

- Remedy eligibility
- Admin self-assessment survey



2015 Remedy – eligibility

- The Public Service Pensions & Judicial Offices Act 2022 came into force on 1 April 2022. In addition to the Act, secondary legislation is needed to deliver remedy
- All **eligible members** are to be offered a choice to receive benefits in either the reformed pension scheme or legacy scheme, for the duration of the remedy period (1 April 2015 to 31 March 2022)
- On 1 October 2023, all members with **eligible service** for the remedy period will be placed in their relevant legacy schemes for their remedy period service and will be given this choice at retirement (or immediately)

Eligibility conditions

In order to be eligible for remedy, a member must have ‘remediable service’. The Act sets out four conditions in [section 1](#) which must all be met for service to be considered ‘remediable’:

1. The service must be during the period 1 April 2015 and 31 March 2022 inclusive.
2. The service is either pensionable service under legacy scheme rules or pensionable service under reformed scheme rules that would have been pensionable service under a legacy scheme if the discrimination had not occurred.
3. The person was, on 31 March 2012 or any earlier day, in service in any employment or office that is pensionable service under a Chapter 1 legacy scheme, a judicial legacy scheme, a local government legacy scheme or where an individual was, on 31 March 2012, in service as a firefighter which entitled them to be an active member of the FPS 2006 .
4. There is no disqualifying gap in service falling within the period. This condition requires that the individual should not have any gap in service of 5 years or more i.e. between 31 March 2012 or, if earlier, the date they left service, and the date of re-joining.

Multiple employments

- Firefighters often have multiple employments, sometimes consecutively and sometimes concurrently. It is common for a whole-time firefighter to have periods of concurrent employment as a retained firefighter
- Under primary legislation, a member was protected based on their date of birth
- Any multiple employments should therefore have been protected i.e. transitional protection applied to the person not the post

Previous PSPS membership

- This extends to any member whose primary employment is/ was with another public service scheme:
 - Any Chapter 1 scheme e.g. Teachers' Pension Scheme, Police Pension Scheme, AFPS
 - Local Government Pension Scheme
 - Judicial Pension Scheme

The perils of local administration!

- Some FRAs/ administrators have taken narrower or wider views of the 2015 regulations in assessing eligibility for transitional protection
- Some members may not have been treated as eligible for assessment for transitional protection for all posts under the agreed position above
- Under the Act, all those who met the criteria in section 1, irrespective of whether they were given transitional protection at the time, are in scope for remedy

Out of scope members

- The following members are out of scope:
 - Joined the relevant scheme or another public service pension scheme, for the first time, on or after 1 April 2012, or
 - Were not eligible to be an active member of the relevant legacy Firefighters' Pension Scheme (FPS 2006) on 31 March 2012
- Letters provided in Nov 2021 to confirm member status at 1 April 2022

Contingent decisions

- Members who were active members of a relevant scheme on or before 31 March 2012, but who decided to opt out for some or all of their remediable service may be able to apply to opt back in and have that period of service reinstated into their relevant legacy scheme, under a [section 5](#) contingent decision
- This will be subject to meeting certain conditions which are yet to be determined
- See the [contingent decision coffee morning slides](#) for more information

Next steps

- Administrators and FRAs to identify affected members in line with [data collection guidance](#)
- Consider what level of protection member should have been awarded i.e. FPS 1992 or FPS 2006
- N.B: any eligible members only have access to the FPS 2006 legacy scheme
- Revisit in-scope membership flags on software
- Add memberships to data collection template
- Re-issue member comms where needed

Admin remedy self-assessment survey



Fieldwork

- Commissioned by SAB as action from FRA survey
- Open from 24 February to 18 March 2022
- 57 questions
- 100 per cent response rate – all 12 administrators in England, covering 44 FRAs, in various ratios

Current/ future admin arrangements

- 60 per cent of FRAs covered by two admin providers
- Eight single FRA administrators
- Majority prefer to retain current arrangements
- However, sector shows reactive shift to 3/4 “super” administrators

Sargeant

- 92 per cent started work on Sargeant
 - All could identify in-scope members, ranging from 376 to 1,200
- 61 per cent have project team and meet regularly
- 62 per cent have shared data template with FRAs
- Over half have sufficient resource and knowledge
- Barriers include:
 - Staffing issues
 - Lack of clear policy/ legislation inc. tax
 - Software

Other projects

- Matthews
 - 23 per cent started work on Matthews
 - Initial work sits with FRAs
- Pensions Dashboards
 - 61 per cent intended to respond to consultation
 - 77 per cent agreed proposed timescales unachievable
 - Barriers = Sargeant/ Matthews, data, software

ABS 2023 -2024

- Around 60 per cent expect issues with ABS
- These include:
 - Resources
 - Software – development and testing
 - Timescales
 - Delays to legislation
 - Complexity
 - Member understanding/ queries
- However, all will (or may) provide projections

Business as usual

- All have plans in place to ensure continuity of service e.g. additional recruitment, training, monitoring, project teams
- All will (or may) expect to need additional resource
- 3/4^{ths} have SLA with FRAs
- Timings will be monitored and slippage reported to FRA/ LPB

Client and software considerations

- All administrators meet with FRAs to discuss remedy
- 62 per cent of agendas also include BAU
- Main concern in relation to FRAs is key person risk
- All administrators meet with software suppliers
- 3/4^{ths} provided with implementation plan and costings
- Concerns include timing, complexity and cost

Recommendations

- Dedicated project team and project implementation document in place
- Data collection template to be provided as soon as possible or date agreed
- Monitor recruitment needs and have plans in place to address gaps; access or request training
- Respond to consultations
- Consider interdependencies e.g. FRA, software, and raise concerns at earliest opportunity

Next steps

- Publication of survey research report
- LGA to define roles and responsibilities between stakeholder groups for agreement

TPR admin survey

- Between Nov 2020 to Jan 2021, TPR conducted a [survey of pension scheme administrators](#). Thirty-three percent of those responding administered public service pension schemes.
- Key outcomes to note:
 - Two thirds identified volume of legislative change as a barrier to providing a high-quality service; 37 per cent stated recruitment and retention of staff
 - Two thirds said that recruiting skilled and experienced staff was a challenge
 - Main barriers to improving data quality were cited as inability to fill historic gaps (70 per cent) and poor-quality data from employers (65 per cent)
 - General concern over dashboard implementation, with almost half of administrators stating that knowing what is required is the main challenge. Scheme manager engagement is also low, with only 15 per cent discussing dashboards with their administrator

Any questions



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Thank you for listening!

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