

Meeting of the Board 23 January 2023

Update on action summary

Introduction

1. This paper provides an update to the Board on actions taken and planned actions to progress the agreed work plan as outlined in the action summary.
2. All other actions can be considered to be carried forward.

Completed actions

3. Action 10.12.2020 (5.1)-(1) to develop a central training log to evidence Board members' knowledge and understanding has been completed, with template forms created in respect of each SAB member so that the LGA can log any training undertaken.
4. Action 24.03.2022 (5.16) to convene a working group to provide governance and oversight of Matthews implementation. The Matthews Technical Working Group meeting with the Home Office first took place on 9 September 2022 and has met regularly since that date to discuss the implementation of the Second Special Member's Options exercise for 2023. Additionally, a SAB engagement session on Matthews took place on 29 September 2022.
5. Action 08.09.2022 (4.43) asking for data on the number of added pension contracts at WYPF and data on the number of those members with potential service to 30 years has been provided by the SAB's Technical Advisor on behalf of WYPF and the data has been emailed to the Home Office to help them with policy decisions on remedy.
6. Action 08.09.2022 (4.45): The LGA emailed the Home Office on 03.10.2022 to ask if a member does not have any reformed scheme service would they be compensated accordingly for a transfer value.
7. Action 08.09.2022 (9.11): A [letter from the SAB Chair](#) was sent to Scheme Managers, Local Pension Board Chairs, Local Pension Board Lead Contacts and Chief Fire Officers on 27.10.2022 highlighting their responsibilities for ensuring that dashboards are implemented for FPS.

Actions in progress

8. Action 04.10.2018 (5) is an action for the LGA to establish a working group on behalf of the SAB with the purpose of considering ill-health regulations and processes is being progressed. Volunteers are being sought to join the working group. The terms of reference are going to be established in line with 2008 ill-health review group. Before the group takes effect though, the LGA would like to update the IQMP guidance originally written in 2012 and return this to the SAB for review. The LGA would also like to review the ill health certificates which currently exist for both active and deferred pension scheme members.
9. Action 11.06.2020 (6.1) for the Board to consider legal advice provided on temporary in the context of the scheme is still in progress. A comparison of LGPS and FPS regulations has taken place in respect of the treatment of temporary contracts in order to consider whether it would be appropriate to consider making a request for a legislative amendment to the FPS.
10. The LGA team for LGPS has confirmed that an employee is only contractually enrolled into the LGPS if they have a contract of employment for three months or more. They do have the right to opt in to the Scheme, and they will be brought in under automatic enrolment if they satisfy the relevant criteria.
11. The position for a fixed term contract is clear – if the contract is for less than three months, the employee does not join automatically, but does join if the contract is extended to be for more than three months. The Board is asked to consider the next steps to take this action forward, which could include further investigation of other scheme's rules to establish whether a common position exists across the public sector.
12. Action 11.06.2020(6.3) for the SAB to consider legal advice provided on retrospective action relating to pensionable pay decisions is tabled for discussion at the meeting. The SAB's Legal Advisor will provide a note to be issued to FRAs, for the Board's consideration.
13. Action 10.12.2020 (5.1)-(2) to develop a modular training programme for SAB members is being progressed and the LGA has run the first induction and refresher SAB training sessions on 22 September 2022. A duplicate session was due to take place on 10 October but did not proceed due to lack of attendance.
14. Action 30.09.2021 (5.26) relates to the procurement of videos to explain remedy. The LGA is currently seeking to fill a vacancy to concentrate on communications and one priority of this role will be to progress this action.
15. Action 23.06.2022 (8):
 - (i) Board members/ advisers to check the SAB web page and advise the Secretariat of any changes which need to be made to their details. The LGA has received some amendments which have been updated on the fpsboard website.

(iii) Board members to nominate replacement committee members for each vacant position. The employer representative roles have been filled for both the cost-effectiveness committee and SMA committee. The practitioner representative role has also been filled for the SMA committee. Vacancies still exist for the LPB Effectiveness chair and SMA committee LPB representative.

(iv) Board members to complete training needs analysis document by 28 August 2022. The LGA has received some forms back which will help to tailor training accordingly.

Actions to note

16. Action 24.03.2022 (7.20) in relation to seeking information on the effect of the removal of restricted commutation for FPS 1992 Scotland will be able to be progressed once a clearer picture is known of the effects that this regulatory change has had in the longer term. GAD may be commissioned to provide assumptions on take-up rate and cost when this information is available.

Actions to progress

17. The action of 23.06.2022 (6.6) for the LGA to discuss the approach to contingent decisions with FSMC to ensure consistency of application is still to progress. The SAB chair is liaising with the FSMC chair to secure attendance at a future FSMC meeting (March 2023).

Board actions

18. The Board is asked to consider next steps in respect of action 11.06.2020 (6.1) which considers temporary in the context of the scheme.

19. The Board is asked to note the contents of this paper.

Board Secretary
December 2022