

North Yorkshire Fire and Rescue Authority

Pension Board

Minutes of the meeting of the Pension Board held on Monday 18 September 2017 at 1.30 pm at North Yorkshire Fire and Rescue Service Headquarters, Thurston Road, Northallerton

Present:-

Employer Representatives:- Assistant Chief Fire Officer (Operations) Jez Rushworth in the Chair; Area Manager Jonathan Foster and Group Manager Stuart Simpson

Member Representatives:- Alan Bell (FOA), Steve Howley (FBU) and Simon Wall (FBU)

Advisors in attendance:-

Barry Khan (Legal Adviser, Monitoring Officer and Secretary to NYFRA), Anna Binks (Pensions Administrator/Manager) and Ruth Gladstone (assisting the Secretary to (NYFRA))

All documents considered are on NYFRS's website

27. Minutes

Resolved –

That the Minutes of the Board's meeting held on 30 January 2017 be noted.

28. Declarations of Personal or Prejudicial Interests

No conflicts of interest were declared.

29. Pensions Update

Considered –

The report of Anna Binks (Pensions Administrator/Manager) which provided information about the following:-

- Numbers, set out in the report, of:-
 - Wholetime firefighters who were active members of the firefighters' pension schemes as at 9 June 2017, together with a comparison as at 23 December 2016.
 - Retained firefighters who were active members of the firefighters' pension schemes as at 15 June 2017, together with a comparison as at 15 January 2017.
 - Pension members of each scheme as at 1 June 2017, together with a comparison as at 1 January 2017.
 - Retirements and related procedures which were currently being progressed.
 - Deferred members of each scheme as at 1 June 2017, together with a comparison as at 1 January 2017.

- The Internal Dispute Resolution Procedure for dealing with complaints was available on the wypf.org.uk website and pension members had been advised accordingly. No new complaints had been received or completed since the Board's previous meeting.
- Pension Board training – The following two issues were suitable for inclusion on Board members' personal training and needs analysis:- the main outcomes of the Pensions Regulator Governance and Administration survey; and the workshop on the need for and development of a Risk Register.
- Risk Register – A workshop had been held on the morning of 18 September 2017 to look at the need for, and development of, a Risk Register. An initial version of a Risk Register had been prepared, based on the Public Service toolkit example, and was designed to capture the areas which had been highlighted in the latest Pensions Regulator Governance and Administration survey.
- West Yorkshire Pension Fund (WYPF) key performance indicators.
- Outcomes of the Pensions Regulator Governance and Administration survey – This survey had looked more deeply at the key risks to public sector schemes and why some schemes might be struggling to improve standards in governance and administration. The main issues identified in the survey, and the resulting actions to be taken by the Pensions Regulator, were listed in the report submitted to the Pension Board.
- The issuing of Annual Benefit Statements – The deadline for issuing statements was 31 August 2017.
- Employment Tribunal cases relating to discrimination – Separate pension discrimination cases for judges and firefighters were expected to be heard as one case by the Employment Appeal Tribunal following original conflicting judgements.
- Survivor pensions and nomination forms (the Brewster Judgment) – The Home Office had issue advice on the action which could be taken by Scheme Managers. This area impacted on the 2006 Scheme only.
- Legal advice, taken by the LGA, that FRAs were able to operate a Voluntary Scheme Pays process in two scenarios for the payment of tax charges to HMRC.

During discussion:-

- Members commented that they were happy with the range of numerical information presented in the report.
- It was suggested that a page might be included on NYFRS's Intranet, containing a link to the wypf.org.uk website.
- With reference to training for Pension Board members:-
 - Anna Binks advised that, going forward, other training activity might be identified eg by the LGPB. She offered to email Pension Board members with monthly bulletins to highlight areas for general awareness and training activities. Board members expressed support for that suggestion.

- Anna Binks undertook to share again with Pension Board members the e-learning access module.
- Anna Binks undertook to send to each Pension Board member the most up-to-date training needs analysis she could identify for that member, together with a request for that member to update and return it. She asked members also to keep track themselves of the progress they made through training modules.
- Anna Binks offered to monitor, and keep a record of, training courses which became available and the names of those Pension Board members who attended.
- With regard to a Risk Register:-
 - Members expressed support for proceeding with the initial version which had been discussed at the workshop held on the morning of 18 September 2017. It was recognised that pension information on NYFRS website might require review in order that it was easily accessible with the fewest number of clicks. Anna Binks undertook to action this as quickly as possible.
 - It was recognised that the Risk Register would require review at least annually.
- With regard to WYPF administration:-
 - Anna Binks advised that she had no concerns to bring to the Pension Board's attention regarding WYPF's key performance indicators.
 - Anna Binks advised that NYFRS had changed to a Service Level Agreement (SLA), described as a "shared administration agreement", whereby WYPF would not check data they received from NYFRS and instead they would assume that the information which NYFRS supplied was correct and WYPF would act on it. It was hoped that this arrangement would provide significant savings for NYFRS. Anna Binks undertook to report, at the next meeting of the Pension Board, on whether the change of arrangements had been successful in terms of savings.
 - Anna Binks highlighted that WYPF's recent production of Annual Benefits Statements, which had required a switch of resources, might reflect in a decrease of WYPF performance against key performance indicators. She commented that this needed to be monitored closely.
- With regard to the Pensions Regulator Governance and Administration survey, Anna Binks took the meeting through the main issues identified in the survey and the resulting actions to be taken by the Pensions Regulator. Anna Binks highlighted that the resulting actions were the areas on which guidance was likely to be issued, and training for Pension Board members might be offered, in future. In addition:-
 - Anna Binks confirmed that all the top risk areas identified in the survey (ie governance, record-keeping, internal controls and member communications) had been covered in the initial version of the Risk Register.

- Anna Binks referred to the concern identified through the survey about lack of full awareness of responsibilities, and suggested that, following the change in the way in which NYFRS pensions issues were dealt with, and the role she now held, the Scheme of Delegation needed to be looked at by the Chairman of the Pension Board and herself and a report should be submitted to the Board's next meeting. Anna Binks highlighted that advice from the Legal Advisor to the Authority might need to be sought.
- Anna Binks undertook to consider how the Pension Board plotted and demonstrated how it was driving forward improvements. Members commented that, until now, the Board had mainly focussed on training. They suggested that it would be helpful to have a structured way to address work items, thereby being able to demonstrate progress in certain areas. Anna Binks undertook to prepare a template based on discussions at this meeting and at the workshop held on the morning of 18 September 2017.
- Anna Binks highlighted that the Pensions Regulator would be issuing guidance for Scheme Managers to monitor third party administrators and this would include the suggestion of use of financial penalties for poor service delivery under a contract or SLA. The issuing of Annual Benefits Statements would be an area of monitoring by NYFRS.
- The Chairman highlighted that some of the issues identified by the survey were already being looked into by this Pension Board.
- With regard to the issuing of Annual Benefit Statements, Anna Binks reported that most Statements had been issued by the deadline of 31 August. Those which had not achieved that date included Deferred Statements for RDS and these were due to be issued by 22 September 2017. Anna Binks advised that WYPF had not breached the SLA nor had The Pensions Regulator's requirements been breached as all Active Statements had been issued on time but that she would need to monitor this in future.

Resolved –

- (a) That the initial version of the Risk Register, as circulated at the workshop held on the morning of 18 September 2017, be approved.
- (b) That Members review and revise their training needs analysis.

30. Future Dates (Pension Board and Training/Events)

Resolved –

That a meeting of the Pension Board be scheduled for the afternoon of Thursday 22 March 2018.

RAG/JR