regulator in relation to the Scheme (and any Connected Scheme), and
- to ensure the effective and efficient governance and administration of the Scheme (and any Connected Scheme).

The Local Pension Board is expected to complement and enhance the Authority's existing arrangements for managing the scheme. It does not replace the existing arrangements and it is not a decision making body. Rather, it is designed to act as a critical friend to the Authority and of the Scheme Manager.

The Firefighters' Pension Scheme (Amendment) (Governance) Regulations 2015 relating to the creation and ongoing operation of local pension came into force on 1<sup>st</sup> April 2015. These regulations required the then County Council to agree the establishment of a Local Pension Board in respect of the Firefighter's Pension Scheme by 1st April 2015. In this context, established means that the Council, as Scheme Manager, had to approve the creation of the Board and agree its composition and terms of reference in accordance with its constitution. It did not mean that the Firefighters' Pension Scheme Local Pension Board had to be fully operational by that date.

However, it was anticipated all Local Pension Boards should be operational within a reasonable period after 1st April 2015, and certainly by the end of July of that year. The Northamptonshire Firefighters' Pension Scheme Local Pension Board was established by the Council at its meeting of full Council meeting on 19 March 2015 and held its first meeting on 29 July 2015.

From January 2019, following the transfer of Fire Governance under legislation, the governance of the Local Pension Board was handed to the Police Fire and Crime Commissioner (OPFCC) as the Fire and Rescue Authority and the Chief Fire Officer, as the Scheme Manager.

As at the date of governance transfer on 1 January 2019, the Authority adopted all Pension Board Policies agreed under the tenure of the County Council. These Policies remain valid and will be reviewed and updated where appropriate.

## Role and Remit

The role and remit of the Local Pension Board is to assist the Authority and the Scheme Manager by making sure it is administering the Firefighters' Pension Scheme effectively and efficiently and, in doing so, is complying with relevant laws and regulations. The Board does this by reviewing the policies and practices adopted and checking them against the applicable regulations, as well as comparing them to examples of best practice elsewhere. It is a slightly different role when compared to the (separate) Board charged with overseeing the Local Government Pension Scheme arrangements as the Firefighters' Pension Scheme is an unfunded scheme with no investment aspect.

## Membership

The Board is made up of two Employer Representatives, Two Employee representatives. Also in attendance at the meeting are advisers to the Board from West Yorkshire Pension Fund and an administrative assistant.

*The Board have requested the attendance of representatives from West Yorkshire Pension Fund to offer advice and national information guidelines in order to inform the board of national requirements or suggest changes in current policies or procedures*

The Chair and Vice chair are reviewed annually and voted in by other members of the board.

*The Board may appoint other members with the agreement of the Administering Authority. Other members will not have voting rights on the Board.*

## Voting, Frequency of Meetings and Quorum

All Local Pension Board Members shall have the right to vote in meetings.

The Local Pension Board shall meet a minimum of four times a year. The date, hour and place of meetings shall be fixed by the Board. The Chair may call additional meetings if necessary. Quorum shall be four Local Pension Board Members, provided that the employer and member sides are both represented.

*Meetings of the Board will be convened by the OPFCC as Administering Authority, who will also arrange the clerking and recording of meetings. The administrative assistant will undertake these duties, as well as advising the Board on rules of procedure, assisting with the development of the Board's work programme and drafting reports on behalf of the Board. Officers from the West Yorkshire Pension Fund will provide pension fund information to the Board.*

*The agenda and papers for meetings will be made available at least five clear working days before the meeting.*

No business requiring a formal resolution shall be transacted at any meeting of the Local Pension Board unless the meeting is quorate. If it arises during the course of a meeting that a quorum is no longer present, the Chair shall either suspend business until a quorum is re-established or declare the meeting at an end and arrange for the completion of the agenda at the next meeting or at a special meeting. Substitutes shall be permitted.

The Chair and Vice-Chair of the Local Pension Board shall be elected by the Board at its annual

meeting. The normal term of office for the Chair and Vice-Chair of the Local Pension Board shall be one year, subject to earlier removal by vote of the Local Pension Board.

### Training and Knowledge of Members

Members may not be permitted to take part in meetings of the Local Pension Board unless they have complied with any training requirements for Board members as set out in the Public Services Pensions Act.

In order to ensure they are fully representative, all Local Pension Boards must include an equal number of employer and member representatives with a minimum requirement of no fewer than four in total. The term of appointment for all members is four years or until qualification for membership ceases.

### Employer Representatives

Member	Role	Email	Appointed
Helen King/ Nick Alexander	S151 Officer/Deputy S151 Officer	helen.king@northantspfcc.gov.uk nick.alexander@northants.pnn.police.uk	
Shaun Hallam	Assistant Chief Fire Officer	SHallam@northantsfire.gov.uk	

### Scheme Member Representatives

Member	Role	Email	Appointed
Kevin Aiken	Station Commander	KAitken@northantsfire.gov.uk	
Aiden Philips	Watch Manager	AJPhillips@northantsfire.gov.uk	2021

The Chair and Vice-Chair of the Board is elected by the Board on annual basis. The current Chair is Shaun Hallam and the Vice-Chair is Kevin Aiken.

## **Code of Conduct and Conflicts Policy**

The Scheme Manager is required to prepare and approve a code of conduct for the Board to adopt. This code has to set out the standards of behaviour expected of members, incorporating the 'Seven Principles of Public Life' (known as the Nolan Principles).

At its meeting in December 2015, the Firefighters' Pension Scheme Local Pension Board formally agreed to adopt the County Council's Code of Conduct for all members of the Board.

Aside from the provisions of the Code of Conduct, for the purposes of the members of the Local Pension Board, a 'conflict of interest' is defined in section 5(5) of the Public Service Pensions Act 2013 as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of a Local Pension Board (although that does not include a financial or other interest arising by virtue of that person being a member of the Firefighters' Pension Scheme). The Pensions Regulator recommended that all administering authorities put in place a Conflict of Interest Policy for the operation of their new local pension boards. The Firefighters' Pension Scheme Local Pension Board duly agreed a detail Conflicts Policy at their meeting in December 2015. A copy of the policy can be found on the OPFCC website with the Pension Board information.

It is not anticipated that significant conflicts of interest will arise, particularly as the Firefighters' Pension Scheme has no investment aspect. However, officers will take steps to identify, monitor and manage conflicts in accordance with the policy.



## Knowledge and Understanding

In accordance with Section 248A of the Pensions Act 2004, every individual who is a member of a Local Pension Board must be conversant with:

- the rules of the Firefighters' Pension Scheme; and
- any document recording policy about the administration of the Scheme which is for the time being adopted in relation to the Fund.

Each individual must have knowledge and understanding of the law relating to pensions and such other matters as may be prescribed.

The Scheme Manager is required to make appropriate training available to Local Pension Board members to assist them in undertaking their role and where possible support all members of the Board in undertaking that training. The Board, in turn, is required to establish and maintain a policy and framework to address the knowledge and understanding requirements that apply to its members.

Being conversant with the rules of the Firefighters' Pension Scheme and any document recording policy about the administration of the Fund means having a working knowledge (i.e. a sufficient level of familiarity) of them so that members of a Local Pension Board can use them effectively when carrying out their role. In particular members of a Local Pension Board need to understand the rules and documents in enough detail to know where they are relevant to an issue and where a particular provision or policy may apply.

It is implicit that members of the Local Pension Board understand the duties and obligations that apply to the Authority as well as to themselves. The rules of the Scheme would include the relevant regulations and transitional regulations, as well as any statutory guidance referred to in these regulations. The Board needs to be aware of the range and extent of overriding law which applies to the Firefighters' Pension Scheme and have sufficient knowledge and understanding of the content and effect of that law to recognise when and how it impacts on their role, responsibilities and duties.

Given the role of the Local Pension Board is to assist the Authority and Scheme Manager, members of a Board need to have sufficient knowledge and understanding to challenge any failure to comply with the Regulations and other legislation relating to the governance and administration of the Firefighters' Pension Scheme and/or any failure to meet the standards and expectations set out in the Code of Practice.

Members of the Board are required to have a breadth of knowledge and understanding that is sufficient to allow them to understand fully any professional advice the Board is given. They must be able to challenge any information or advice they are given and understand how that information or advice impacts on any decision relating to their duty to assist the Scheme Manager and Authority. A Local Pension Board's knowledge management policy and framework provides for the acquisition and retention of knowledge and understanding for its members. Members of the Local Pension Board are aware that their knowledge and understanding responsibilities technically began from the date they first took up their post.

The knowledge management policy and framework requires its members to undertake a personal training needs analysis and regularly review their skills, competencies and knowledge to identify gaps or weaknesses. A personalised training plan is then to be used to document and address these promptly. This would be supported by any person the Local Pension Board has designated to

implement the knowledge and understanding policy and framework.

Learning programmes deliver the appropriate level of detail to ensure that Local Pension Board members have the required level of knowledge and understanding specific to the Firefighters' Pension Scheme. The Knowledge Management Policy has been designed to assist the Local Pension Board in performing and developing its role in accordance with the Terms of Reference with the ultimate aim of ensuring that Scheme is managed and assisted by individuals who have the appropriate level of knowledge and skills as required by the Pensions Act 2004 also enforced by the Pensions Regulator.

The Knowledge Management Policy incorporates both the best practice as identified by the CIPFA Technical Knowledge and Skills Framework and the requirements of the Pensions Regulator. The Pension Regulator's Code of Practice requires all members of the Local Pension Fund Board to maintain the necessary skills and knowledge to undertake their role effectively. Board members need to be conversant with the rules of the scheme and any document recording policy about the administration of the Firefighters' Pension Scheme and to have knowledge and understanding of the law relating to pensions and any other matters which are prescribed in regulations.

The Knowledge Management Policy also recognises the requirement that skills and knowledge within the remit of a local pension board must be on an individual rather than a collective basis. As such self-assessments will identify individual training needs following which appropriate training will be arranged. The Policy sets out the methods by which the members of the Pension Fund Board will achieve and maintain the required knowledge and understanding and how this will be measured on an ongoing basis.

The Local Pension Board is required to keep appropriate records of the learning activities of individual members and the Local Pension Board as a whole. This will assist members in demonstrating their compliance, if necessary, with the legal requirement and how they have mitigated risks associated with knowledge gaps. It is a statutory requirement to include details of the training undertaken by members of the Pension Fund Board in the Fund's Annual Report. In addition, this information may be required by other agencies such as the Pensions Regulator from time to time.

The Board received and approved the Knowledge Management Policy for Firefighters' Pension Scheme Local Pension Board members at its second meeting in October 2015. The Policy is available on the OPFCC website alongside the other Pension Board information and paperwork.

## **Reporting Breaches of the Law to the Pensions Regulator Policy**

In accordance with section 70 of the Pensions Act 2004, certain individuals must report to the Pensions Regulator as soon as reasonably practicable where that individual has reasonable cause to believe that:

- a duty which is relevant to the administration of the LGPS, and is imposed by or by virtue of an enactment or rule of law, has not been or is not being complied with; and
- the failure to comply is likely to be of material significance to the Regulator in the exercise of any its functions.

This obligation directly applies to each individual who is a member of the Local Pension Board. The Local Pension Board must therefore have effective arrangements in place to meet its duty to report breaches of law.

At its meeting in December 2015, the Firefighters' Pension Scheme Local Pension Board was informed that, in line with the Pensions Regulator's Code of Practice number 14 (Governance and administration of public service pension schemes), a policy had been developed which set out the mechanism for reporting breaches of the law. The policy ensures that those with a responsibility to report breaches of the law are able to meet their legal obligations, by analysing situations effectively in order to make an informed decision on whether a breach has been made.

## **Key Officers supporting the Local Pension Board**

The Board will be supported by representatives from the Pensions Administrator. Pension Board Secretariat arrangements will be provided to the Board as appropriate.

## **Publication and Transparency**

The Meetings of the Pension Board will be published on the OPFCC Website together with and agendas, meeting papers and minutes of the meetings.

## Northamptonshire Fire – Local Pension Board

### WYPF Report for 30 September 2021

#### Monthly Client Reports

These have been issued for August & September 2021

#### Meetings

Fire Technical Community

- None held since the last Pension Board meeting

Fire Communications Group

- None held since the last Pension Board meeting

Fire Quarterly Client Meetings

- None held since the last Pension Board meeting – Next meeting is 20<sup>th</sup> October

#### Regulation amendments

- None to report

#### WYPF Update

- Covid-19 - Not experiencing any issues. Staff continue to work for home and work being completed without problem
- Staffing - Recruitment to various roles is still ongoing
- Monthly Returns – The first return has been received by WYPF but it needed some amendments and then re-submitting
- Annual Benefit Statements – 100% of statements for active members were produced by the 31<sup>st</sup> August deadline. There were a number of queries that had to be resolved before this could happen and thanks to Nick for ensuring I got the responses I needed
- Pension Savings Statements – These notify a member if their Annual Allowance has increased by £40,000 or more within the tax year. WYPF are now working on producing these for Northamptonshire Fire and there are 16 cases being dealt with. The deadline for completion is 6 October 2021
- KPI reports - These are included in your Monthly Client reports.
- Breaches – There are no breaches to report

## LGA Bulletins

There have been two issued since your last Pension Board meeting

Bulletin 47 – July 2021

- This was an information bulletin with no actions for the FRA

Bulletin 48 – August 2021

- There were two actions for the FRA as shown below

## 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.

## Data Improvement Plan

WYPF will run these reports quarterly so will supply the revised percentages.

We are looking to complete as follows:-

- High priority by Nov 2021
- Medium priority by Nov 2022
- Low priority by Nov 2023

On working through some of the issues it has become clear that some of the data the report is checking is actually correct & for these cases we are working on changes to the report so they are excluded in the future.

## Appendix A – NORTHAMPTONSHIRE FIRE – Data Scores

1992 scheme	September 2021
Common	97.7
Scheme Specific	76.78
<b>2006</b>	
Common	90.6
Scheme Specific	93.16
<b>2006 modified</b>	
Common	90.48
Scheme Specific	40.48
<b>2015</b>	
Common	95.34
Scheme Specific	91.22
<b>2015 modified</b>	
Common	100
Scheme Specific	100



# AGENDA ITEM 9- RISK REGISTER

I = Impact L = Likelihood

HIGH RISK > 15  
 MEDIUM RISK > 10  
 LOW RISK < 10

Reference	Risk Title	Cause and Effect	Priority (I x L)	Risk Control Residual	Action Required Target Risk
1	Employment Tribunals from Fire Fighters who were transferred to the Fire Fighter Pension Scheme 2015  Risk Owner: Pensions Chair, Enabling Services  Last Updated: 01 Sept 21 Latest Review Date: Latest Review By:	Fire Fighters were automatically transferred to the 2015 Home Office Fire Fighter Pension Scheme.  Claims of unlawful discrimination have also been made in relation to the changes to the Judiciary and Fire Fighters Pension regulations and in December 2018 the Court of Appeal ( McCloud / Sargeant ) ruled that the "transitional protection" offered to some members as part of the reform to public sector pensions amounts to unlawful discrimination.  The Government has issued a statement confirming that they are considering their action but that it will impact upon all public sector schemes where there were amendments imposed.  The position is now in remedy, the national working groups have remedy options for the majority of Fire Fighters, however, a core group will remain unavailable to remedy as we move forwards until legislation and guidance is finalised in 2023.  Failure to administer the process could result in significant legal action.	I = 4, L = 3 12	WYPF have tested their processes and calculations on varying services already which reduces the risk to the Service.  Keeping to the calculations that are under current guidance, should reduce the risk of error.  Pension Scheme Regulations and Guidance, of which the Service acted upon.  Continued payment until remedy	The process for administrating calculations and remedy is now being tested with the two first cases, this is with West Northants payroll managers for review.  Once completed, we will transfer this over to WYPF and begin the testing of the remaining phases.  This is expected to be completed within Sept 21
2	Failure to inform members of pension changes  Risk Owner: Joint Head of Finance Last Updated: 01 Sept 21 Latest Review Date: Latest Review By:	Failure to inform members of pension changes leading to members not being informed of changes in a timely fashion & potentially stopping timely changes to pension arrangements.	I = 3, L = 2 6	On going discussion with WYPF to ensure all known changes are communicated to HR who will ensure a message to all notice is actioned.  Training to the pension board is available and we could arrange for the Pension Scheme regulator to provide training to the core members.	Regular discussions with WYPF alongside keeping abreast of the current scheme legislation, ensure the boards knowledge and understanding is kept up to date.
3	Failure to update scheme rules or comply with legislation  Risk Owner: Joint Head of Finance Last Updated: 23 Dec 2020 Latest Review Date: Latest Review By:	Failure to update scheme rules or comply with legislation resulting in incorrect payments being made.	I = 5, L = 2 10	A regular board meeting is chaired by the Joint Head of Finance.  Better cyclical training for the board members (This is overdue).  WYPF to ensure all known changes are communicated to HR, Payroll and the Pension Scheme Manager who will ensure all the changes to rules and legislation are enacted as swiftly as possible.	Regular checks between Payroll, Finance and WYPF so that all changes can be instigated at the correct time and in the correct manner.
4	Failure to update scheme rules or comply with legislation  Risk Owner: Joint Head of Finance Last Updated: 01 Sept 21 Latest Review Date: Latest Review By:	Failure to update scheme rules or comply with legislation resulting in incorrect payments being made.	I = 5, L = 2 10	A regular board meeting is conducted  WYPF to ensure all known changes are communicated to HR, Payroll and the Pension Scheme Manager who will ensure all the changes to rules and legislation are enacted as swiftly as possible.	Regular checks between Payroll, Finance and WYPF so that all changes can be instigated at the correct time and in the correct manner.
5	Inadequate reporting to TPR, HMRC, 3rd parties  Risk Owner: Joint Head of Finance Last Updated: 01 Sept 21 Latest Review Date: Latest Review By:	Inadequate reporting to TPR, HMRC and third parties.	I = 5, L = 2 10	Payroll to liaise with WYPF & HR to ensure all reporting is completed accurately and in the appropriate timescale.  TPR has an open invitation to the Pension Board and can openly enquire as to progress.  Ensuring the all commitments such as Annual Benefit Statements are completed on time to minimise reporting requirements	Ensuring the minimisation of persons involved in the process will reduce the risk of hand over issues.
6	Failure to maintain data quality (and or pension records)  Risk Owner: Joint Head of Finance Last Updated: 23 Dec 2020 Latest Review Date: Latest Review By:	Failure to meet KPI's resulting in a poor service to members & potential breach of the TPR requirements, potentially leading to fines and further punishment by TPR	I = 2, L = 4 8	Pension Scheme Manager reviews the service levels.  Further reviews with West Northants to improve payroll reporting and availability.  Employ a retained payroll function to process	KPI data at the 1/4ly Pension Board Meetings and to instigate appropriate action if KPI's are repeatedly failed.  The Joint Head of Finance and Head of Finance to review reporting and data with the senior West Northants managers on a
	Failure to manage the information from previous pension administrators  Risk Owner: Joint Head of Finance Last Updated: 01 Sept 21 Latest Review Date: Latest Review By:	Paper & other records records from LGSS at times had poor processes and referencing	I = 3, L = 3 9	Assurances and reconciliation of data from WYPF	Monitor and close. Update plan for potential future providers
	West Northants potential lack of data accuracy and payroll errors in transferring information to WYPF  Risk Owner: Joint Head of Finance Last Updated: 1 Sept 21 Latest Review Date: Latest Review By:  Comments: The inaccuracy of records	Information being sent to WYPF is neither accurate or complete or year end info is not reconcilable to the system	I = 3, L = 5 15	Regular reconciliations with the payroll system	Bring Pensions queries back in house
	GDPR issues whilst transferring information between 4 entities (WYPF, NCFRA, Enabling Services & West Northants)  Risk Owner: Joint Head of Finance Last Updated: 1st Sept 21 Latest Review Date: Latest Review By:	The provision to information to parties who are not privy to that data & breaches of law which could involve the Information Office	I = 4, L = 2 8	Ensuring Galaxkey and other encrypted devices are used to transfer information.  All WYPF contacts with NCFRA, Enabling Services and West Northants are required to sign GDPR notices	Continue to monitor adherence to guidelines. Actively pursue and report on breaches and investigate reasons to avoid repeats



## Northamptonshire Commissioner Fire and Rescue Authority (NCFRA)

<b>Report Title</b>	<b>Age discrimination remedy update</b>
<b>Date</b>	<b>20th September 2021</b>
<b>Author</b>	<b>Nick Alexander</b>

### 1. Overview

In 2014/15 the pension schemes were reformed, in order to make public sector pensions affordable and sustainable. The primary change was to ensure that pensions were based on the average career earnings of the individual rather than their final salary.

The reforms attempted to provide protection for those closest to retirement ('transitional protection'), however, a combined challenge to this protection was brought by the judiciary and the firefighters pension scheme ('Sargeant'). The cases were heard together and the Court of Appeal held that the transitional protection gave rise to unlawful age discrimination.

On 15th July 2019, this position was accepted and the resolution sought to allow members affected by the transition to the 2015 scheme to decide at the point of retirement which scheme they would retire, although further reform is timetabled to be delivered in 2023.

From 1<sup>st</sup> July 2021, West Yorkshire Pension Fund (WYPF) took on the administration for the Pension Schemes, alongside the earlier the issuing of the National guidance and the Pension Scheme Managers decision to implement Immediate Detriment, we are now in the position to proceed with processing quotes for retirements in all schemes.

### 2. Current Position

The Pension Scheme Manager has currently approved the progression along the nationally recognised Immediate Detriment, however, as with all Services some individual cannot currently be reliably be quoted for, examples of this are where individuals have

- Pension Sharing Orders; &
- Utilisation of tax charges in previous years.

As a result of the uncertainties and lack of legal clarity on these and other specific scenario's this position protects both the individual and the Service. It would not be possible to reliably quote to provide an individual with certainty for their own decision where one of the known complexities



exists. Therefore the decision is to defer such calculations until legislation has been laid. This will not stop individuals retiring, however, remedy will only be available to these people once legislation and processes have been approved.

Currently most of the actions and administration for Immediate Detriment cases are being processed by our external providers, such as West Northants payroll and WYPF, however, it is anticipated that the payroll aspects of these queries will be bought back in house to try to ensure that queries and data provision are accurate and timely.

As we proceed through remedy, there are anticipated to be four scenario's in which all individuals will fall, these are;

1. Personnel who are due to retire before 31<sup>st</sup> March

We expect there to be around 12 people who could fall into this category, however, predicting how many people will retire is extremely difficult. Currently two people have asked for quotes in both the 1992 and 2015 schemes and these are being treated as test cases to ensure that the process (Appendix A) is robust and works for all parties.

It is important to note that the quote process is resource intensive and requires around 80 data points to be completed per person and it is highly likely that there will be dialogue about each between WYPF and West Northants (or the Enabling Services Payroll team) to ensure the accuracy of financial projections. A copy of the initial requirement is outlined within Appendix B.

Once the individual's quotes have been processed, it is expected that they will seek financial advice, select which scheme they are electing to retire within and proceed to retirement, however, this is likely to take around 3 months when all factors are considered.

Once remedy has then been formally completed and legislation is available to the Pension Scheme Administrators, all of these cases will be revisited to ensure that remedy to Immediate Detriment was appropriately applied and that no subsequent changes to statute have affected those person's decisions.

The Pension Scheme Manager is writing to the identified and affected individuals and we will seek to offer support to those wishing to retire through this complex process.

2. Personnel who are due to retire before formal remedy

There a number of further cases of similar quantity expected between 1<sup>st</sup> April 2022 and the point of formal remedy.

It is anticipated that unless further guidance is issued or that complex cases are issued earlier than expected the calculation these individuals will be treated in the same manner as those retiring before 31<sup>st</sup> March, however, the protection around these members as they will not be subject to 'Immediate Detriment' is yet to be clarified.

As updates are available, communications will target these individuals to ensure that they have appropriate and reliable information to base decisions upon.

### 3. Members who have transitioned after 2015 but will not retire before remedy

There are a significant number of individuals who tapered on after 1<sup>st</sup> April 2015, but will not be in a position to retire by 31<sup>st</sup> March 2023. It is currently anticipated that these member will have a basis and process available to them to have quotes in all schemes to inform retirement decisions.

Furthermore as legislation will have been laid by this point, their decisions will be legally binding and as such, they will not be subject to later remedy and a chance to revisit their decisions.

It will be important to support these individuals with up to date information and the national guidance before they make their decision.

### 4. Members who have retired between 1<sup>st</sup> April and 1<sup>st</sup> September 2021

Once legislation has been laid, it is anticipated that all retirement benefits will be revisited and recalculated by WYPF and each member will be offered an individualised quote and choice to revisit their retirement benefit.

As information becomes available we will contact these members by letter.

In order to facilitate this process, it is expected that historic payroll data will need to be provided from 1<sup>st</sup> April to the point of retirement.

These cases are not nationally seen as a priority (as 'harm' has already occurred) and therefore they are likely to all happen following 2023.

## 3. **Future Requirements**

### 1. Recruitment

As outlined above in order to facilitate this process to all affected members (points 2.1-2.4 above), Enabling Services are currently seeking to recruit a Payroll Officer with pensions experience and a Project specialist to produce the required information to appropriate service both good governance and the information requirement from this project.

Once this process has been completed it is anticipated that we can collect the required information more rapidly than under currently SLA's with West Northants and this will enable us to significantly reduce the SLA for Immediate Detriment quotes from 74 days.

### 2. Legal costs

NCFRA will have to agree a position from the national case to settle in all cases where 'harm' has been caused from this judgement. Costings and settlements are not currently known or fully understood, but it is anticipated that national scales of compensation will be used and applied across most cases. This is likely to include;

- Legal fees;
- Interest; &
- Damages for any harm caused to the individuals

As with previous pension challenge legal cases, whilst the government and or the Fire Fighter pension scheme is likely to settle these costs, some fees for this or the national work will no doubt be footed by the service. However, ultimately the triennial valuation of the new pension scheme, which is expected to replace the 1992, 2006 and 2015 schemes is likely to include these costs and thus eventually will fall to the service to partly meet through employee contributions.

### 3. Quoting in the 1992 and 2006 schemes moving forwards

As with most pension scheme administrators it is expected that before the 2022 Annual Benefit Statements, WYPF will have adapted the current administration system in order for quotes from each of the legacy scheme to take place under a more timely basis (akin to the accepted standard 28 day SLA for 'normal' retirements).

In order to complete this there is a requirement for the Authority to complete the 80 data point collection for each member of the service who had service in either the 1992 or 2006 schemes and had any service post 1<sup>st</sup> April 2015.

This implementation will be reliant upon the recruitment of the Payroll Officer within point 3.1 and is likely to be in excess of 10,000 individual data points, therefore work is under way to seek to automate the basic capture of this data, so that staff time can be concentrated on quality assurance work rather than collation, which would reduce errors and queries from WYPF.

### 4. Communications to affected personnel

Given the level of national attention, it will be extremely important to keep these groups of individuals up to date and as such one of the key aspects of the project roles work will be to liaise with the communications team and the Pension Scheme Manager to ensure that these groups and furthermore those not affected by the judgement are updated as to their own position and what will happen to them and when.

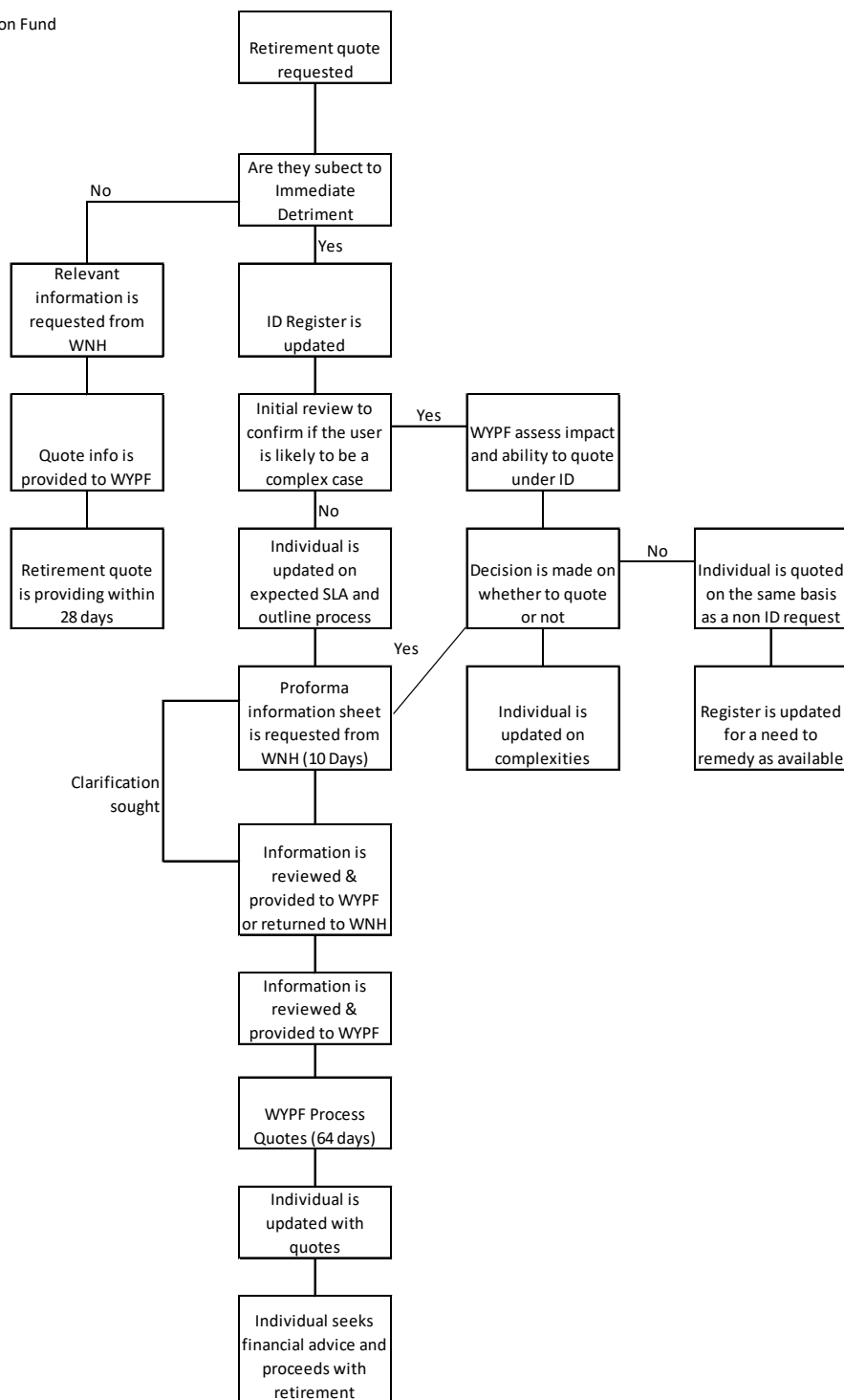
## **Recommendations**

To note this update report.

## Appendix A – Immediate Detriment Process

### Immediate Detriment Process

ID = Immediate Detriment  
 WNH = West Northants  
 WYPF = West Yorkshire Pension Fund



## Appendix B – Financial data requirements

<b>Immediate Detriment Guidance (Quote/Actual)</b>	
Applies to members of the 2015 Scheme with connected 1992 benefits	
Please supply the following information	
Name	
Folder Ref	
Last Working Day	30/04/2021
Type of Retirement - Ordinary or Ill Health	
Ill Health - Lower or Higher Tier	
Final Pensionable Pay	£23,638.36
CARE Pensionable Pay for year to date of retirement	£
CARE Pensionable Pay for year to 31 March 2021	£
Please also send the IGMP Medical Certificates <b>See Final Pensionable Pay</b>	
<b>Transition Date (from Payroll)</b>	
Does the member have any of the following:-	
Scheme Pays Debits	See Deductions History View
Divorce Debits 2015	See Court Order Details
2015 CETV In	See Transfer In History View
Added Pension 2015	See AVC view
<b>Legacy Benefits from 1 April 2015 or date of transition if later</b>	
Has the member had any changes in hours	
Has the member had any unpaid absence	
Split Pension after 1 April 2015?	
<b>Continuous Professional Development (CPD)</b>	
Please supply the notional CPD contributions for the remedy period. This is the total of the employee, employer & notional ill health percentages	
1 April 2015 to 30 June 2015	£
1 July 2015 to 30 June 2016	£
1 July 2016 to 30 June 2017	£
1 July 2017 to 30 June 2018	£
1 July 2018 to 30 June 2019	£
1 July 2019 to 30 June 2020	£
1 July 2020 to 30 June 2021	£
1 July 2021 to 31 March 2022	£
<b>Additional Pension Benefits - Temporary Promotion APBs</b>	
This section should only be completed if you have exercised your discretion and this pay is pensionable via an APB	
Please supply the notional CPD contributions for the remedy period. This is the total of the employee, employer & notional ill health percentages	
1 April 2015 to 30 June 2015	£
1 July 2015 to 30 June 2016	£
1 July 2016 to 30 June 2017	£
1 July 2017 to 30 June 2018	£
1 July 2018 to 30 June 2019	£
1 July 2019 to 30 June 2020	£
1 July 2020 to 30 June 2021	£
1 July 2021 to 31 March 2022	£

<b>Pay</b>				
<b>FS Average Pensionable Pay</b> - This information is already held by WYPF. Please confirm that the figures on the members record are correct or supply the correct figures. This is required for the revised Annual Allowance calculations				
<b>FS Actual Pensionable Pay</b> - Please supply for all the years the member was in the 2015 Scheme				
<b>CARE Pay</b> - Please supply for taper protected members for the period from 1 April 2015 to when they joined the 2015 Scheme				
<b>1992 Employee Contributions</b> - Please supply for all the years the member was in the 2015 Scheme				
	<b>FS Average</b>	<b>FS Actual Pensionable Pay</b>	<b>Care Pay (including 1992 Employee Contributions)</b>	<b>1992 Employee Contributions (if applicable)</b>
1 April 2015 to 31 March 2016	£	£	£	£
1 April 2016 to 31 March 2017	£	£	£	£
1 April 2017 to 31 March 2018	£	£	£	£
1 April 2018 to 31 March 2019	£	£	£	£
1 April 2019 to 31 March 2020	£	£	£	£
1 April 2020 to 31 March 2021	£	£	£	£
1 April 2021 to 31 March 2022	£	£	£	£
<b>Contribution Issues</b>				
Contribution Holiday applies?				
Arrears of employee contributions due		£		
Amount of contribution arrears to be deducted from lump sum		£		<b>Please supply copy of signed man</b>
Payment of the retirement benefits cannot be made without the above information				
<b>Authorisation</b>				
I can confirm that the information supplied is correct and am aware that WYPF will not be in a position to query the information supplied.				
Signed.....				

## **NORTHamptonshire FRA**

### **Data Improvement Plan 2020/21**

#### **1. Introduction**

- 1.1 This document defines the data improvement plan for Northamptonshire Fire which is administered by West Yorkshire Pension Fund (the Fund).
- 1.2 WYPF collects and holds large amounts of digital and paper based data on behalf of the scheme manager and is heavily reliant on the timely receipt of quality data from the Fire Authority, in order to effectively administer the Firefighters' Pension Schemes.
- 1.3 Fundamentally, the purpose of the Firefighters' Pension Scheme is to pay the correct pension benefits to its members when they become due. It is therefore imperative that the scheme manager achieves and maintains the highest possible data quality standards, to comply with its core functions and to ensure the cost effective use of resources.
- 1.4 The legal requirements relating to scheme record keeping are set out in the Public Service Pensions (Record Keeping and Miscellaneous Amendments) Regulations 2014.
- 1.5 The Firefighters' Pension Scheme continues to face ongoing legislative change with oversight of administration and governance now falling under the remit of the Pension Regulator, with a heightened responsibility on scheme managers and local pension boards to ensure data is readily available and fit for purpose at all times.
- 1.6 The Pension Regulators (tPR) guidance requires that schemes should:
  - Continually review their data and carry out a data review exercise at least annually
  - Where a review of the scheme's data identifies poor or missing data a data improvement plan should be put in place to address these issues
- 1.7 The Firefighters' Pensions England Scheme Advisory Board issued advice on complying with tPR data requirements in August 2018 and provided updated guidance including how to measure accuracy in October 2019 which can be found at <http://www.fpsregs.org/index.php/adminitration-resources/guides-and-sample-docuements>

#### **2. The Pensions Regulator Annual Scheme return**

- 2.1 Annually the Pensions Regulator issues a scheme return which should be completed and returned. From 2018 each Pension Fund is required to include a Data Quality Score which has two types of data:
  - **Common data** – used to identify scheme members and includes name, address, national insurance number and date of birth.

- **Scheme-specific data** – essential to calculate benefit entitlement such as pensionable pay and service history. It also encompasses data relating to events that occur during an individual's membership, for example transfers etc.

2.2 The tPR has issued a quick guide on measuring scheme data which states that one piece of missing data, such as a current address on a deferred member's record should be reported to them as a failed record.

### 3. Key Objectives

The key objectives of this plan are to:

- Ensure member records are maintained as accurately as possible to ensure benefits are paid correctly on time, members receive a high standard of service and the fund is able to meet legal obligations.
- Ensure administration costs are reliable/correct.
- Ensure data supplied for the scheme valuation is as accurate as possible.
- WYPF as 3<sup>rd</sup> party administrators ensure the scheme manager complies with tPR's Code of Practice.

### 4. Outcomes

Outcomes of an improvement in the data held by the administrator on behalf of the FRA are:

- Improvement of tPR data score for Common and Scheme Specific (also known as conditional) data
- Increase in the number of beneficiaries able to receive an Annual Benefit Statement (ABS) or aware of the value of benefits by 31 August.
- Reduction in the number of Internal Dispute Resolutions (IDRPs) received for incorrect calculation of benefits or delays in paying benefits
- Reduction in the number of queries received when ABS are sent out
- Reduction in administration costs
- Reduces the likelihood of Government Actuary Department rejecting data for the scheme valuation
- Improves accuracy for the IAS19 valuations
- Reduces breaches recorded by Fire Authority (e.g. due to ABSs being issued late)



## **5. Additional general responsibilities relating to the Data Improvement Policy**

### **5.1 WYPF Officers**

- WYPF officers continually review and ensure that data collection is fit-for-purpose and processes are in place to monitor accuracy and timeliness. All processes will have working instructions in place to assist with staff training, understanding and compliance.
- Team managers are responsible for ensuring that staff have the appropriate level of UPM access to fulfil their duties and that access is withdrawn upon the member of staff leaving the team. This minimises the risk of accidental loss, errors and unauthorised activity.

### **5.2 Fire Authority**

- WYPF is reliant upon the accuracy, completeness and timeliness of data submitted by the Fire Authority.
- WYPF will work with each Fire Authority throughout the year to support the provision of data to the required standard.

## **6 Ongoing Data Cleansing**

### **6.1 Monthly Returns data quality checks**

WYPF embraced monthly contribution postings several years ago with the aim of simplification, systems integration, increased data accuracy and complete up to date member records. The benefits include ensuring that employee's contributions, member's personal details, and financial records are up to date, accurate and complete.

### **6.2 National Fraud Initiative**

The National Fraud Initiative (NFI) matches electronic data within and between public and private sector bodies to prevent and detect fraud. These bodies include police authorities, local probation boards, fire and rescue authorities as well as local councils and a number of private sector bodies. WYPF submit data to National Fraud Initiative on a regular basis to identify deceased members and members who are no longer entitled to receive a pension.

### **6.3 Mortality screening and tracing service**

WYPF engage with a Tracing Bureau for both monthly mortality screening and for members we don't have a current address for. For deferred members, where a current address for a lost contact cannot be found by the Tracing Bureau, a more detailed check is carried out 3 months before payment of pension is due.

## 6.4 Annual Benefits Statement checks

Before producing an ABS each year certain checks are applied to active records to ensure accurate data is used in the production of the ABS. These checks include:

- Ensuring contributions are received for every month during the year,
- Checks to make sure there are no spikes in care pensionable pay,
- Checks to ensure the final pay has not increased by 20% or decreased by 10%,
- Checks to ensure there aren't any outstanding processes,
- Address check to compare the address held on the record and that supplied on the monthly return

If these checks identify further information is required from the Fire Authority the ABS production for this case will be blocked and a query will be referred back to the Fire Authority. Upon receipt of the appropriate information the record will be updated and the ABS will be released for production.

## 6.5 Deferred pensions increase

As part of the annual deferred pensions increase process certain data errors are identified and pensions increase is blocked until they are resolved. These errors include:

- Incorrect elements present,
- Spouse elements that don't match member elements,
- Incorrect dates for the first entry after the member is deferred,
- Data errors are corrected to allow deferred pensions increase to run on to individual deferred folders.

## 6.6 Annual deferred benefit statements

Before producing the annual deferred benefit statements data errors that would result in potentially incorrect statements being produced are identified. These include:

- Deferred pensions increase not updated,
- Multiple 'normal payment' dates being held on the deferred folder,
- Multiple entries for the same date shown on the pension history screen,

- Initial entries on the pension history missing,
- Service start date mismatches.

Once these errors are resolved and the records is updated the deferred ABS will be released for production.

## **7 Data errors**

When tackling data errors the following considerations will be used when making the decision on the priority of errors to be resolved:

- Priority identified on the error report
- Data improvement plans objectives

## **8 Frequency**

Data Quality reports will be run on a quarterly basis to measure the data quality scores and identify any further action that may be required.

## **9 Appendices**

- Appendix A details the Data Quality scores and errors
- Appendix B is the Data Improvement Plan

**Appendix A – NORTHAMPTONSHIRE FRA**

<b>1992 scheme</b>	<b>September 2021</b>			
Common	97.7			
Scheme Specific	76.78			
<b>2006</b>				
Common	90.6			
Scheme Specific	93.16			
<b>2006 modified</b>				
Common	90.48			
Scheme Specific	40.48			
<b>2015</b>				
Common	95.34			
Scheme Specific	91.22			
<b>2015 modified</b>				
Common	100			
Scheme Specific	100			

**Breakdown of activities for improvement for September 2021**

	92	2006	2006 modified	2015	2015 modified	Total
Count of address missing	2	8		24		34
Count of Missing or Bad Ni number						
Count of bad date of birth						
Count of folder status/ status history mismatch				2		2
Count of missing actual FS pay		4	10			14
Count of missing FS annual rate	24	12	30			66
Count of missing CARE pay				1		1
Count of missing CARE benefit				9		9
Count of missing CARE revaluation Rate				12		12
Count of invalid PSO or sharing order	4	2		3		9
Count of invalid pension start date				1		1
Count of missing initial CARE pension (Def)						
Count of missing final salary (def)				1		1
Count of Missing Initial Pension (Def)				3		3
Count of Missing current Pension (def)						
Count of missing Beneficiary type missing						
Count of Invalid Transfer in present				1		1
Count of Bad or missing transition data						
Count of Missing or Bad Expected Retirement Date	8	3	4			15
Count of Invalid Fire Purchase of Service Present						
Count of missing initial pension						
Count of Start date inconsistent	91	1	14	17		123

Appendix B

Data Category/ Issue	Category	Priority	Resolution required	Responsibility	Progress	Deadline
Address and postcode Missing	Common	Medium	Accurate Data Service engaged to carry out address tracing for deferred and preserved refunds members  Mypension allows members to update their address	Service Centre	Rolling program	Ongoin
Folder Status/status history mismatch	Common	High	IT will do bulk update with correct dates.	IT		Nov 22
Missing Actual FS pay	Scheme specific	Low	To query correct figure with FRA	CRM		Nov 23
Missing FS Annual Rate	Scheme specific	Low	Missing for previous years. Will be manually extracted from pay scales	CRM		Nov 23
Invalid PSO or Sharing Order	Scheme specific	Low	Process requires updating by UPM Team so record can record ex spouse details correctly.	CRM		Nov 23
Missing Care pay	Scheme specific	Low	To query with FRA why pay missing	CRM		Nov 23
Missing Care benefit	Scheme specific	High	Outstanding work in service centre.	Service Centre		Nov 21
Missing Care reevaluation rate	Scheme specific	High	Outstanding work in service centre.	Service Centre		Nov 21
Missing final salary (def)	Scheme specific	Medium	Interrogate the record	CRM		Nov 22
Missing Initial Pension (Def)	Scheme specific	Medium	Interrogate the record	CRM		Nov 22
Count of Invalid Transfer in	Scheme specific	Medium	Interrogate the record	Service Centre		Nov22

present						
Count of Start Date Inconsistent	Scheme specific	Low	Interrogate the record	Service Centre		Nov23

This improvement plan primarily aims to address the key issues identified from the Funds Data Quality review and data quality score and details the plans in place to improve the data we hold.





## Northamptonshire Commissioner Fire and Rescue Authority (NCFRA)

<b>Report Title</b>	Policy review
<b>To</b>	NCFRA Pension Board
<b>Date</b>	30 <sup>th</sup> September 2021



### 1. Purpose

1. This report lists the current governance documents for the Northamptonshire Commissioner Fire and Rescue Authority Pension Board.
2. The report is to outline the current policies and procedures to the board, with the aim to propose review dates for the policies over the next 12 months.

### 2. Overview

The policies currently

		Suggested review date
1	Pension Board Terms of Reference (Agenda Item 5 of this meeting)	September 2021
2	Training Policy (and Training Self assessment of members) (Agenda Item 4 of this meeting)	December 2021
3	Data Improvement policy (March 2019)	
4	Anti-Fraud and Corruption policy (2019)	
5	Overpayment of Pension policy (2018)	
6	Reporting Breaches of the Law to the Pensions Regulator Policy (2019)	

**Appendix 1**

**Northamptonshire Firefighters' Pension Scheme**

**Data Improvement Policy**

**March 2019**

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## **1. Introduction**

- 1.1 It is the responsibility of the Scheme Manager to pay the correct pension benefits to its members when they become due. It is therefore essential that the highest possible data quality standards are achieved and maintained.
- 1.2 The administration of the Firefighters' Pension Scheme is currently undertaken by LGSS Pensions, a joint partnership of Cambridgeshire County Council, Northamptonshire County Council and Milton Keynes Council. However, the Scheme Manager of The Office of Northamptonshire Police, Fire and Crime Commissioner remains ultimately responsible for all aspects of administration of the Firefighters' Pension Scheme including data quality.

## **2. Background to the policy**

- 2.1 The Public Service Pension Act 2013 came into effect on 1 April 2014 following the Independent Public Services Pensions Commission review conducted by Lord Hutton. The Act gave increased powers to the Pensions Regulator to ensure that public service pension schemes had appropriate measures in place to ensure high standards of governance and administration.
- 2.2 The Pensions Regulator articulated these standards through the code of practice 14 – governance and administration of public service pension schemes. The code of practice addresses the need for high standards of accurate data and states that schemes must regularly review the data held and put in place a data improvement plan to address any issues.

## **3. Key policy objectives**

- 3.1 The key objectives of this policy are to ensure that:
  - The Scheme Manager ensures compliance with the guidance of the Pensions Regulator and establishes a robust, reviewable, measurable and transparent framework necessary for the processing of accurate, complete and up-to-date records.
  - Accurate records are maintained for the purpose of calculating pension entitlements and employer liabilities; ensuring all information and data is communicated securely and accurately within prescribed timeframes.
  - The continued development of appropriate technology to improve data quality standards and the streamlining of operational processing.
  - All data collection processes are clearly documented and are regularly reviewed to ensure the validity of data and to ensure they are aligned to updated legislative requirements.
  - There is commitment to monitor the delivery of specified activities in accordance with the relevant regulations and the Pensions Regulator's Code of Practice.

## **4. Purpose of the policy**

- 4.1 This policy applies to all data and records held for the purpose of administering the Scheme and that held by system suppliers, professional service providers and consultants acting on behalf of the Scheme Manager during the course of carrying out the administration function.

- 4.2 Records are defined as all those documents which facilitate the activities carried out in the course of administering the Scheme and those retained for set periods to provide evidence of its transactions or activities. These records may be created or received and then stored, in paper copy or digital form (document, spreadsheet, database entries etc).

## **5. Effective date and reviews**

- 5.1 This policy was reviewed by the Local Pension Board on XX and was approved by the Scheme Manager on xx and became effective from XX.
- 5.2 This policy will be reviewed annually, and if necessary, more frequently to ensure it remains accurate and relevant.

## **6. Scope**

- 6.1 The policy applies to:
- All scheme members including potential beneficiaries of members for whom the Scheme Manager holds personal data;
  - Administrators of the scheme; and
  - The Local Pension Board.

## **7. Legislative framework**

- 7.1 The Scheme Manager has a legal and statutory obligation to comply with a number of regulations, standards and formal guidance relating to data quality. These include but are not limited to:
- Firefighters' Pension Scheme Regulations
  - Public Service Pensions (Record Keeping and Miscellaneous Amendments) Regulations 2014
  - The Pensions Act 1995, 2004 and 2008
  - The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013
  - The General Data Protection Regulations
  - The Pensions Regulator's Code of Practice (number 14): governance and administration of public service pension schemes

## **8. The Pensions Regulator**

### **8.1 Code of practice**

- 8.1.1 The Pensions Regulator's code of practice (number 14): governance and administration of public service pension schemes, provides practical guidance on scheme record keeping. Codes of practice are not statements of law and there is no penalty for failing to comply with them, nor is there a requirement for all the provisions of the code of practice to be followed in every circumstance. Any alternative approach to that appearing in the code of practice will nevertheless need to meet the underlying legal requirements. The legal requirements

relating to scheme record keeping are set out in the Public Service Pensions (Record Keeping and Miscellaneous Amendments) Regulations 2014.

8.1.2 The code of practice states that schemes should:

- Continually review their data and carry out a data review exercise at least annually
- Where a review of the scheme's data identifies poor or missing data a data improvement plan should be put in place to address these issues

## 8.2 Public service governance and administration survey

8.2.1 Each year since 2015 the Pensions Regulator has conducted an annual survey of public service pension schemes to assess how schemes are meeting the requirements within the code of practice and the standards to which the schemes are being run. The survey results have provided the Pensions Regulator understanding on the barriers to data improvement and highlighted record keeping and data quality as high risk areas when compared with the other requirements within the code of practice.

8.2.2 The Firefighters' Pension Scheme participates in the survey every year and reports to the Local Pension Board a comparison of the Scheme's position in relation to the findings.

## 8.3 Mandatory annual return

8.3.1 On an annual basis the Pensions Regulator will issue an annual return which if not completed and returned is regarded as a breach of the law under the Pensions Act 2004.

8.3.2 From 2018 onwards the annual return will require a score as to the quality of the scheme's data. The Pensions Regulator has identified 2 categories of data that all pension schemes must provide a score for. These categories are common data and scheme-specific data broadly defined as follows:

**Common data** – used to identify scheme members and includes name, address, national insurance number and date of birth.

**Scheme-specific data** – essential to calculate benefit entitlement such as pensionable pay and service history.

8.3.3 The Pensions Regulator has issued a quick guide on measuring scheme data which states that one piece of missing data, such as a current address on a deferred member's record should be reported to them as a failed record.

## 9. Other data

9.1 The Scheme Manager will also ensure that data not considered to be common or scheme specific, but has a processing need such as data required for the payment of pensions (e.g. tax codes, bank details) and data belonging to potential beneficiaries is also maintained to high standards of quality, accuracy and security.

## 10. Data Protection

10.1 The Scheme Manager needs to collect and process different types of information about individuals in the scheme and their potential beneficiaries in order to operate. The General

Data Protection Regulations (GDPR) details the requirements, safeguards and member's rights which must be applied to personal data to ensure the rights and freedoms of living individuals are not compromised.

- 10.2 The Office of Northamptonshire Police, Fire and Crime Commissioner is the data controller as defined by the GDPR and must observe the principles relating to the processing of personal data. Registration at the Information Commissioner's Office (ICO) can be found under registration number Z355902X. .
- 10.3 Article 5 of the GDPR sets out the principles relating to the processing of personal data and states that personal data shall be accurate and where necessary, kept up to date. Every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed are erased or rectified without delay.
- 10.4 Where a Scheme member, their representative or a potential beneficiary has identified an inaccuracy or omission in their data that is held by the Scheme Manager, they have a right to rectification. As such a request for rectification can be made either verbally or in writing to the Data Protection Officer who has one month to respond.
- 10.5 Where personal data is shared with a third party in relation to the necessary functions to administer the scheme, due diligence will have taken place to ensure that the data will be processed in accordance with the GDPR and will be recorded in the Scheme's privacy notice.
- 10.6 The Scheme's privacy notice can be found xxxxxxx

## **11. Third party data services**

- 11.1 The Scheme Manager may make use of third party data services to improve data quality and to support the administrative functions. Such services are provided by external organisations as either collaborative ventures, with no or minimal cost or procured commercially using an established procurement framework.

## **12. Data Improvement Plan**

- 12.1 To achieve compliance with the Scheme regulations, the Pensions Regulator's code of practice and to effectively administer the scheme, the Scheme Manager has put in place a Data Improvement Plan that identifies large scale data quality activities to be undertaken in the short term.
- 12.2 LGSS Pensions, as the current administrators, are responsible for updating and ensuring the completion of the activities identified on the Data Improvement Plan.
- 12.3 The Data Improvement Plan will be kept under constant review with new activities added as they arise.
- 12.4 Progress against the Data Improvement Plan will be reported to the Local Pension Board at each meeting.



# Firefighters' Pension Schemes (1992, 2006, 2015)

## Anti-Fraud and Corruption Policy 2019



## 1. Introduction

- 1.1 This is the Anti-Fraud and Corruption Policy of Northamptonshire Firefighters' Pension Schemes 1992, 2006 and 2015.
- 1.2 This policy clearly demonstrates that the Scheme Manager of The Office of Northamptonshire Police, Fire and Crime Commissioner will take all necessary steps to prevent fraud and corruption. Every effort will be made to detect any such attempts and will robustly pursue those responsible and recover losses, referring matters to the Police where appropriate.
- 1.3 Fraud and corruption is defined as: -

Fraud – 'The intentional distortion of financial statements or other records by persons internal or external to the authority which is carried out to conceal the misappropriation of assets or otherwise for gain.'

Bribery and Corruption – 'A bribe is a financial or other advantage that is offered or requested with the intention of inducing or rewarding the improper performance of a relevant function or activity, or with the knowledge or belief that the acceptance of such an advantage would constitute the improper performance of such a function or activity'.

## 2. Purpose of the policy

- 2.1 The purpose of the policy is to –
- Prevent ongoing losses of funds where fraud has occurred and to maximise the potential for recovery;
  - Minimise the occurrence of fraud by taking rapid action at the earliest opportunity;
  - Minimise the chance of destruction of evidence;
  - Maximise the chances of success in future sanction action, including criminal prosecution; and
  - Minimise adverse publicity

## 3. Effective date

- 3.1 This policy was reviewed by the Local Pension Board on XX approved by the Scheme Manager on xx and is effective from XX.

## 4. Review

- 4.1 This Anti-Fraud and Corruption Policy is expected to be appropriate for the long-term but it will be reviewed biannually, and if necessary, more frequently to ensure it remains accurate and relevant.

## 5. Scope

- 5.1 This policy applies to -
- Members of the Local Pension Board;
  - Officers of The Office of Northamptonshire Police, Fire and Crime Commissioner
  - Administrators of the Firefighters' Pension Scheme (LGSS Pensions)
  - Relevant stakeholders;
  - Professional organisations that provide services; and
  - Professional advisors

## 6. Culture

- 6.1 A zero tolerance approach is taken towards fraud, corruption and other malpractice for personal gain. Dishonesty, lack of integrity avoidance of controls and failure to comply with agreed policies will not be tolerated.
- 6.2 The prevention/detection of fraud/corruption and the protection of the public funds are everyone's responsibility and of paramount importance.
- 6.3 Concerns must be raised when members or officers reasonably believe that one or more of the following has occurred, is in the process of occurring or is likely to occur:
- a criminal offence;
  - a failure to comply with a statutory or legal obligation;
  - improper unauthorised use of public or other funds;
  - a miscarriage of justice;
  - maladministration, misconduct or malpractice; and/or
  - deliberate concealment of any of the above.
- 6.4 The Scheme Manager will ensure that any allegations received in any way, including by anonymous letters or phone calls, will be taken seriously and investigated in an appropriate manner, subject to the requirements of the Human Rights Act 1998 and other statutory provisions. The Scheme Manager will deal firmly with those who defraud, or who are corrupt, or where there has been financial malpractice. There is, of course, a need to ensure that any investigation process is not misused and, therefore, any abuse (such as raising malicious allegations) may be dealt with as appropriate.
- 6.5 When fraud or corruption have occurred because of a breakdown in systems or procedures, the Scheme Manager will ensure that appropriate improvements are implemented to prevent a reoccurrence.

## 7. Statutory Duties

- 7.1 Regulation 4 of The Firefighters' Pension Scheme (England) Regulations 2014(Amendment) assigns The Office of the Northamptonshire Police, Fire and Crime Commissioner as the Scheme Manager for each of the Firefighters' Pension Schemes. The Scheme Manager is responsible for the management and administration of the Firefighters' Pension Schemes

7.2 The Scheme Manager are responsible for the key areas of governance and administration as detailed in the Pensions Regulator’s code of practice number 14, including managing risks and ensuring there are adequate internal controls (to prevent fraudulent activity).

## 8. Deterrence

8.1 The publication of this policy and regularly reinforcing the zero tolerance approach will help deter those considering perpetrating fraudulent activity.

8.2 Where any loss is incurred to fraud and corruption the Scheme Manager will take action to recover monies owed.

8.3 LGSS Pensions, as the administrator, will conduct risk reviews of the systems and procedures for which they are responsible and proactively update where weakness has been identified.

8.4 After an investigation, sanctions will be applied where fraud and corruption are proven to be present. This will be done in a comprehensive, consistent and proportionate manner whereby all possible sanctions – disciplinary, civil and criminal are considered.

## 9. Detection and prevention of fraud and corruption

9.1 The below table demonstrates the activity undertaken to mitigate the likelihood of fraud and corruption occurring –

<b>Member Fraud Prevention</b>			
<b>Activity</b>	<b>Detail of activity</b>	<b>Timescale</b>	<b>Responsibility</b>
Returned payslips	Pensioner payslips are sent the first month an individual receives a pension, and then if their net pay changes by more or less than £5 from one month to the next. Payslips are also issued every March, April and May to reflect pensions increase. Returned payslips could be due to a change of address or death of member.	Ad Hoc	Investigations to be carried out by Pensions Officers within one month of the returned payslip being received. The member payroll record will be immediately suspended until contact is re-established with the scheme member or confirmation of the member’s death. The Head of Pensions will inform the Scheme Manager of any fraudulent cases.

Returned BACS payments	BACS payments returned by the recipient's bank/building society shortly after the payment date if the account has closed or an error has occurred. The returned payment could be due to a change of bank details or death of member.	Monthly	Investigations to be carried out by Pensions Officers within one month of the returned payment The member payroll records will be suspended until contact is re-established with the scheme member or confirmation of the member's death. The Head of Pensions will inform the Scheme Manager of any fraudulent cases.
Falsification/non submission of documents (Member)	Members may provide incorrect information for financial gain.	Day to day basis	All birth, death and marriage/civil partnership certificates need signing and verifying by the individual submitting them. All benefits need to be claimed via a signed declaration. Pensions Officers are responsible to carrying out the necessary security checks before benefits are paid. The Head of Pensions will inform the Scheme Manager of any fraudulent cases.

### Employer Fraud Prevention

Activity	Detail of activity	Timescale	Responsibility
Falsification/non submission of documents.	The employer may provide the service with incorrect data in order to gain financially.	Day to day basis	Data verification checks to look for inconsistencies. Electronic signatures are only accepted from a verified email address from authorised personnel. The Head of LGSS Pensions will inform the Scheme Manager of any fraudulent cases.

### Administration Fraud Prevention

Activity	Detail of activity	Timescale	Responsibility
Employee maladministration	There is a clear separation of duties between employees and all calculations and payments	Day to day basis	It is the responsibility of the Pensions Officer releasing the payment generated by another

	are checked at a more senior level.		Officer to ensure the payment is of the correct amount and to the correct individual. The Head of LGSS Pensions will inform the Scheme Manager of any fraudulent cases.
Destruction of evidence	There is a clear separation of duties between employees and all calculations and payments are checked at a more senior level. The pensions Altair system report can identify all changes/deletions on all member records if required.	As required	Officers are responsible for keeping accurate member records. The Altair Pensions System can track changes on all member records and any suspicious activity can be investigated through a system report. The Head of LGSS Pensions will inform the Scheme Manager of any fraudulent cases.
Conflicts of Interest	Local Pension Board members must ensure that they avoid situations where there is a potential for a conflict of interest. Declarations ensure potential conflicts are identified and dealt with appropriately mitigating the risk of fraudulent activity.	Each Meeting/Ad Hoc	Local Pension Board members are required to declare potential conflicts at the start of each meeting. Democratic Services are responsible for ensuring all declarations are held on a register.

- 9.2 The Public Interest Disclosure Act 1998 (the “Act”) places a legal responsibility on employers to ensure that matters of serious public concern can be addressed
- 9.3 A ‘qualifying disclosure’ is any disclosure of information that is made in the public interest and in the reasonable belief of the individual may show that one or more of the following is either happening at the present time, took place in the past or is likely to happen in the future:
- a criminal offence
  - a miscarriage of justice
  - an act creating risk to health and safety
  - an act causing damage to the environment
  - a breach of any other legal obligation; or
  - concealment of any of the above

- 9.4 In making the disclosure, an individual must have a reasonable belief that the information disclosed shows one or more of the offences or breaches listed above. The belief need not be correct, but the individual must show that they held the belief and that it was a reasonable belief, in the circumstances, at the time of the disclosure.

## **10. Investigation**

- 10.1 All suspected irregularities are investigated within LGSS Pensions in the first instance and will be dealt within 2 months of identification. All probable and confirmed cases are required to be reported to the Scheme Manager by the Head of LGSS Pensions.

This is essential to the policy, to:

- ensure the consistent treatment of information regarding fraud and corruption;
- facilitate a proper and thorough investigation by an experienced audit team, in accordance with the requirements of the CPIA and PACE codes of practice.

## **11. Sanctions**

- 11.1 It is highly likely that the Scheme Manager will seek to prosecute offenders wherever appropriate. However, it also recognises that it may not always be in the public interest to refer cases for criminal proceedings.
- 11.2 Any decision to refer a matter to the police will be taken by the Head of LGSS Pensions and Scheme Manager.

## **12. Related Documents**

- 12.1 Further details of the National Fraud Initiative can be found – <https://www.gov.uk/government/collections/national-fraud-initiative>
- 12.2 Fighting Fraud and Corruption Locally can be found – <http://www.cipfa.org/services/counter-fraud-centre/fighting-fraud-and-corruption-locally>
- 12.3 CPIA Code of Practice can be found – <https://www.gov.uk/government/publications/criminal-procedure-and-investigations-act-code-of-practice>
- 12.4 The Fraud Act 2006 can be found – <http://www.legislation.gov.uk/ukpga/2006/35/contents>

# Overpayment of Pension Policy

## 2018

**NORTHAMPTONSHIRE FIREFIGHTERS' PENSION  
SCHEME(S)**

## Contents

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### 1. Introduction

- 1.1 This is the Overpayment of Pension Policy for Northamptonshire Firefighters' Pension Scheme(s), which are managed by Northamptonshire County Council (the Scheme Manager).
- 1.2 LGSS Pensions, a joint partnership of Cambridgeshire County Council, Northamptonshire County Council and Milton Keynes Council, are the administrators of the Northamptonshire Firefighters' Pension Scheme(s).
- 1.3 Overpayments of pension can occur for a variety of reasons. It is important that the scheme has a clear policy on how overpayments of pension are managed once they are identified.
- 1.4 The Scheme Manager recognises the need to take a pro-active approach to identifying potential fraudulent activity and overpayments.

### 2. Purpose of the policy

- 2.1 The policy is designed to provide assurance to stakeholders that:
  - all overpayments are treated in a fair and equitable manner;



- the Scheme Manager will seek to recover overpayments that have occurred but acknowledges that there may be legal reasons and/or other circumstances which mean that an overpayment may not, in practice, be able to be recovered (in whole or in part); and
- there are steps in place to prevent, and also investigate, potential fraudulent activity.

### **3. Effective date and reviews**

- 3.1 This policy was reviewed as appropriate by the Local Pension Board on xx. The Scheme Manager approved this policy on XX. The policy came into force on xx.
- 3.2 This policy will be reviewed annually and, if necessary more frequently, to ensure it remains robust and relevant.

### **4. Scope**

- 4.1 The policy applies in relation to payments made under the following legislation as it applies following amendment from time to time:
- the Firemen's Pension Scheme Order 1992,
  - the Firefighters' Pension Scheme (England) Order 2006,
  - the Firefighters' Pension Scheme (England) Regulations 2014 and
  - the Firefighters' Compensation Scheme (England) Order 2006.
- 4.2 It applies to:
- All Scheme(s) members, which in this policy includes former members, survivor members and pension credit members of the Northamptonshire Firefighters' Pension Scheme(s) who have received one or more payments;
  - Those former firefighters that were not pension scheme members but have received one or more payment under the Injury Award provisions of the Firemen's Pension Scheme Order 1992 or the Firefighters' Compensation Scheme (England) Order 2006.
  - Executors of the Estates of deceased scheme members and former firefighters with an injury award.
  - Beneficiaries of the schemes' members and former firefighters with an injury award where those beneficiaries have received one or more payments.
  - The Scheme Manager
  - Administrators of the scheme; and
  - The Local Pension Board

### **5. Managing overpayments of pension on death**

- 5.1 Certain pension payments are paid monthly in advance; in the month that someone in receipt of such a pension dies, the part of such a month's payment in respect of the period from date of death to the end of that month is **not** an overpayment and would not therefore be recovered.
- 5.2 Understandably, notification of a death of a someone in receipt of a pension does not always happen immediately and should an overpayment occur, the Scheme Manager will generally seek to recover overpayments that are greater than £250.00 (gross) in value

unless there are legal reasons and/or other circumstances which mean that the overpayment may not, in practice, be able to be recovered (in whole or in part). A value of £250.00 (gross) or less in the instance of the death of a pensioner has been deemed by the Scheme Manager as uneconomical to pursue.

5.3 All correspondence regarding an overpayment will be handled sensitively due to the circumstances surrounding how the overpayment occurred.

5.4 An invoice will be raised by LGSS Pensions to recover an overpayment which is greater than £250.00 (gross) upon the death of a scheme member.

## **6. Managing overpayments of children's pensions failing to reduce or cease at the appropriate time**

6.1 The legislation governing the Firefighters Pension Schemes (1992, 2006 & 2015) and Firefighters' Compensation Scheme sets out certain circumstances when a child's pension would be required to reduce or cease.

6.2 In these cases the individual in receipt of the pension is responsible for informing LGSS Pensions of a change in circumstances to ensure the pension is ceased at the appropriate time, failure to do so would result in an overpayment.

6.3 Should an overpayment of pension occur as a result of late notification of change of circumstances, the Scheme Manager will generally seek to recover overpayments that are greater than £250.00 (gross) in value unless there are legal reasons and/or other circumstances which mean that the overpayment may not, in practice, be able to be recovered (in whole or in part). A value of £250.00 (gross) or less has been deemed by the Scheme Manager as uneconomical to pursue.

6.4 An invoice will be raised by the LGSS Pensions to recover the overpayment which is greater than £250.00 (gross) as a result of the late notification of the change in circumstances. The invoice will be sent to the individual whose bank account the child's pension was being paid into.

## **7. Managing overpayments of pension following incorrect information supplied by the Northamptonshire Fire and Rescue Service in respect of the scheme member**

7.1 Should an overpayment of pension occur as a result of inaccurate information provided by the Fire and Rescue Service on retirement, review or death of a scheme member, LGSS Pensions will generally seek to recover monies that are greater than £250.00 (gross) in value unless there are legal reasons and/or other circumstances which mean that the overpayment may not, in practice, be able to be recovered (in whole or in part). A value of £250.00 (gross) or less has been deemed by the Scheme Manager uneconomical to pursue due to the administrative time involved.

7.2 Where practical, overpayments that are greater than £250.00 (gross) in value will be recovered through the scheme member's ongoing pension as this allows for the appropriate adjustment for tax. The pension will be reduced to the correct level for the next available monthly pension payment after a 6 week notice period. The scheme member will be notified in writing of the error and the course of action to be taken.

7.3 Where there is no ongoing pension from which to deduct the overpaid amount, or recovery from the ongoing pension is impractical due to size or duration of the recovery required, an invoice will be arranged by LGSS Pensions to recover the overpayment which is greater than £250.00 (gross) in value.

**8. Managing overpayments of pension as a result of the incorrect rate of pension paid by LGSS Pensions and the member could reasonably have been expected to be aware of the overpayment.**

8.1 There are a number of reasons why a pension could be paid at an incorrect higher rate. The most common reasons are detailed in the table below but it should be noted that this is not an exhaustive list.

	<b>Type of overpayment</b>	<b>How overpayment has occurred</b>
1	Administration error upon creation of payroll record	Incorrect (overstated) rate of pension input onto payroll record but member informed in writing of the correct rate of pension to be paid.
2	Re-employment where abatement affects rate of pension due	Re-employment not notified and within the terms of the Scheme Manager's policy on the exercise of their discretion relating to abatement, the member's annual pension should have been reduced or suspended due to the level of earnings in the new employment. Identified through NFI exercise or other means.
3	Entitlement to pension ceasing	Non notification that a child's pension is no longer payable as the child has ceased full-time education and is in paid employment, has married or entered into a civil partnership, is aged 18 or above and is no longer in full time education or attending a course of at least a year's duration, or has attained the age of 23.
4	Entitlement to current rate of pension ceasing	A Pension Sharing Order or Earmarking Order being received after the implementation date meaning that the pension has been overpaid since that implementation date.
5	Failure to action an alteration to the payroll record/reduction in pension	Failing to implement the change from the higher short term dependants pension to the lower long term rate.
6	Failure to action an alteration to the payroll record/reduction in pension	Failing to implement a reduction to a pension as a result of National Insurance Modification (at State Pension Age for those members who had membership before 1 April 1980).

8.2 If the scheme member has been notified of the correct rate of pension in writing and is receiving a higher amount, it can be said that the member can reasonably be aware that they are being overpaid as the scheme member has been notified of the correct rate in writing.

8.3 The Scheme Manager will therefore generally seek to recover monies that are greater than £250.00 (gross) in value unless there are legal reasons and/or other circumstances which

mean that the overpayment may not, in practice, be able to be recovered (in whole or in part). A value of £250.00 (gross) or less has been deemed as uneconomical to pursue due to the administrative time involved.

- 8.4 Where practical, the amount will be recovered from the scheme member's ongoing pension as this allows for the appropriate adjustment for tax. The pension will also be reduced to the correct level for the next available monthly pension payment after a 6 week notice period and will be notified in writing of the error and the course of action to be taken.
- 8.5 Where there is no ongoing pension from which to deduct the overpaid amount, or recovery from the ongoing pension is impractical due to size or duration of the recovery required, an invoice will be arranged by the LGSS Pensions to recover the overpayment which is greater than £250.00 in value.

**9. Managing overpayments of pension following an incorrect rate of pension being paid by the LGSS Pensions and it can be said that the member cannot have known of the overpayment**

- 9.1 The table below illustrates how an overpayment of a member's pension can occur without the member being aware. It should be noted that the table below is not an exhaustive list;

	<b>Type of overpayment</b>	<b>How overpayment has occurred</b>
1	Administration error upon calculation and notification of benefit entitlement (includes dependants' pensions)	Incorrect (overstated) rate of pension input onto payroll record and member informed in writing of the, incorrect, rate of pension to be paid.
2	Incorrect level of Guaranteed Minimum Pension (GMP) being paid	New information from HMRC leads to a revised rate of GMP to be used which, due to the different way cost of living increases are applied to GMP and the excess over GMP, means that, overall, a lower level of pensions increase should have been paid.
3	Pensions Increase	Pensions Increase inaccurately applied to the elements of a pension in payment.

- 9.2 In these circumstances the Scheme Manager will generally seek to recover monies that are greater than £250.00 (gross) in value unless there are legal reasons and/or other circumstances which mean that the overpayment may not, in practice, be able to be recovered (in whole or in part). A value of £250.00 (gross) or less has been deemed as uneconomical to pursue due to the administrative time involved.
- 9.3 Where practical, the amount will be recovered from the scheme member's ongoing pension as this allows for the appropriate adjustment for tax. The pension will also be reduced to the correct level for the next available monthly pension payment after a 6 week notice period. The scheme member will be notified in writing of the error and the course of action to be taken.
- 9.4 Where there is no ongoing pension from which to deduct the overpaid amount, or recovery from the ongoing pension is impractical due to size or duration of the recovery required, an invoice will be arranged by LGSS Pensions to recover the overpayment which is greater than £250.00 (gross) in value.

## 10. Discretion to write off overpayments

- 10.1 For all scenarios mentioned above, the Scheme Manager has the ability to exercise discretion in the event of legal reasons and/or exceptional circumstances and to ensure no individual is unfairly treated. If pursuing recovery of an overpayment was to cause significant distress and/or if there are legal reasons as to why the overpayment may not be recovered (in whole or in part) this would be taken into account as would the cost effectiveness of recovery. All applications made to write off of an overpayment will be investigated on a case by case basis and final decision will be made by the Scheme Manager.
- 10.2 The Scheme Manager has discretion to write off any amount under £250.00 (gross) in line with HM Revenue and Customs authorised payments limits and the analysis of the cost effectiveness of pursuing the claim conducted.

## 11. Recovery

- 11.1 The Limitation Act 1980 states that *“An action founded on simple contract shall not be brought after the expiration of six years from the date on which the cause of action accrued”*. However, section 32(1) of the Act effectively ‘postpones’ the date by which a Scheme Manager may make a claim to recover monies in certain circumstances. It states *“the period of limitation shall not begin to run until the plaintiff has discovered the fraud, concealment or mistake (as the case may be) or could with reasonable diligence have discovered it”*. The potential effect of section 32(1) in relation to any overpayment and its recovery will be considered on a case-by-case basis.
- 11.2 Therefore the Scheme Manager will generally seek to recover overpayments that have been discovered within the last 6 years with the relevant postponement applied if applicable in line with the Limitation Act unless there are legal reasons and/or other circumstances which mean that the overpayment may not, in practice, be able to be recovered (in whole or in part).
- 11.3 Examples of limitation periods and how they operate in relation to overpayments are included in appendix 1 of this policy.
- 11.4 It should be borne in mind that where the Scheme Manager seeks to recover overpayments, there may be arguments raised as to why the overpayment should not be recovered (in whole or in part). These will need to be considered on a case-by-case basis and, if successful, may affect the ability to recover the overpayment (in whole or in part).

## 12. Length of time to recover overpayment

- 12.1 The Scheme Manager will allow a pension overpayment to be recovered over the same amount of time as the overpayment occurred. For example, if overpayments were made for a 3 month period, the recovery period to repay the overpayment will be 3 months. In the event that reasonable arguments are advanced that the recovery period should be extended, the Scheme Manager can at its discretion allow an extension based on the individual’s circumstances; such an extension would generally not exceed a further 50% of

the period in which the overpayment occurred with scope for this period to be extended based on the individual's circumstances.

### **13. Claims of inability to repay overpayments**

- 13.1 In cases where it is claimed that an overpayment cannot be repaid, LGSS Pensions will enter into negotiations with the individual overpaid/their representatives or next of kin and an analysis of the cost effectiveness of pursuing the overpayment will be undertaken on a case-by-case basis. For large overpayments, where appropriate the Scheme Manager will seek legal advice. This approach will reduce the number of Internal Dispute Resolution Procedures applications and referrals to the Pensions Ombudsman. For any cases that do reach the Pensions Ombudsman, the Scheme Manager would have demonstrated engagement and negotiation with the complainant.

### **14. Monitoring repayments**

- 14.1 In cases where recovery is not being made through the pension payroll and an invoice has been raised, the responsibility for chasing the payment rests with the LGSS Debt Recovery Team. If a final reminder is issued, officers are notified and a decision is made by the Scheme Manager as to whether to take legal action, taking into consideration the amount and circumstances against the potential of legal action.

### **15. Reporting to HM Revenue and Customs and effects on the Authority and individual**

- 15.1 Scheme Managers are obliged to correct any error they discover within a reasonable period of time. To do otherwise would render payments unauthorised under Section 14 of the Registered Pension Scheme (Authorised Payments) Regulations 2009. HM Revenue and Customs have a clear steer with regards to timing, in so much that "*When a scheme discovers an overpayment it immediately becomes unauthorised and is subject to an unauthorised tax charge*".
- 15.2 Regulation 13 says that a payment made in error will be an unauthorised payment if the:
- Payment was genuinely intended to represent the pension payable to the person;
  - Scheme Manager believed the recipient was entitled to the payment and;
  - Scheme Manager believed the recipient was entitled to the amount of pension that was paid in error.
- 15.3 In addition to the above, there is a further exemption where the overpayment is a 'genuine error' and the aggregate overpayment (paid after 5th April 2006) is less than £250. In such circumstances, if the overpayment is not recovered it remains an unauthorised payment but it does not have to be reported to HM Revenue and Customs and HM Revenue and Customs will not seek to collect tax charges on it.
- 15.4 Examples of HM Revenue and Customs 'genuine errors' are in appendix 2 of this policy.
- 15.5 The Finance Act 2004 also sets out a list of the payments which a registered pension scheme is authorised to make to members. Payments which do not fall within the list will

become unauthorised payments and could result in up to three tax charges applying: 1) an authorised payments charge on the recipient of the payment; 2) an unauthorised payments surcharge on that recipient; and 3) a scheme sanction charge on the scheme.

- 15.6 Payments made in the period between notifying the member of an overpayment and the point at which the correction to the right level of pension is made will be regarded under the above legislation as an unauthorised payment. If the total amount of pension paid at the incorrect rate from point of notification to date of reduction to the correct rate is greater than £250 (gross) it would be subject to tax charges 1) and 3) and possibly 2 as set out in section 17.5.

## **16. Prevention**

- 16.1 The Scheme Manager has in place processes in order to minimise the risk of overpayments occurring.
- 16.2 The National Fraud Initiative is conducted every two years; it compares files of pensioners with the Department for Work and Pensions database of the deceased and highlights matches for investigation. The Scheme Manager actively participates in this initiative.
- 16.3 The Scheme Manager participates in overseas life existence checks to ensure only legitimate pensions are being paid and to reduce the likelihood of fraudulent activity.
- 16.4 A report is run periodically on the pension administration system to identify individuals in receipt of a child's pension, further investigations are then carried out for children that are identified as over the age of 18 to ensure they are still entitled to receive a pension.
- 16.5 All correspondence sent to scheme members includes reminders that LGSS Pensions must be advised of changes in circumstances or the death of a scheme member. LGSS Pensions also investigates any returned pensioner payslips and pension payments returned by banks and building societies to ensure the welfare of the scheme member and to protect the scheme.
- 16.6 Officers have a robust system in place for identifying changes to the payroll that need to be processed for a particular payroll month. The process incorporates payroll deadlines and ensures changes are made in a correct and timely manner. This would be in circumstances such as a change from a short term dependant's pension to a long term pension.

## Appendix 1 – Limitation Period Examples

Scenario	Limitation Period	Overpayment Period which can be claimed*
<ul style="list-style-type: none"> <li>• Overpayments began in April 2008 (the first Mistake Date)</li> <li>• Overpayments discovered, or could have been discovered with reasonable due diligence, in August 2010 (the Discovery Date under Section 32 of the Limitation Act 1980)</li> <li>• Overpayments made for period between April 2008 and August 2010</li> <li>• Formal claim** for recovery made in January 2015 (the Cut Off Date as referred to in <i>Webber v Department for Education</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• No issues in principle with the Limitation Period as formal claim for recovery commenced within 6 year period after the Discovery Date</li> <li>• Claims are therefore <u>valid and</u> should proceed</li> </ul>	<ul style="list-style-type: none"> <li>• Overpayments back to when they began in April 2008 until August 2010 may be claimed</li> </ul>
<ul style="list-style-type: none"> <li>• Overpayments began in April 2003 (the first Mistake Date)</li> <li>• Overpayments discovered, or could have been discovered with reasonable due diligence, in November 2009 (the Discovery Date under Section 32 of the Limitation Act 1980)</li> <li>• Overpayments made from April 2003 to November 2009</li> <li>• Formal claim for recovery made in December 2011 (the Cut Off Date as referred to in <i>Webber</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• No issues in principle with the Limitation Period as formal claim for recovery commenced within 6 year period after the Discovery Date</li> <li>• Claims are therefore valid and should proceed</li> </ul>	<ul style="list-style-type: none"> <li>• Overpayments back to when they began in April 2003 until November 2009 may be claimed</li> </ul>
<ul style="list-style-type: none"> <li>• Overpayments began in January 1999 (the first Mistake Date)</li> <li>• Overpayments discovered or could have been discovered with reasonable due diligence in September 2016 (when the date was received from HM Treasury in relation to the GMP equalisation exercise) (the Discovery Date under Section 32 of the Limitation Act 1980)</li> <li>• Overpayments made for the period from January 1999 to September 2016</li> <li>• Formal claim for recovery made in February 2017 (the Cut Off Date as referred to in <i>Webber</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• No issues in principle with the Limitation Period as formal claim for recovery commenced within 6 year period after the Discovery Date</li> <li>• Claims are therefore valid and should proceed</li> </ul>	<ul style="list-style-type: none"> <li>• Overpayments back to when they began in January 1999 until September 2016 may be claimed</li> </ul>
<ul style="list-style-type: none"> <li>• Overpayments began in April 2006 (the first Mistake Date)</li> <li>• Overpayments discovered, or could have been discovered with reasonable due diligence, in August 2009 (the Discovery Date under Section 32 of the Limitation Act 1980)</li> <li>• Overpayments made for period between April 2006 and August</li> </ul>	<ul style="list-style-type: none"> <li>• Issue with the Limitation Period as formal claim for recovery commenced more than 6 years after the Discovery Date</li> <li>• Claims are therefore out of time and should not proceed</li> </ul>	<ul style="list-style-type: none"> <li>• Overpayments cannot be claimed back as the formal claim for recovery was made more than 6 years after the Discovery Date</li> </ul>



<p>2009</p> <ul style="list-style-type: none"> <li>• Formal claim for recovery made in January 2017 (the Cut Off Date as referred to in <i>Webber</i>)</li> </ul>		
<ul style="list-style-type: none"> <li>• Overpayments began in April 2006 (the first Mistake Date)</li> <li>• Overpayments discovered, or could have been discovered with reasonable due diligence, in August 2009 (the Discovery Date under Section 32 of the Limitation Act 1980)</li> <li>• Overpayments made for period between April 2006 and August 2016</li> <li>• Formal claim for recovery made in January 2017 (the Cut Off Date as referred to in <i>Webber</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Issue with the Limitation Period as formal claim for recovery commenced more than 6 years after the Discovery Date</li> <li>• Claims for overpayments between April 2006 and January 2011 are therefore out of time and <u>should not proceed</u></li> <li>• However, as each monthly overpayment is a separate overpayment, the effect of the <i>Webber</i> case is that overpayments made in the 6 years prior to the Cut Off Date (i.e. the overpayments made in February 2011 to August 2016) can be recovered</li> </ul>	<ul style="list-style-type: none"> <li>• Overpayments for the period April 2006 to January 2011 cannot be claimed back as the formal claim for recovery was made more than 6 years after the Discovery Date</li> <li>• Overpayments for the period February 2011 to August 2016 may be reclaimed.</li> </ul>

\* while this refers to the period which can be claimed, this is not the same as the period which will definitely be recovered in light of the other defences which are available to scheme members who face such claims for repayments of overpayment.

\*\* reference to formal claim in this appendix means the commencement of formal proceedings to recover the overpayment.

## Appendix 2 - Examples of HM Revenue and Customs 'genuine errors'

### Genuine error - example 1

Apart from the case of pensions continuing under a 'term certain' guarantee, pensions are supposed to stop accruing on the death of the pensioner. If payments that accrued inappropriately after the death continue to be made, they will be unauthorised unless they fall within the limited conditions of regulation 15 of The Registered Pension Schemes (Authorised Payments) Regulations. The main feature of those conditions is that instalments can be paid within 6 months of the member's death providing the payer was reasonably unaware the pensioner had died.

Clearly then, once the 6 month time limit has passed, the tax rules will regard any future instalments as unauthorised member payments, and the fact the payer might remain unaware of the member's death does not change the essential character of any payment made. When the death comes to light the payer can see that the payments made more than 6 months after death were made in error.

### Genuine error - example 2

The tax rules normally require that a pension being paid to a dependent who is child of a deceased member must stop when the recipient reaches age 23. If the recipient does not qualify for any of the exceptions that would allow for the continuation of their pension after that time, for example because of a disability, then the payer must make adequate arrangements to stop the pension in time. To this end they may give a clear and timely warning to the bank to stop payments from the necessary date but it can happen that the bank fails to act on those instructions and payments continue to be made in error.

In both of these examples, if the error was spotted and rectified (pension overpayments were repaid) as soon as reasonably possible, the inadvertent pension instalments (in the case of Example 1, only in respect of the instalments paid after the 6 month limit where the conditions otherwise apply) would not be unauthorised member payments.

However, there would be an unauthorised member payment if, despite the error being spotted, it is decided the repayment of the inadvertently overpaid pension instalments will not be pursued or the scheme does attempt recovery (in the case of Example 1, only in respect of the instalments paid after the 6 month limit where the conditions otherwise apply) but is unsuccessful and eventually decides to write off the overpayment (even though the decision might be taken on administration costs grounds or out of sensitivity). The exception to this will be if - as may often be the case - one of the categories of authorised payments introduced by the Registered Pension Schemes (Authorised Payments) Regulations 2009 can then be looked to in relation to payments made in genuine error but left in place.

The date of the unauthorised payment for the purpose of having to make a report of that payment would be the date that the decision is made not to seek recovery of the overpayment or the date the decision is taken to no longer seek recovery of the overpayment, as the case may be.

Where the overpayment is not pursued or, otherwise, not successfully pursued and the total of such overpaid pension instalments paid after 5 April 2006 (overpaid instalments paid before 6 April 2006 do not count for this purpose) to, or in respect of, a particular member does not exceed £250:

- for its own reasons of cost administration, under its Collection and Management powers, HM Revenue & Customs will not seek to collect the tax that, in strictness, is due in respect of the unauthorised payment (although the payment remains an unauthorised payment), and
- the scheme administrator does not have to report the unauthorised payment to HM Revenue & Customs, and
- the unauthorised payment does not have to be returned on the recipient's Self-Assessment tax return or, otherwise, be notified to HM Revenue & Customs.

If the aggregate overpayment exceeds £250, then all of the overpayment is chargeable as an unauthorised payment (i.e. one cannot deduct £250 as if it were an allowance, which it is not).

For this purpose, the £250 threshold applies to the aggregate of the overpayments actually received by, or in respect of, the member.

Where the conditions would otherwise apply in respect of pension instalments paid later than 6 months after the death of a pensioner except that the pension instalments have been paid later than 6 months after the pensioner's death, the £250 threshold applies in respect of the aggregate of the pension instalments paid after the expiry of the 6 month time limit only. The pension instalments paid up to the 6 month time limit would not be.

### **Overpayment of lump sums**

The conditions described above apply equally where an overpayment of a lump sum occurs, such as a pension commencement lump sum or serious ill-health lump sum. So the limit of £250 will apply, but any lump sum in excess of that amount, where recovery cannot be made, will be an unauthorised payment to the extent that the amount is not an authorised payment.

For example, a pension commencement lump sum of £100,000 is due to be paid under the scheme rules, but £105,000 is paid in error. The scheme administrator is unable to affect a recovery of the excess. Under the tax rules, the pension commencement lump sum of £100,000 is the permitted maximum, so the whole excess of £5,000 is an unauthorised payment (i.e. one cannot deduct £250 as if it were an allowance, which it is not).

Note that a payment of a lump that is intended to be a pension commencement lump sum but ends up exceeding the permitted maximum may still be an authorised member payment if certain conditions are met.

**Example**

A pension commencement lump sum must be paid within an 18 month period starting 6 months before and ending 12 months after the member becomes entitled to the lump sum and linked pension. However, due to an error within the administration department of the pension scheme, the lump sum payment is not made by that deadline. If the lump sum is paid after the deadline it will not be a pension commencement lump sum and (unless it falls within the definition of one of the other authorised lump sums) will be an unauthorised member payment.

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# Firefighters' Pension Schemes (1992, 2006, 2015)

## Reporting Breaches of the Law to the Pensions Regulator Policy 2019



## 1. Introduction

- 1.1 This is the Reporting Breaches of the Law to the Pension Regulator Policy in relation to the Firefighters' Pension Schemes 1992, 2006 and 2015.
- 1.2 In April 2015 the Pensions Regulator (the Regulator) published its Code of Practice no 14 (the Code) Governance and administration of public service pension schemes. The code refers both to statutory duty as well as advisory and practitioners have a duty to follow the code in reporting breaches of the law.
- 1.3 There are many and various laws relating to Public Service Pension Schemes, with many and various people having a statutory duty to report material breaches of the law to the Regulator. To assist, the Code states that a procedure should be established to ensure that those with a responsibility to make reports are able to meet their legal obligations. This document is that procedure, which relates to all areas of operation.

## 2. Policy Objectives

- 2.1 The objectives related to this policy are as follows:
  - To have robust governance arrangements in place, to facilitate informed decision making, supported by appropriate advice, policies and strategies; and
  - Ensure members have the appropriate skills and receive training to ensure those skills are maintained in a changing environment.

## 3. Purpose of the policy

- 3.1 The purpose of the policy is to –
  - Ensure individuals have the correct understanding and necessary skills to be able to identify and report breaches as they arise;
  - Ensure that members are given appropriate information in order to understand the consequences of a breach; and
  - Ensure adequate procedures are in place to fully comply with the Code of Practice.

## 4. Effective date

4.1 This policy was reviewed by the Local Pension Board on xx, approved by the Scheme Manager on xxx and became effective from xx.

## 5. Review

5.1 This policy is expected to be appropriate for the long-term but it will be reviewed every 2 years to ensure it remains accurate and relevant.

## 6. Scope

6.1 The policy applies to:

- Administrators (LGSS Pensions) of the Firefighters' Pension Scheme
- Members of the Local Pension Board
- Advisors to the Scheme Manager
- The Scheme Manager

## 7. Legal Requirements

7.1 Individuals (as identified in section 6) are required to report breaches of the law to the Regulator where they have reasonable cause to believe that:

- a legal duty which is relevant to the administration of the scheme has not been, or is not being, complied with; and
- the failure to comply is likely to be of material significance to the Regulator in the exercise of any of its functions.

## 8. Reasonable Cause

8.1 Having 'reasonable cause' to believe that a breach has occurred means more than merely having a suspicion that cannot be substantiated.

8.2 Checks need to be made in order to ensure a breach has occurred and that the report is not made on suspicion alone. If an individual does not feel they can be 100% certain of a breach it would be prudent to discuss the case with a senior colleague or advisor, however if the suspicion is around theft, fraud or other serious offences where discussions may alert the those implicated or impede the actions of the police or a regulatory authority, the reporter should go to the Regulator directly and at the earliest opportunity.

8.3 In establishing whether there is reasonable cause to believe that a breach has occurred, it is not necessary for a reporter to gather all the evidence which the Regulator may require before taking legal action particularly if it is a significantly material breach. A delay in reporting may exacerbate or increase the risk of the breach.

8.4 If the reporter is unclear about the relevant legal provision, they should clarify their understanding of the law to the extent necessary to form a view.

## 9. Material Significance

9.1 In deciding whether a breach is likely to be of material significance to the Regulator, it would be advisable for the reporter to consider the:

- **cause of the breach** - e.g. dishonesty, poor governance, incomplete or inaccurate information, acting or failing to act in contravention of the law;
- **effect of the breach** - does the nature of the breach lead to an increased likelihood of further material breaches. Is it likely to cause, for example; ineffective internal controls, lack of knowledge and understanding, inaccurate records, potential for further breaches occurring;
- **reaction to the breach** - e.g. taking prompt and effective action to resolve a breach, notifying scheme members where appropriate; and
- **the wider implications of the breach** - e.g. where a breach has occurred due to lack of knowledge or poor systems and processes making it more likely that other breaches will emerge in the future.

9.2 When deciding whether to report, those responsible should consider these points together. Those reporting the breach should take into account expert or professional advice, where appropriate, when deciding whether the breach is likely to be of material significance to the Regulator.

9.3 When deciding whether a breach is of material significance, those responsible should consider other reported and unreported breaches of which they are aware. However, historical information should be considered with care, particularly if changes have been made to address previously identified problems.

9.4 The decision tree provides a “traffic light” system of categorising an identified breach:

**Green** – not caused by dishonesty, poor governance or a deliberate contravention of the law and its effect is not significant and a plan is in place to rectify the situation. In such cases the breach may not be reported to the Regulator, but should be recorded in a breaches log;

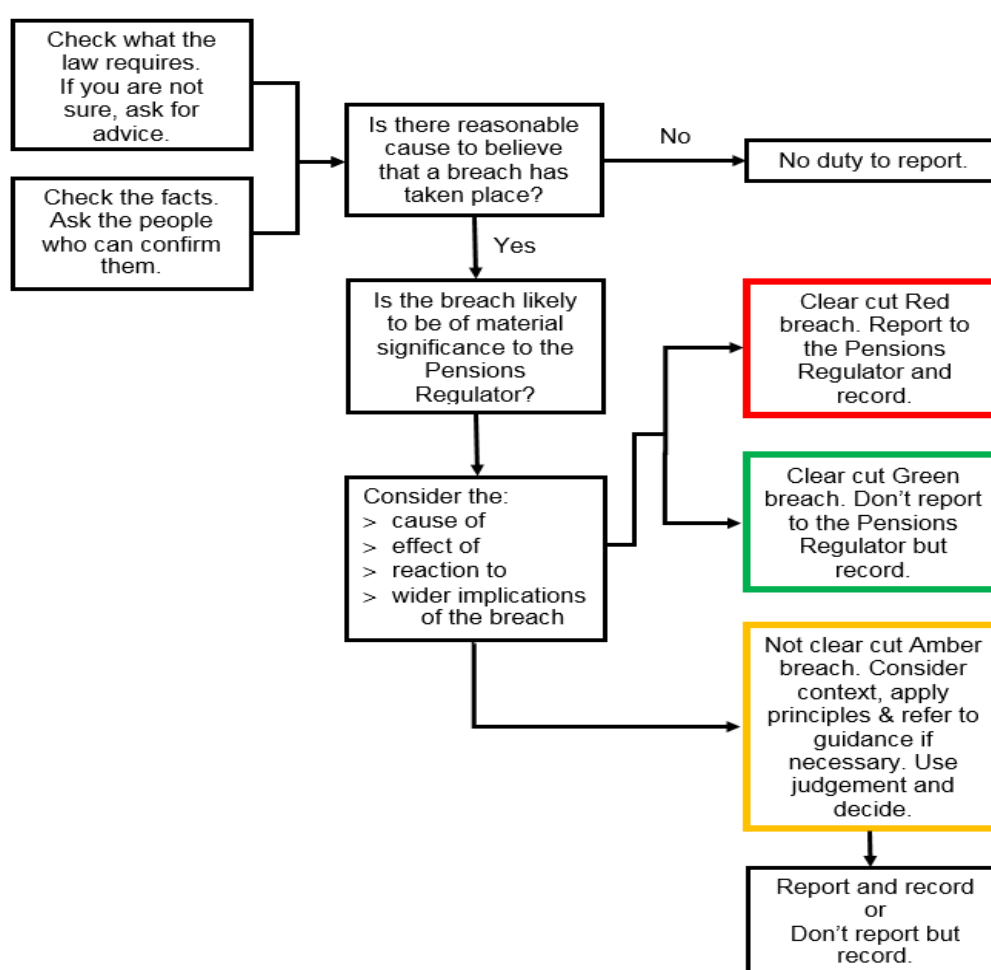
**Amber** – does not fall easily into either green or red and requires further investigation in order to determine what action to take. Consideration of other recorded breaches may also be relevant in determining the most appropriate course of action. Officers of LGSS Pensions in conjunction with the Scheme Manager will need to decide whether to informally alert the Regulator of the breach or likely breach, formally reporting the breach if it is subsequently decided to categorise the breach as red;

**Red** - caused by dishonesty, poor governance or a deliberate contravention of the law and having a significant impact, even where a plan is in place to rectify the situation. Officers of LGSS Pensions in conjunction with the Scheme Manager must report all such breaches to the Regulator in all cases;

It should be noted that failure to report a significant breach or likely breach is likely, in itself, to be a significant breach.



- 9.5 Officers of LGSS Pensions in conjunction with the Scheme Manager will use the Pension Regulator's decision tree as a means of identifying whether any breach is to be considered as materially significant and to report to the Pensions Regulator.
- 9.6 Once a breach or likely breach has been identified, regardless of whether it needs to be reported to the Regulator, the LGSS Pensions Governance and Regulations Manager, in consultation with the Head of LGSS Pensions and the Scheme Manager must review the circumstances of the breach in order to understand why it occurred, the consequences of the breach and agree the corrective measures required to prevent re-occurrence, including an action plan where necessary.
- 9.7 Significant breaches must be reported to the Local Pension Board, with a full report to be submitted at the next available meeting for members.



- 9.8 Those reporting breaches need to take care to consider the effects of the breach, including any other breaches occurring as a result of the initial breach and the effects of those resulting breaches.
- 9.9 Where prompt and effective action is taken to investigate and correct the breach and its causes and, where appropriate, notify any affected members, the Pensions Regulator will not normally consider this to be materially significant.

- 9.10 A breach is likely to be of concern and material significance to the Pensions Regulator where a breach has been identified and those involved:
- do not take prompt and effective action to remedy the breach and identify and tackle its cause in order to minimise risk of recurrence;
  - are not pursuing corrective action to a proper conclusion; and
  - fail to notify affected scheme members where it would have been appropriate to do so.

## **10. Guidance on reporting a breach to the Pensions Regulator**

- 10.1 Before submitting a report responsible officers should obtain clarification of the law around the suspected breach via an appropriate method. A judgement needs to be made on whether the Regulator would regard the breach as being material.
- 10.2 Some matters could be urgent, if for example a fraud is imminent, whilst others will be less so. Non-urgent but material breaches should be reported to the Regulator within 30 working days of them being confirmed, and in the same time breaches that are not material should be recorded.
- 10.3 Some breaches could be so serious that they must always be reported, for example a theft of funds by anyone involved with the administration or management. It is difficult to be definitive about what constitutes a breach that must always be reported, as a rule of thumb if a breach may lead to criminal prosecution or a serious loss in public confidence it is deemed that this type of breach that must always be reported.
- 10.4 Any report that is made (which must be in writing and made as soon as reasonably practicable) should be dated and include as a minimum:
- full name of the authority;
  - description of the breach or breaches;
  - any relevant dates;
  - name of the Scheme Manager;
  - name, position and contact details of the reporter; and
  - role of the reporter in relation to the scheme.

Additional information that would assist the Pensions Regulator would include, the reason the breach is thought to be of material significance to the Regulator; the address of the authority; the pension scheme's registry number; and whether the concern has been reported before.

- 10.5 Urgent reports should be marked as such and draw attention to matters they consider particularly serious. They can precede a written report with a telephone call, if appropriate.
- 10.6 The individual reporting the breach should ensure they receive an acknowledgement for any report they send to the Regulator. Only when they receive an acknowledgement can the reporter be confident that the Regulator has received their report.

- 10.7 The Regulator will acknowledge all reports within five working days of receipt, however it will not generally keep a reporter informed of the steps taken in response to a report of a breach as there are restrictions on the information it can disclose. The reporter should provide further information or reports of further breaches if this may help the Regulator to exercise its functions. The Regulator may make contact to request further information.
- 10.8 Breaches should be reported as soon as reasonably practicable, which will depend on the circumstances. In particular, the time taken should reflect the seriousness of the suspected breach.
- 10.9 In cases of immediate risk, for instance, where there is any indication of dishonesty, the Regulator does not expect reporters to seek an explanation or to assess the effectiveness of proposed remedies. They should only make such immediate checks as are necessary. The more serious the potential breach and its consequences, the more urgently reporters should make these necessary checks. In cases of potential dishonesty the reporter should avoid, where possible, checks which might alert those implicated. In serious cases, reporters should use the quickest means possible to alert the Regulator to the breach.

## 11. Process for reporting and recording material and non-material breaches.

- 11.1 The following table details the process for reporting material and non-material breaches –

Type of Breach	Timescale for reporting	Internal actions	Further actions
<b>Urgent and Material</b>	Responsible officer informs Head of LGSS Pensions The Scheme Manager is consulted and the breach is reported immediately to the Pensions Regulator.	LGSS Pensions to keep record of breach and investigate options to prevent further occurrence and liaise with the Pension Regulator where applicable to come to a satisfactory resolution. The scheme manager will be advised of the outcome.	These breaches must also be reported to the Local Pension Board, with a full report to be submitted at the next available meeting for members.
<b>Non urgent and material</b>	Responsible officer informs Head of LGSS Pensions. The Scheme Manager is consulted and the breach is reported within 30 days to the	LGSS Pensions to keep record of breach and investigate options to prevent further occurrence. The Scheme Manager will be advised of the outcome.	Report non urgent and material breaches at the next Local Pension Board meeting.

	Pensions Regulator.		
<b>Immaterial</b>	Responsible officer informs Head of LGSS Pensions within 30 days. The Scheme Manager also to be consulted within 30 days.	LGSS Pensions to keep record of breach and investigate options to prevent further occurrence. The Scheme Manager will be advised of the outcome.	Report immaterial breach at next Local Pension Board meeting.

## 12. Whistle blowing protection and confidentiality

- 12.1 The Pensions Act 2004 makes clear that the statutory duty to report overrides any other duties a reporter may have such as confidentiality and that any such duty is not breached by making a report. The Regulator understands the potential impact of a report on relationships, for example, between an employee and their employer.
- 12.2 The statutory duty to report does not, however, override legal privilege. This means that oral and written communications between a professional legal adviser and their client, or a person representing that client, while obtaining legal advice, do not have to be disclosed. Where appropriate a legal adviser will be able to provide further information on this.
- 12.3 The Regulator will do its best to protect the identity of the individual reporting the breach (if desired) and will not disclose the information except where lawfully required to do so. It will take all reasonable steps to maintain confidentiality, but it cannot give any categorical assurances as the circumstances may mean that disclosure of the reporter's identity becomes unavoidable in law. This includes circumstances where the regulator is ordered by a court to disclose it.
- 12.4 The Employment Rights Act 1996 (ERA) provides protection for employees making a whistle blowing disclosure to the regulator. Consequently, where individuals employed by firms or another organisation having a statutory duty to report disagree with a decision not to report to the regulator, they may have protection under the ERA if they make an individual report in good faith. The Regulator expects such individual reports to be rare and confined to the most serious cases.

## 13. Contact details

- 13.1 The Pensions Regulator  
 Napier House  
 Trafalgar Place  
 Brighton  
 BN1 4DW  
 Tel – 0845 600 0707  
 E-mail – [customersupport@tpr.gov.uk](mailto:customersupport@tpr.gov.uk)
- 13.2 Mark Whitby

Head of Pensions  
One Angel Square  
Angel Street  
NN1 1ED  
E-mail – [pensions@northamptonshire.gov.uk](mailto:pensions@northamptonshire.gov.uk)

13.3 Darren Dovey  
Chief Fire Officer (Scheme Manager)  
Wootton Hall Park  
Northampton  
NN4 8BW  
E-mail - [enquiries@northantsfire.gov.uk](mailto:enquiries@northantsfire.gov.uk)

#### **14. Further guidance**

Section 70(1) and 70(2) of the Pensions Act 2004:  
[www.legislation.gov.uk/ukpga/2004/35/contents](http://www.legislation.gov.uk/ukpga/2004/35/contents)

Employment Rights Act 1996:  
[www.legislation.gov.uk/ukpga/1996/18/contents](http://www.legislation.gov.uk/ukpga/1996/18/contents)

Occupational and Personal Pension Schemes (Disclosure of Information)  
Regulations 2013 (Disclosure Regulations):  
[www.legislation.gov.uk/uksi/2013/2734/contents/made](http://www.legislation.gov.uk/uksi/2013/2734/contents/made)

The Firefighter's Pension Scheme Regulations:  
<https://www.legislation.gov.uk/uksi/2014/2848/contents/made>

Public Service Pension Schemes Act 2013:  
[www.legislation.gov.uk/ukpga/2013/25/contents](http://www.legislation.gov.uk/ukpga/2013/25/contents)

The Pensions Regulator's Code of Practice:  
<http://www.thepensionsregulator.gov.uk/doc-library/codes.aspx>

## Appendix 1 – Examples of Scheme Disclosures

Any deadline not achieved under the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 is classed as a breach of the law, it is the responsibility of Northants Fire and Rescue Service to assess whether these are likely to be of material significance to the Pensions Regulator.

The table below sets out some of the key disclosure requirements that schemes must satisfy so that they do not breach the disclosure regulations –

<b>Information</b>	<b>Requirement</b>
Provision of basic scheme information to a prospective member	Within one month of the scheme receiving their job holder information. If no such information has been received, within two months of them joining the scheme.
Benefit statements	Within two months of the request being received.
Provision of information on death of a member	Within two months of the scheme being notified of the death.
Rights and options to be provided to early leavers	Within 2 months after being notified by the member or their employer that active membership has ceased.

## Appendix 2 – Other matters that are likely to be of material significance to the Pensions Regulator

The below table demonstrates matters that the Pension Regulator is likely to deem of material significance in regards to the Scheme Manager not meeting their statutory objectives –

Local Pension Board members not having the appropriate degree of knowledge and understanding, which may result in the Board not fulfilling its role, resulting in the scheme not being properly governed and administered.
Local Pension Board members having a conflict of interest, which may result in them being prejudiced in the way that they carry out their role.
Adequate internal controls not being established and operated, which may lead to the scheme not being run in accordance with the Regulations and other legal requirements, risks not being properly identified and managed.
Accurate information about benefits and Scheme administration not being provided to scheme members and others, which may result in members not being able to effectively plan or make decisions about their retirement.
Appropriate records not being maintained, which may result in member benefits being calculated incorrectly and/or not being paid to the right person at the right time.
Any other breach which may result in the scheme being poorly governed, managed or administered.



## Northamptonshire Firefighters' Pension Scheme Local Pension Board

### AGENDA ITEM: 13

<b>REPORT BY</b>	<b>Project Support Officer</b>
<b>SUBJECT</b>	<b>Northamptonshire Firefighters' Pension Scheme Local Pension Board - Agenda Plan</b>
<b>RECOMMENDATION</b>	To discuss the agenda plan

### 1. Background

1.1 The agenda plan incorporates statutory, good practice and agreed scrutiny items and has been updated to reflect the items at the July 2021 to March 2022

	frequency required	27 <sup>th</sup> July 2021	30th September 2021	9th December 2021	24th March 2022
Confirmed agenda to be circulated		4 <sup>th</sup> June	End August 2021		
Deadline for reports to be submitted		19 <sup>th</sup> July	20 <sup>th</sup> September 2021		
Papers to be circulated		20 <sup>th</sup> June	21 <sup>st</sup> September 2021		
Apologies and Declaration of Interests	every meeting	Apologies and Declaration of Interests	Apologies and Declaration of Interests	Apologies and Declaration of Interests	Apologies and Declaration of Interests



Minutes	every meeting	Minutes	Minutes	Minutes	Minutes
Fire Fighters Pensions Scheme Administration	every meeting	Fire Fighters Pensions Scheme Administration	Fire Fighters Pensions Scheme Administration	Fire Fighters Pensions Scheme Administration	Fire Fighters Pensions Scheme Administration
Update and breaches of Law	every meeting	Update on SLA and breaches of Law	Update on SLA and breaches of Law	Update on SLA and breaches of Law	Update on SLA and breaches of Law
LGA Bulletin – points of interest <a href="https://fpsregs.org/index.php/bulletins-and-circulars/bulletins">https://fpsregs.org/index.php/bulletins-and-circulars/bulletins</a>	Every meeting	LGA Bulletin – points of interest	LGA Bulletin – points of interest	LGA Bulletin – points of interest	LGA Bulletin – points of interest
Compliance with the Pensions regulator and Code of Practice	annually	Compliance with the Pensions regulator and Code of Practice			
Risk Register	every meeting	Risk Register	Risk Register	Risk Register	Risk Register
Annual Report	annually		Annual Report		
Immediate Detriment position	Annually	Immediate Detriment position			
Age Discrimination remedy	annually		Age Discrimination remedy		
Election of Chair and Vice chair	annually			Election of Chair and Vice chair	
Local Pension Board Representative Training	annually				Local Pension Board Representative Training
Knowledge Management and			Knowledge Management and Representative self-assessment		

Representative self-assessment					
Local Pension Board policy review	Every meeting – review different policies to ensure up to date	policy review	policy review	policy review	policy review