

**Minutes of the meeting of
Shropshire and Wrekin Fire and Rescue Authority
Pension Board**

**held in the Sycamore Room, Headquarters / via MS Teams
on Tuesday, 10 December 2024 at 2.00pm**

Present

Members

Employer Representatives

Karen Gowreesunker ACFO Corporate Serices KG

Member Representatives

Matt Lamb Fire Brigades Union ML

Officers

Darren Bowe Pensions Officer PO

Joanne Codey Head of Finance JC

Aleks Zydek Executive Support Officer AZ

Helen Scargill West Yorkshire Pension Fund HS

Andy Bevon Fire and Rescue Service Association AB

1 Apologies for Absence

Steve Morris (SM), James Walton (JW), Tony Talbot (TT), Wendy Edwards (WE), Claire Ellis (CE) and Rob Cartwright (RC)

KG welcomed Andy Bevon to the meeting and noted that there is an option for AB to attend Pension Boards meetings dates that TT can't attend to ensure resilience.

ML raised that decision to allow AB to attend the Board meetings in TT place must be made by Members Representatives side and not employers side. He added that Rob Cartwright (FBU) as representative of largest union in the Service needs to be involved in the process of selecting new members representatives. KG noted ML concern and agreed that Rob Cartwright should lead work on replacing any members on representative side.

AB raised that he and TT are working full time it is challenging to fit the meetings around the jobs. He agreed to relay the discussion from the meeting to TT.

ACTIONS:

- **KG to speak to Rob Cartwright.**
- **Rob Cartwright to meet with TT discuss membership going forward.**
- **KG to arrange expression of interest to be put out for employers' side to recruit new members. KG to speak to WE about potential for her to join the Pension Board going forward.**

2 Conflicts of Interest

Board members were reminded that they should declare any interests or responsibilities, which may lead to conflicts of interest in the subject area or any specific agenda item of this meeting. A conflict of interest is defined as a financial or other interest, which is likely to prejudice a person's exercise of functions as a member of the Pension Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the Firefighters' Pension Scheme.

JCo declared that as Head of Finance she would have a Conflict of Interest if she was Member Representative. JCo will be replaced as a Member by CE going forward. JCo will attend the Board in Officer capacity.

3a Pension Board Meeting Minutes For decision

The Board received the minutes of the Pension Board Meeting held on 10 September 2024, **attached marked 3a**, and agreed that they be signed as an accurate record of that meeting.

3b Pension Board Action List For information / update

The Board noted progress against the actions on the Action List. All discussion relating to this item was recorded on the document marked 3b.

The response I provided the other FRA who asked about the above was as follows:

"The [Eligibility factsheet](#) sets out the requirements when establishing who is entitled to join the FPS.

I think your issue is around whether a fixed term contract constitutes temporary, and this has been the subject of debate for some time.

The [pensionable pay factsheet](#) provides some information, whilst talking about the nature of temporary pay, it does add some context following a [High Court](#) case:

Paragraph 39 says

“I have come to the conclusion that “permanent” in these statutory provisions does not signify pay or emoluments that must endure to the end of the employment. I consider that what is meant by “permanent” is pay other than allowances or emoluments that are **temporary in the sense of being occasional, one-off, irregular or for a limited period of time only**. The words “permanent” and “temporary” have to be construed in context. Employment as a firefighter is generally employment for the whole or majority of a member’s working life. It is not employment for a fixed term. Over a working lifetime, the way in which a firefighter’s role is performed can change frequently; the circumstances and conditions are not ossified at the outset of employment so as to endure for its duration. To suggest that only allowances and emoluments that will endure for the whole of the member’s employment are pensionable seems to me to be unrealistic and a class devoid of content. On the other hand, it is entirely **sensible and realistic to exclude from pensionable pay any emoluments that are occasional, one-off, irregular or limited in time.**”

If you have received a legal view, which stated that fixed term contracts are considered to be temporary, this would seem to align with the High Court case where it talks about employment of a firefighter is generally employment for the whole or majority of a member’s working life. It is not employment for a fixed term. Whilst we must be mindful that some individuals may choose to only work in the fire profession for a short period of time, this is presumably because they decide it is not for them, therefore the nature of a fixed term contract, is presumably for a particular reason? So I think this need to be part of the consideration, with regards to why you are appointing a firefighters contract for a fixed term.

Ultimately it is the scheme managers decision.”

4 Contract Management Update and Issues

For information

No update was provided for this meeting. DB to provide update at the Mach meeting as noted in the action log document 3b.

5 Update from Pension Administrator

For information

The Client Relationship Manager, West Yorkshire Pension Fund, gave an update, including a summary of the following monthly client reports:

- a) September 2024
- b) October 2024
- c) November 2024

Payments to boards members. South yourkshire have independent chair and member and they pay a special responsibility allowane. Its on South yorkshire public webiste.

Training are you aware indocution training document put togethrer by LGA. 1 part for staff who have pensions reposnibility. Broken down in different subsections. Useful for board members to have. Should be on the FPS regs website. AZ to send out next week <https://www.fpsregs.org/index.php/administration-resources/training-guides>

Anything to raise on client reports. Not intended to go through them.

HS breaching deadline. Not meet the 31 december- sending comms to CFA. New deadline march 2025. Send members communication to for Sergeant Remy.

Process to send comms for pension dashboards from WYPF side of dashboards before xmas.

Age discrimination. Still dealing with with cases. Working on green cases. Red cases are still on hold cuz HMRC guide is incomplete- hopefully to work on calculator for certain cohorts. HMI guidance does not cover everybody. Soon in position to do some.

Pension Service Statements currently work though everyone who need pensions statement based on rollback position. To go out reasonable soon,

Matthews as they come through. Concentrate on those who don't receive any pension. Some issue on recalculation on those already in receipt of Matthews one. Number of points need clarifying. Matthews two to create new record rather than one with Matthews one but consequences may be like charging extra cost for second pension record. This would stop other complications. If you do go down that way will you engage with CFA before implement.

Consultation due on Matthews will put more people into scope. Implications from consultations.

Last bulletin about new calculator from GAAD that in calculation needs redoing. Employee contribution banding and rate changes to do response on. HO want to know the difficulties- responses to consultations.

LGA informed NSA interest rate changing 20 December factor that in for calculations.

ML question on ABs overrun to March- reported to regulator- any feedback or sanction. HS regulator was expecting that administrators will report themselves. Police, Army, teachers. Not blt to do annual statements for december. Need to be done by march. ABs completed by end of march? HS no idea. Currency updating financial data, tested but not live yet. Once live we will be able to start. Civica checks GAAD adjustment data. Then that upload then ABS RFS calculations to move things along. Data on member records and siting them. Remaining stages are in test and not live.

Issues reported to Civica.

Difference between what was needed and what was paid. .

DB calculation contributions don't impact on calculations.

6 Update on Pension Exercises

For information/ discussion

DB provided an update on the current situation with the Sergeant and Matthews cases.

6a McCloud/Sargent

Note that TPR reported but not noted on breaches log. As ascheme manager ABS deadline was missed.

ACTION: DB to put on register.

Green cases and red cases. As service want to move everything onto green. We as service we are ready to pay. When WYPF are ready to pay. Posposral to SH as schmene manager for direction of travel .

As service we happy to proceeed in using that note. What timelines- in terms of when WYPA will be ready. Waiting for guidance to apply the note- still waiting for legislation. We will be proceedeing ahead of legislation- low risk. We proceed using the noted rather than using legislation. Potential that it may all be done. ML obsitcles from different departments strange feeling it will all be done. Decision sits with SH but DB wants contibution. ML from employee stand they would like speedy resolution.

Risk for gudance not aligned to legislation. Board agreement not needed but DB waned to make board aware for WYPF once they have when they have.

ML what comms to members- no update for quite some time. Letter at this point to explain there are still delays- HS is comms not on list of jobs- would like FRA to do it it would be helpful.

Service red to green but at WYPF they will still be green.

ACTION DB letter of intent- ML but no change for members- DB to avoid WYPF doing them but we dont inform members.

HS cpaacity issues. Struggle with recruitment and traing of staff on fire pensions. Not anything to give immidaite boost to WYPF.

6b Matthews

DB repoted at statmets have been issues to all 180 cambe back. Statments isuses to almost everybody. Some peaple passed to gov to make manual calculation.

Focus on those who have not replied. Tracing company to trace people. Cover letter to go out to memebrs.

Have come back found any resons they havent come forward initially. DB case of people not understading what it means. Word of mouth from other members helps.

Cover letter.

Chase up those who replied not interested. DB send out to get in touch- only one person cambe back and unegligibale. Limit to what can be done.

Unions push this forward to memebrs.

JCo some living at same address but not responded. This is done a t best endeavours.

7 Pension Board Risk Register

For information / review

The Board noted the Risk Register.

KG propose to focus on yellow and amber items. Green risk only in anyone wants to raise only review on 6 monthly basis.

1. ABS- remain high. Sttments not issued before deadline.
2. Stays as it. Awaiting confirmation for grant for additional employee contributions. Hoping when we get settlemnt next week.

9. Sucession planning not issue at the moment. Ensuring right levels of knowegle. Potetinal for another resrepresentative deffred to employees side. And we talke about tarining. DB flag any information provision. Skills matix to be completed bu KG and DB

11. Understaing of SAP is low. There needs soe knowlage attain=ment for SAP to scrutinised PB. There is review of CFa arrangments and training for CFa members. Action: Kg to ensure PB incorporated into traning requirements for SAP members.

DB to attend April SAP

13. To move to green- review pwriodically keep as it review by execption.

15. Change to low across the board. ML nervous to lower the risk. Review date annually for that one- get it into ToRs. Action for KG to review.

16. Probablity still medium. Review this 6 monthly. Recognising when we are with time of the year. Alter descirption to any pandemic. JCo we have this as part of Business continutiry plan.

17. Still waiting. And awaiting legislation. regards to Mc/Sergant. Current consultaion need responding to and pensing consultation need repsonding to. 29 January. DB talking about changing contricution bandings- not meeting targget want to change to met target yield. Address issue of optiong out.

8. Breaches Register

For information / discussion

The Board noted the Breaches Register.

ACTION: DB to add to entry to the register regarding the missed deadline for issuing benefit statements.

9. Register of Internal Disputes

For information

KG provided an update on the Register of Internal Disputes and noted no current disputes. She added that a paper was presented to Fire Authority meeting on 5 December 2024 which contained results from a routine review of the discretionary powers of the Fire Authority under the Firefighters' Pension Schemes.

KG reported that papers were circulated to Members on the morning of the meeting for information. She noted that any areas where changes or discretions were applied as well as new items were highlighted in yellow. She reported that items marked "to be archived post remedy" will remain on the discretions policy until the age discrimination remedy has been completed for all employees and the discretions are mostly unchanged other than the following:

- It is commented that as the 1992 scheme is now closed, the first item on Appendix B is no longer used.
- 3 additional discretions have been added to Appendix B (items 6, 8 and 37). When comparing to the Local Government Association's discretions template, these were found to be missing. These will need to be discussed with the Chief Fire Officer as to assign an appropriate decision level.

ML asked how regular the Service applies discretions. DB reported that it is rare and evaluated on case-by-case basis as blanket approach would bring risk to the Service.

10. Training

For information

This item was covered as part of update from administrator. Link to induction training: <https://www.fpsregs.org/index.php/administration-resources/training-guides>

11. Pension Dashboards

DB reported that the deadline for onboarding is 31 October 2025. Dashboards will require member to put in their national insurance to view the information.

ACTION: DB prepare training/ factsheet for Pension Board Members around Pension Dashboards.

12. Any Other Business

None

13. Next Meeting Date

ACTION: AZ to circulate dates for Members to confirm their availability and send out calendar invitations for 2025.