

**Minutes of the Meeting of  
Shropshire and Wrekin Fire and Rescue Authority  
Pension Board  
Held via Microsoft Teams  
On Monday, 28 June 2021 at 2.00 pm**

**Present**

**Members**

**Employer Representatives**

Simon Hardiman	Assistant Chief Fire Officer (Service Support) (Chair of Board)	ACFO
James Walton	Fire Authority Treasurer	JW

**Member Representatives**

Matt Lamb	Fire Brigades Union (FBU)	ML
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**Officers**

Darren Bowe	Senior Pension Officer, Shropshire Council	SPO
Lisa Vickers	Human Resources Manager (Contracts)	HRM
Lynn Ince	Executive Support Officer	ESO

## 1 Appointment of Chair

It was proposed and seconded that the Assistant Chief Fire Officer be appointed as Chair. With no other nominations, it was **Resolved** on a unanimous vote that the Assistant Chief Fire Officer be appointed as Chair.

## 2 Apologies for Absence

Tony Talbot, Fire and Rescue Services Association (FRSA)  
Helen Tomkins, Pension Team Leader (PTL), Shropshire Council

## 3 Conflicts of Interest and Conflicts Register

Board Members were asked to declare any interests or responsibilities which may lead to conflicts of interest in the subject area or any specific agenda items for this meeting.

James Walton, Treasurer, declared a potential conflict of interest in that he is the Pension Administrator of the Shropshire County Pension Fund (SCPF) which the PTL and the SPO work for.

Board Members queried if their Register of Interests form needs to be signed on an annual basis.

**Action: ESO to confirm if this must be done on a 12-monthly basis**

## 4 Minutes and Action List

### 4a Minutes

**Resolved** that the minutes of the Pension Board meeting, held on 11 December 2020, be agreed and signed by the Chair as an accurate record of the meeting.

### 4b Pension Board Action List

Progress on the Actions List is recorded on that document.

**Resolved** that the Board note the progress recorded against the actions on the Action List.

## 5 Contract Management Update and Issues

As of March 2022, Shropshire Council will no longer provide administration services for firefighter pensions. Consequently, the Service will go out to joint tender for a provider on 1 June 2021 with Warwickshire Fire and Rescue Service. The closing date for tender submissions is 14 July 2021 with evaluation of submitted tenders being carried out in early August 2021. It is believed that only two tenders will be submitted.

Two separate tenders will then be awarded on 15 September 2021. This award will then be followed by a trial run phase.

Recruitment of an in-house Pensions Officer has commenced with a job description being drawn up for the role.

**Resolved** that the Board note the update given.

## 6 Terms of Reference

The Board considered its Terms of Reference and identified the following necessary amendments:

- **Section 3 Membership**  
The Board will comprise an equal number of employer and member representatives with a minimum requirement of no less than ~~four~~ **six** in total.
- **Section 10 Quorum**  
The total number of members required to be present for a meeting to be quorate is three members, ***including one employer and employee representative.***

**Resolved** that the Board agree its Terms of Reference with the amendments set out in the meeting.

## 7 Pension Board Work Plan

**Resolved** that the Board agree its Work Plan without amendment.

## 8 Annual Report to Standards, Audit and Performance Committee

ML highlighted that item (a) under The Year Ahead section should be amended to read 2018 Local Government Association appeal

**Resolved** that the Board agree the Annual Report with the amendment set out in the meeting, for submission to the Standards, Audit and Performance Committee.

## 9 Scheme Advisory Board Communications

The Board received the following items from the Scheme Advisory Board (SAB) for information and / or discussion. The SPO highlighted the following issues in each Bulletin and gave a summary of the points relating to the Age Discrimination remedy after all bulletins had been gone through.

### 9a FPS Bulletin 40 (December 2020)

- The statutory levy action has been completed
- Joanne Livingstone is new Chair of the Scheme Advisory Board

### 9b FPS Bulletin 41 (January 2021)

- The Pensions Regulator Six key processes factsheet has been published and needs to be considered by scheme managers and local pension boards
- Further advice has been received on the qualification criteria for Firefighter compensation schemes and is set out in this Bulletin

### 9c FPS Bulletin 42 (February 2021)

- The pause on the 2016 cost cap valuation will now be lifted

### 9d FPS Bulletin 43 (March 2021)

- The Top Up Grant data 2021 has been submitted as requested

### 9e FPS Bulletin 44 (April 2021)

- Annual Benefits Statement – no projections will be included for protected members but an explanatory note regarding this will be included
- Data collection for the Internal Dispute Resolution Procedure has been completed

### 9f FPS Bulletin 45 (May 2021)

- Fire Pension Schemes website has been launched which gives consolidated access to information about pension schemes.

## **Age Discrimination Update**

- The Project Team is working on data collection for the Remedy
- Fire and Rescue Authorities have all completed self-assessment surveys to get feel of their preparedness for implementation of the Remedy
- Bulletin 40 contains the joint statement from the Home Office and LGA on the age discrimination remedy and the standard wording for inclusion with Cash Equivalent Transfer Value cases
- Bulletin 42 covers HM Treasury's age discrimination remedy consultation response
- Bulletin 42 also reports that the Employment Appeal Tribunal (EAT) upheld that fire and rescue authorities cannot rely on Schedule 22 of the Equality Act 2010 as defence. Issue of discrimination when processing members
- Data transfer difficulties need to be addressed
- Bulletin 43 includes reference to the Scheme Advisory Boards Management Plan for how it intends to work with the sector on this issue.
- The Home Office has reissued its Immediate Detriment note and the Local Government Association have supplemented this with their guidance.
- The Remedy is a big resource intensive project

The ACFO advised that a report on the Age Discrimination Remedy and the EAT judgement was taken to the Fire Authority on 23 June 2021. The Authority agreed, in principle, the report recommendations that the Home Office guidance should be applied pending confirmatory legal advice as the Authority felt strongly that there should be no further delay to the application of the Remedy. The ACFO suggested that the process and timing need to be linked. The SPO agreed with this and will feedback to Debbie Sharp. The SPO also highlighted the need to keep detailed notes and/or evidence of decisions made, and actions taken in relation to the Remedy.

ML commented that the Authority's decision is welcome as it aligns Shropshire with the other fire and rescue services in region. ML also advised that the Fire Brigades Union position is that there should be no issue with payments – members should be able to access benefits. ML also raised the issue of the Home Office's Note on the 2018-20 payments holiday and those who are already retired and should be able to access the immediate detriment remedy. Whilst the progress that has been made is recognised, the people affected by the 2018-20 payments holiday are due a bigger refund and it is not clear why this issue is so difficult to deal with. ML added that West Midlands Fire and Rescue Service confirmed on 1 February 2021 that immediate detriment will be included in its 2018-20 calculations. The SPO commented that he appreciated the points raised by ML as the situation is also very difficult for pension scheme administrators.

**Action: ACFO to keep Pension Board updated on progress with the Age Discrimination Remedy– the main focus is currently data collection.**

**Resolved** that the Board note the SAB Bulletins

## 10 Surveys / Returns

- Pension Governance and Administration Survey - submitted on 1 February 2021
- Immediate Detriment Survey response has been submitted

**Resolved** that the Board note the updates given in relation to Surveys / Returns.

## 11 Update from Pension Administrator

### 11a Key Performance Indicators June to December 2020

- Performance on more priority cases is doing well
- Main reasons for delays are related to receiving leavers forms from Payroll
- There are also some training issues within Pensions Team that need to be addressed with the aim of improving performance on deferred processes and procedures.

### 11b Member Self Service (MSS) Statistics Update

- MSS uptake for active members is currently 57%

### 11c Membership Statistics

- The increase in deferred members of the 2015 Scheme is due to a recount of members rather than an increase in people joining

**Resolved** that the Board note the Update from the Pensions Administrator.

## 12 Communications to Members

The ACFO highlighted the need to communicate the decision about immediate detriment to the 37 identified cases as a priority. There is a communications template from Local Government Association that can be used.

The SPO gave the following updates on communications to Members:

- There is a link on the Shropshire County Pension Fund website to the LGA's new Firefighters' Pension Scheme website
- P60s have been sent out to all Members
- Annual Benefits Statements will be sent out in August 2021

## 13 Training

The Board considered Pension Board training, including:

- Update training register
- Notice of upcoming events
- Training needs analysis

- The Pensions Regulator (TPR) Training Modules which can be accessed via the following link:  
<https://education.thepensionsregulator.gov.uk/login/index.php>

## 14 Breaches Register

There have been no breaches in the period since the last meeting of the Pension Board.

## 15 Pension Board Risk Register

This item was deferred to next meeting.

The HRM did, however, query if a risk should be added to the Register concerning the possibility of there being no tender awarded for the Pensions Contract. The Treasurer asked what the Service's fallback position would be if this occurred. The HRM advised that there are currently no fallback arrangements but would hope that something, such as an extension of the existing contract could be arranged.

**Action: HRM to email SPO and Debbie Sharp regarding the possibility of an extension to the existing contract.**

**Action: ACFO / HRM / ESO to meet to update Risk Register**

## 16 Register of Internal Disputes

**Resolved** that the Board note the update on the Register of Internal Disputes and that there have been none in the period since the last meeting of the Pension Board.

## 17 Date of Next Meeting

**Action: ESO to confirm remaining meeting dates for 2021.**

The meeting closed at 3.15 pm.

Chair.....

Date.....