

# North Yorkshire Fire and Rescue Authority

## Pension Board

Minutes of the meeting of the Pension Board held on Thursday 30 June 2016 at 2.30 pm at North Yorkshire Fire and Rescue Service Headquarters, Thurston Road, Northallerton.

### Present:-

Employer Representatives:- Temporary Deputy Chief Fire Officer Jez Rushworth (in the Chair), Group Manager Jonathan Foster and Group Manager Stuart Simpson.

Member Representatives:- Carl Boasman (FOA), Steve Howley (FBU) and Simon Wall (FBU).

### Advisors in attendance:-

Ruth Gladstone (assisting the Secretary to North Yorkshire Fire and Rescue Authority (NYFRA)), Barry Khan (Legal Adviser, Monitoring Officer and Secretary to NYFRA) and Jan Sams (Head of Human Resources).

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**All documents considered are on NYFRS's website**

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### 16. Minutes

With reference to the Board's Resolutions recorded at Minute 13 Pensions Update:-

- Jan Sams (Head of Human Resources) circulated copies of the starter pack for new employees, in accordance with a request of the Board.
- It was reported that the Authority had no employees whom it had re-employed who might have a tax liability arising from the outcome of the Pension Ombudsman's decision in the case of Milne v GAD.

### Resolved –

That the Minutes of the Board's meeting held on 27 January 2016 be noted.

### 17. Declarations of Personal or Prejudicial Interests

No conflicts of interest were declared.

### 18. Local Pension Board Training

Considered –

The report of Jan Sams (Head of Human Resources) which provided an update concerning training for Board Members and possible further ongoing training to assist Board Members to acquire, develop and maintain the skills and knowledge which they required to carry out their role.

It was reported that all Board Members and Substitutes, with the exception of one Substitute, had undertaken the Pensions Regulator's e-learning programme and had emailed their development records and updated training needs analyses to the Head of Human Resources.

It was reported that the Local Government Association's (LGA's) Firefighters' Pension Adviser was providing further training on an individual Board basis so that training could be tailored to specific requirements. As an example, the agenda for recent such training was outlined at paragraph 2.2 of the report. Area Manager Jez Rushworth suggested that that agenda was a good starting point.

Members were reminded that useful information was available on the knowledge hub Firefighters Pension Board Members Forum: <https://khub.net/group/firefighters-pension-scheme-local-pension-board-members-group-forum/forum>

#### **Resolved –**

- (a) That the content of the report be noted.
- (b) That the Head of Human Resources organise for the LGA's Firefighters' Pension Adviser to provide training for this Board, to be held during September 2016, based on the agenda outlined at paragraph 2.2 of the report.

#### **19. Pensions Update**

Considered -

The report of Jan Sams (Head of Human Resources) which provided information concerning the following:-

- Schemes membership information, namely:-
  - The numbers of Wholetime and Retained Firefighters in each of the various firefighters' pensions schemes and the number of those who had opted out, all as at June 2016, together with a comparison with the numbers as at December 2015.
  - The numbers of active members in each of the various firefighters' pension schemes and the numbers protected and tapered in the 1992 and 2006 schemes, all as at 1 April 2016, together with a comparison with the numbers as at 1 April 2015.
  - The numbers of pension members of each scheme as at 1 June 2016, together with a comparison with the numbers as at 1 January 2016.
  - The numbers of deferred members of each scheme as at 1 June 2016, together with a comparison with the numbers as at 1 January 2016.
- The current situation concerning two complaints about pensions made under the Internal Dispute Resolution Procedure and received since the Board's previous meeting.
- Updates concerning the following issues:-
  - Scheme Advisory Board - Members of this Board had now been appointed by the Secretary of State. The Scheme Advisory Board and the LGA were organising a two day event for 10 and 11 October 2016 at Local Government House in London.
  - The Pension Ombudsman's decision in the Milne v GAD case relating to the Firefighters' Pension Scheme 1992 - Recent confirmation had

been received from the Ombudsman that he would now consider complaints concerning non-payment.

- Industrial action pension buyback – NYFRS needed to compile information manually from strike and other records in respect of the 87 whole-time employees who had not bought back pension.
- Auto Enrolment – NYFRS had arranged for letters to be sent to 27 employees who had opted out between September 2013 and August 2015 to advise them, in advance, that their pay closest to the re-enrolment date of 1 September 2016 would be assessed and that, should they be over the earnings limit, they would be re-enrolled into the pension scheme, with the option to opt out again should they so wish.

With regard to the Schemes membership information, Area Manager Jez Rushworth suggested that the variances should on a report-by-report basis to avoid inconsistencies.

The Head of Human Resources suggested that the Board might wish to invite Malcolm Eastwood (Chair of the Scheme Advisory Board) to attend this Board's next meeting.

Members nominated Area Manager Jez Rushworth to attend the Scheme Advisory Board/LGA two day event on 10 and 11 October 2016 on behalf of the Board. It was noted that Jan Sams (Head of Human Resources) and Lynne Elliott (Personnel Advisor) would be attending as representatives of NYFRS.

**Resolved –**

- (a) That the content of the report be noted.
- (b) That, at future Board meetings, Schemes membership information include variances on a report-by-report basis.
- (c) That the Chair of the Scheme Advisory Board be invited to attend this Board's next meeting.
- (d) That Area Manager Jez Rushworth, on behalf of this Board, attend the Scheme Advisory Board/LGA two day event on 10 and 11 October 2016 at Local Government House in London.

**20. Proposed Amendments to Code of Conduct for Members of NYFRA Pension Board**

Considered -

The report of the Legal Adviser, Monitoring Officer and Secretary to NYFRA which recommended certain amendments to the Board's Code of Conduct for Members in order further to tailor the Code to the Board's requirements, and asked the Board to consider whether its Register of Interests should be published on NYFRS's website.

Barry Khan (Legal Adviser, Monitoring Officer and Secretary to NYFRA), in introducing the report, advised that, in his view, Board Members' interests, including home addresses, should not be published on NYFRS's website because no additional Board transparency would result from doing so. He highlighted that all Members of this Board were employees of NYFRA. He commented that his advice would be different if the Board's membership included Councillors because their interests were already in the public domain. Barry Khan suggested that each Board

Member's interests should be circulated to all other Members of the Board but should not be published on NYFRS's website. Members expressed support for that suggestion.

Steve Howley (FBU) advised that he had not received the pro-forma on which he could record his interests as a Member of this Board. Barry Khan undertook to arrange for a copy to be sent to Steve Howley.

**Resolved -**

- (a) That the amendments to the Code of Conduct for Pension Board Members, as set out in Appendix 1 to the report, be approved.
- (b) That the NYFRA Pension Board Register of Members' Interests be not published on NYFRS's website.
- (c) That NYFRA Pension Board Register of Members' Interests be circulated to all Members of this Board.
- (d) That the Monitoring Officer arrange for a copy of the pro-forma on which Board Members record their interests to be forwarded Steve Howley (FBU).

**21. Future Dates**

It was suggested that the Board should meet again in approximately six months' time.

A Member commented that he had not received notice of today's meeting. Ruth Gladstone (assisting the Secretary to NYFRA) undertook to review the notification arrangements to ensure that such notices were received by all Board Members.

With regard to business for future meetings, Steve Howley (FBU) asked whether risks and risk controls were assessed in respect of the Pension Scheme and the administration of the Scheme. Jan Sams (Head of Human Resources) undertook to speak to Clair Alcock (Firefighters' Pension Scheme Adviser) concerning advice from the Scheme Advisory Board about how such assurances might be provided to Local Pension Boards. The Chair suggested that the outcome of that discussion should be reported to the Board's next meeting.

**Resolved –**

- (a) That the next meeting of the Board be held in December 2016/January 2017 on a date which is convenient to Board Members and Advisors and to Malcolm Eastwood (Chair of the Scheme Advisory Board) and that the arrangements be notified by Ruth Gladstone (assisting the Secretary to NYFRA).
- (b) That Ruth Gladstone (assisting the Secretary to NYFRA) review the arrangements for giving Members notice of Board meetings.
- (c) That the Head of Human Resources speak to Clair Alcock (Firefighters' Pension Scheme Adviser) concerning the Scheme Advisory Board's advice about how Local Pension Boards might receive assurances about the risks and risk controls of the Firefighters' Pension Scheme and the administration of the Scheme, and that the outcome of that discussion be reported to the Board's next meeting.

There being no other business, the Chairman declared the meeting closed at 11.05am.

RAG/JR