

# Firefighter Pensions Technical Community

## MS Teams 7 March 2022 MINUTES

### Attendees:

Claire Johnson – LGA (minutes)  
Claire Hey - LGA  
Helen Scargill – WYPF (Chair)  
David Hood – WYPF  
Nicola Daniel - WYPF  
Matthew Davies - Cornwall  
Jenny Gregory – Civica  
Julie Potter - Civica  
Shenley Gallimore - Heywood  
Matthew Armitage - Heywood  
Greg Doherty - HSC Pensions (NI)  
Rachael Salsbury - Oxfordshire  
Leanne Ferreira – XPS  
Sharon Stoker - XPS  
Chris Berwick-Bryce - Heywood  
James Durrant – Essex FRS  
David Golding – Essex Pension Fund  
Julie Wisdom - LPP  
Neil Lewins - LPP  
Sharon Lewis – Hereford and Worcester  
Anna Capp - BATHNES  
Vicky Brasier - BATHNES  
Alexandra Russell - BATHNES  
Claire Neale - Hampshire  
Aled H Williams - Carmarthenshire

Carolyn Lyness – NIFRS  
Rosetta Thomas – Home Office  
Helen Fisher – Home Office

### Guest speakers

Raf Shergold – Pendragon  
Mary Zvobogo – DWP  
Joseph Stacey – DWP  
Sam Alligan – DWP  
John Higgins - DWP

### Apologies:

Martin Reohorn, Hereford & Worcester FRSDarren Bowe, Shropshire PF  
Paul Gwynn, West Midlands FS  
Toni Sawkins, LPP  
Claudiu Tabacaru, GMFRS  
Penny Wright, GMFRS  
Jennifer Thomas, RCT  
Gemma Penning, RCT  
Rachel Lamb, Peninsula Pensions

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## 1. Welcome and apologies

- 1.1. Helen Scargill (HS) welcomed all to the meeting and brief introductions were made and apologies noted.

## 2. Minutes from last meeting

- 2.1. The minutes to the [meeting held on 27 October 2021](#) were agreed and have been uploaded to the FPS Regulations and Guidance website.

## 3. Perspective – Presentation from Raf Shergold

- 3.1. Raf Shergold from Pendragon attended the group to give a brief presentation on the functionality of Perspective and how it can assist pension practitioners in their role.
- 3.2. Raf provided demonstrations on how to search for current and historic legislation, as well as how to 'time travel', add commentary, and bookmark relevant sections.
- 3.3. Raf also confirmed that the information contained on Perspective was current and regular, timely updates were made to the site. Users are encouraged to register for regular email updates so they can keep abreast of any legislative developments.
- 3.4. Should anyone have any comments or questions in relation to Perspective please direct to Raf who can be contacted via email at [raf.shergold@pendragon.co.uk](mailto:raf.shergold@pendragon.co.uk).

## 4. Pensions Dashboards

- 4.1. Colleagues from DWP were invited to the meeting to give the group an overview on the Pensions Dashboards Programme (PDP).
- 4.2. Joe Stacey – DWP Dashboards Policy, gave a presentation which covered the following:
  - 4.2.1. Ongoing consultation and a reminder that it closes on 13 March 2022. DWP are hoping to lay the regulations in Autumn 2022, however, this is dependant on the consultation responses.
  - 4.2.2. The Pensions Dashboard Programme has recently hosted a series of webinars which the group were encouraged to view, if they have not already done so, they can be found on the [PDP Website - Webinars](#).
  - 4.2.3. A brief overview was provided on the digital architecture which will support the PDP.

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4.2.4. It was confirmed that dashboards will have a provision for the remedy Deferred Choice Underpin (DCU) option and will ensure that more than one value can be displayed on the system.

## 4.2.5. Functionality

- Dashboard will not offer any functionality which enables transactions
- It will be possible for a member to delegate access to an Independent Financial Adviser (IFA)
- The PDP are looking into the possibility for members to manipulate the data set i.e. provide weekly figures, graphs etc.

## 4.2.6. Connection

- All administrators are required to connect to the digital architecture one month prior to the staging deadline.
- They can commit sooner, however, agreement would be needed from Money and Pension Service (MaPS)

## 4.2.7. Timeline

- Public Service Pension Schemes (PSPS) are expected to be dashboard ready for April 2024

## 4.2.8. Compliance and enforcement

- It was confirmed that TPR will have powers to issue penalty notices for non-compliance

4.3. DWP colleagues confirmed that they would be happy to hear the views of the fire community and the group were encouraged to ask questions and raise any immediate concerns.

4.3.1. Matt Davies (MD) highlighted to DWP that there was no provision for dashboards to record/identify preserved refunds. This functionality would be really useful for the LGPS community as they have statutory limits in place for these cases.

- DWP asked for this point to be captured in the consultation response.

4.3.2. Neil Lewins (NL) raised a query about cost, particularly that dashboards could become expensive for both the FRA and administrator.

- Helen Fisher (HF) from the Home Office confirmed that this was not appropriate for DWP to address. It will be picked up separately by the Home Office.

4.3.3. HS raised an issue with the staging date and confirmed that if fire were to stage as expected in April 2024 there would be major issue with data quality as DCU will not be fully implemented until 18 months after October 2023 (i.e. April 2025).

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- DWP encouraged the group to highlight this in their consultation response.

4.4. Claire Hey (CH) confirmed to the group that LGA/SAB should be in a position to share their consultation response later in the week.

## 5. 1 April 2022 - Transition of members on admin systems – Update from Heywood and Civica

5.1. [Prior to the meeting a paper titled '1 April 2022 – Transition of members on admin systems' was shared with the group.](#)

5.2. Matthew Armitage (MA) from Heywood provided the group with an update on what provisions will be put in place to ensure that all protected members will be moved into FPS 2015 on 1 April 2022.

5.2.1. It was confirmed that a script is currently being tested with colleagues XPS and SPPA. The script will identify all protected members and create a transition date of 31 March 2022.

5.2.2. Heywood will be communicating this with clients at their police/fire client meeting due to be held on 10 March.

5.2.3. It is Heywood's intention to roll out the script client wide week commencing 21 March.

5.3. Jenny Gregory (JG) from Civica also provided the group with their intention.

5.3.1. It was confirmed that a solution has been developed and will be rolled out to all clients before 1 April 2022.

5.3.2. The solution is already widely used so additional testing is not required.

## 6. Out of scope members incorrectly transitioned

6.1. [Prior to the meeting a paper titled 'Out of scope members incorrectly transitioned' was shared with the group.](#)

6.2. This anomaly was identified by HS at WYPF through data cleansing preparation for remedy.

6.3. Due to age related issues, a handful of cases have been incorrectly awarded transitional protection, however, further analysis has confirmed that that they were not eligible to be a member on 31 March 2012 and are therefore not in scope for remedy. These cases should have transitioned into FPS 2015 on 1 April 2015.

6.4. CH confirmed that this scenario has been brought to the attention of Home Office who have confirmed that rectification action on both the payroll and pensions system is required. All identified members must be retrospectively

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moved into FPS 2015 with effect from 1 April 2015 and contribution adjustments will be required as members will owe contributions.

6.5. CH outlined the action needed for administrators and FRAs which is:

- Administrators to identify affected members and notify the FRA. The FRA agree cohort and to contact affected member(s) to agree payment plan for contribution deficit and correct payroll records.

6.6. CH asked the group whether they have identified anything similar.

6.7. NL confirmed that LPPA were not aware of any cases but will do some digging.

6.8. David Golding (DG) is confident that the correct cohort has been identified, however, considering this discussion will ensure that the data is double checked.

## 7. Benefit statement production – 2022 and beyond

7.1. [Prior to the meeting a paper titled 'Benefit statement production – 2022 and beyond' was shared with the group.](#)

7.2. CH confirmed that 2022 ABS will be based on scheme rules on 31 March 2022, therefore before the legal changes on 1 April 2022 have been implemented. It is therefore proposed that administrators follow the same process as in 2021 and the same/similar caveats are used.

7.3. CH added that it was recommended in 2021 that projections were removed for fully protected members. Administrators may want to consider whether this is still appropriate for 2022, as projections can be incorporated providing they reflect FPS 2015 and not the member's legacy scheme.

7.4. HS confirmed that it was WYPF's intention to provide FPS 2015 projections for former fully protected members. WYPF is still testing this process but will feedback to the group in due course.

7.5. NL has concerns about providing projections as LPP would not want to alarm members when projecting to age 60.

7.6. Rachael Salsbury (RS) added that accurate projections could not be provided as they would not have a CARE figure to use for projections. HS confirmed that WYPF has a solution for this.

7.7. James Durrant (JD) added that caveats will be required, and communications will be essential.

7.8. CH asked whether it was more appropriate for a consistent approach across the fire sector.

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7.9. HS confirmed that if administrators do not project it is likely to result in more estimate requests. If the testing goes to plan WYPF will be providing projections regardless of the position of others.

7.10. CH confirmed that further discussion was required around the ABS exercises for 2023 and 2024, although the regulations around the DCU will be in place from October 2023, it is not likely to be captured in ABSs until 2025. A discussion is needed with TPR as to what ABS requirements are needed.

7.11. CH brought an indexation issue to the group and confirmed that software suppliers needed to take action to ensure that members build up CARE revaluation correctly from 1 April 2022.

7.12. Leanne Ferreira (LF) asked whether a new payroll line should be created for all active members from 1 April 2022. Claire Johnson (CJ) confirmed that this would be the ideal solution as it could help reporting and reduce the likelihood of a member being missed. LGA will be recommending this approach, however, FRAs will have the flexibility to do what fits their payroll system providing that they can guarantee all protected members are captured.

## 8. Aggregation Query from XPS

8.1. [Prior to the meeting a paper titled 'Aggregation Query from XPS' was shared with the group which sets out the situation and possible solutions.](#)

8.2. Sharon Stoker (SS) asked whether, in addition to the information captured in the paper, throwing remedy into the mix would alter the position.

8.3. HS confirmed that that in these circumstances the FPS 1992 DB remains deferred and is payable from age 60.

8.4. Nicola Daniel (ND) added that FPS 1992 benefits are never reopened; it is just the final salary link that would be applicable (if re-joined within 5 years).

## 9. Scheme members with fixed or enhanced lifetime allowance (LTA) protection

9.1. CH confirmed that a message from HMT had been shared in [FPS Bulletin 54 – February 2022](#) which stated that FRAs/administrators need to tell members who hold a fixed or enhanced LTA protection certificate that they may lose this on 1 April 2022 if they do not opt out beforehand. It was decided to bring it to this group as NPCC have received some queries from their administrators and LGA wanted it to be clear as to what action is needed.

9.2. NL confirmed that this is an extremely unlikely scenario as most members will have individual protection (IP2016).

9.3. HS confirmed that WYPF had identified 4 cases – all IP2016.

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9.4. DG agreed it was a none issue and that IP2016 is the most likely scenario.

## 10. AFPS CETV Miscalculation Issue

10.1. [Prior to the meeting a paper titled 'AFPS CETV Miscalculation Issue' was shared with the group which sets out the situation and possible solutions.](#)

10.2. The paper was for information to advise the group that:

*The AFPS administrators will soon start the work on recalculating the cases.*

*As the FPS is locally administered and each of the 44 Fire & Rescue Authorities (FRAs)/ scheme managers maintains a local notional fund, the LGA has suggested that a bulk repayment to each relevant FRA would be most appropriate – with an accompanying breakdown of affected members.*

*The Home Office has agreed this approach and noted that any additional payments received must be reflected in FRAs top up grant claims.*

*AFPS will contact the LGA/ Home Office once the calculation work is nearing completion.*

10.3. The LGA will keep the group updated with any progress.

## 11. Updates from:

### Home Office

11.1. Home Office colleagues were no longer online to provide an update, however, CH confirmed that the [Home Office response to the consultation](#) on prospective remedy would be issued on 8 March 2022.)

### Communications group

11.2. CJ gave a verbal update from the latest FCWG which was held on 1 March 2022.

11.3. [Detailed minutes can be found on the FCWG section of the FPS Regs and Guidance website.](#)

### Regional groups

11.4. Chair of the North East group, HS, gave an update on topics which were discussed at the last meeting these were abatement, dashboards, and LPBs

11.5. Sharon Lewis (SL), Chair of the Midlands group confirmed that their meeting is coming up and does not have anything further to report.

11.6. Claire Neale (CN) confirmed that the South East group met in November 2021 and the discussion focused on the Framework.

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11.7. MD confirmed that the South West group met in October 2021 and another meeting is to be scheduled in due course.

## 12. Action Summary

12.1. CH took the group through the action summary and the following areas were highlighted:

### Ill health one pot

12.2. Still ongoing and with Home Office – CH to raise at next LGA/HO meeting.

### Indexation

12.3. Should PI apply on pay protection.

12.4. Still ongoing and with Home Office – CH to raise at next LGA/HO meeting.

### Aggregation guide

12.5. Outstanding query on members who opt out before 1 April 2015 and whether they can link. CH's view was that they could link if they have opted out after 2012, as this was the point they had to be eligible for remedy.

12.6. NL confirmed that Toni Sawkins raised this issue, however, the member had a gap of more than five years and wanted to establish if there was a final salary link.

12.7. CH asked NL whether the query was still live. NL confirmed that he was unsure but will feedback once he has done some digging.

### General feedback

12.8. HS asked if the action summary could be redesigned as it has become quite cumbersome. LGA agreed that this is something it will look at before the next meeting.

## 13. AOB and DONM

13.1. Transfer window reopening for former fully protected members

13.1.1. HS confirmed that the transfer window did reopen in 2015 and nothing of note has changed in the regulations to assume otherwise.

13.1.2. RS asked whether Scheme Manager approval was needed as the member would have been employed for more than 12 months.

13.1.3. HS view was that Scheme Manager approval was not needed within the initial 12 months; it will only be for any request beyond this. All transfers should be treated as non-club regardless of whether there from a club scheme.

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13.1.4. CH confirmed that only non-occupational transfers have the 12-month deadline anyway. Club transfers are not allowed as these must take place within one year of starting employment.

## 13.2. Technical query from WYPF – PIP for deferred member

13.2.1. HS and ND asked: FPS 1992 benefits are deferred but have a final salary link, should the Pension Input Period (PIP) be reassessed in line with salary growth or left as a DB until retirement?

13.2.2. DG confirmed that HMRC's view is that if a final salary link applies then the member benefit is treated as active under the Finance Act. [A guidance document](#) from the Pensions Tax Manual was put into the chat.

## 13.3. Technical query from WYPF – Final salary link

13.3.1. ND confirmed that WYPF has a case whereby a member left their previous FRA and the FPS 2006 in 2012 and then re-joined the FPS in 2020.

13.3.2. In the meantime, they had LGPS service which reduced the break in public sector service to be less than five years, so they re-joined the FPS 2015 and the deferred FPS 2006 was re-opened.

13.3.3. However, the member re-joined the FPS on a significantly lower salary than when they had left the FPS 2006 and they have subsequently left again.

13.3.4. According to WYPF's reading of PSPA 2013 Schedule 7 Final Salary Link para 2 (3), the original salary can be used to recalculate the FPS 2006 DB, so the basic DB amount does not change, however, the member had PI added to the original DB for the period of deferment which they will not be entitled to on second leaving. In this case the member will have lost £295.74 in PI by inter-brigading in and then leaving soon after.

13.3.5. It could be argued that by inter-brigading in, the member would have the benefit of the earlier retirement date.

13.3.6. However, because of the unusual set of circumstances i.e:

- a long period of deferment,
- the fact that the linking in these circumstances is mandatory,
- the original pay was higher and,
- the member left shortly after re-joining so the subsequent salary never overtook the original one,

13.3.7. The revised DB will be significantly lower.

13.3.8. It was agreed that LGA would consider this case further and provide WYPF with a technical response.

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- 13.4. CN asked the group whether they had received any requests for purchase of added years quotes. Apparently on the grapevine an LFB member has had a quote.
- 13.5. NL confirmed that the quote was probably for buying back strike days, not added years.
- 13.6. CH confirmed that Clause 25 in the Bill does allow for this provision under contingent decisions.
- 13.7. DONM – Monday 18 July 10:00 to 12:30

DRAFT