**NORTH YORKSHIRE POLICE FIRE & CRIME COMMISSIONER FIRE & RESCUE AUTHORITY**

**Pension Board**

Minutes of the meeting of the Pension Board held on Wednesday 3rd March 2021 at 14:00 via Teams.

**PRESENT:**

**Employer Representatives:** Jonathan DYSON (JD)

Stuart SIMPSON (SS)

Marc WARREN (MW)

**Member Representatives:** Steve HOWLEY (SH) – FBU Representative & CHAIR

Edmund BILLING (EB) – FBU Representative

Andrew BLADES (AB) – FOA Representative

James MANNING (JM) - FOA Representative

**Advisors in attendance:** David HOOD (DH) (NYFRS Pensions Administrator/Manager) Sam Law (SL) ((Interim Secretariat to NYPFCCFRA)

Helen SCARGILL (HS) WYPF

**The agenda, reports and minutes for this meeting are on NYFRS’s website**

**PLEASE NOTE: All actions are recorded in section 10 of the minutes**

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| **Minute**  **Number** | **ITEM OF BUSINES** | **To be actioned by:-** |
| **1.** | **WELCOME AND INTRODUCTIONS** |  |
|  | SH welcomed everyone to the meeting. |  |
| **2.** | **APOLOGIES FOR ABSENCE / REPRESENTAION AT MEETINGS** |  |
|  | Apologies received on behalf of Jon Foster and Alistair Biggs; quorum met. |  |
| **3.** | **DECLARATIONS OF ANY PERSONAL OR PREJUDICIAL INTERESTS** |  |
|  | No conflicts of interest were declared.  DH reminded everyone the annual declaration form will be circulated soon. |  |
| **4.** | **PREVIOUS MINUTES AND MATTERS ARISING** |  |
|  | **Minutes**  The Minutes of the Board’s meeting held on 16 December 2020 were accepted as a correct record. DH addressed the agreed actions arising from those minutes. |  |
| **5.** | **PENSIONS UPDATE**  **Report of the Pensions Administrator/Manager** |  |
|  | Dave Hood updated on the Scheme Membership Information and highlighted the decline in members of the 1992 scheme which is as expected. There have been four wholetime members opt out of the 2015 Scheme due to their posts being temporary.  Member movements for the retained members, deferred members and retired members remain within expected tolerances.  There are no new IDRP applications since the last meeting.  The monthly postings continue to be submitted to WYPF on time, the system has been running for over a year now and there are no issues.  Following the 2020 national pay award, recalculations have been made for those affected with the revised rates and submitted to WYPF prior to the deadline of 31 January.  The Pensions Regulator’s Public Service Governance & Administration Survey was completed and submitted by their deadline of 12 February.  HMT provided their response to the remedy consultation on 4 February and a summary was circulated to the members on 11 February.  The Scheme Manager has exercised two discretions for the current quarter; both relate to wholetime members of the 2015 scheme that enquired about transferring previous pension benefits from non-occupational schemes a matter of weeks past their 12-month anniversary of joining. Dave Hood confirmed that he advised WYPF that both cases could be progressed due to the timescale being extended in the forthcoming discretions document, that will be issued to the Board, and to WYPF (for publishing).  Key points from the Firefighters’ Pension Schemes Bulletins were highlighted such as the joint statement on age discrimination remedy by the Home Office and LGA Blue light Team.  WYPF Key Performance Indicators for January have met the target in all cases. |  |
| **6.** | **WEST YORKSHIRE PENSION FUND UPDATE**  **Report of the Pension Provider (Helen Scargill)** |  |
|  | Helen Scargill presented an overview of each of the Firefighters’ Pension Schemes to the Board.  The slide presentation demonstrated all the current schemes available and compared each scheme’s rules and benefits to members. HS explained how the accrual rate works and how they differ for each scheme.  HS gave an update on the cases of O’Brien and Matthews and outlined the expectation that the Home Office will issue draft regulation and a consultation following the Matthews judgement. |  |
| **7.** | **RISK REGISTER** |  |
|  | DH and SS reviewed the register prior to the meeting and confirmed it was accurate and no immediate changes were necessary.  A new risk has been introduced in response to the future workload/complexities of remedy and Matthews and can be found at Op5 on the risk register. The Board agreed that the Impact rating for the pre control measure should read ‘5’.  SH raised the ongoing legal cases regarding immediate detriment and asked if this should be added as a risk. DH acknowledge the ongoing legal challenge and confirmed most FRS are waiting further guidance on how to progress. |  |
| **8.** | **BREACH REGISTER** |  |
|  | DH reported on a breach which involved a number of retirees who had received an unexpected tax charge. DH outlined the background where there was a tax implication for any additional pay received after the retirement notification. He outlined the cases involved and it resulted in a total of £1968 to be paid. NYFRS have agreed to pay this money on behalf of those affected and the Board approved this course of action.  DH confirmed processes were now in place to prevent a recurrence.  The Board agreed this should be recorded in the register, but it was not a material breach and measures were now in place to prevent it reoccurring, and it did not need to be reported. HS agreed this was the correct action. |  |
| **9.** | **ANY OTHER BUSINESS** |  |
|  | DH was asked to step out of the meeting as the response to the letter JF sent to Ray Ward, MD enableNY, was discussed.  The response presented a 3 point proposal to the Board. The offer was acknowledged but this Board agreed it is not a decision-making forum and it is for the enable consultation to make the decision.  JD will inform Ray Ward and JF will respond in full. |  |
| **10.** | **AGREED ACTIONS** |  |
|  | * DH to update Risk register to capture: * Impact rating of ‘5’ on the pre control measure * Reference to immediate detriment on Op5 |  |
| **11.** | **PROPOSED FUTURE MEETINGS** |  |
|  | * Date of next meeting – 8th June 2021 at 14:00 |  |