



Minutes

Name of meeting	ISLE OF WIGHT FIRE AUTHORITY FIRE FIGHTERS PENSION BOARD
Date and Time	WEDNESDAY 14 OCTOBER 2020 COMMENCING AT 2.00 PM
Venue	VIRTUAL (MS TEAMS)
Board Members	Cllrs R Singleton (Chairman), R Barry and S Harrison
Also Present	Matthew Collier, Jo Thistlewood, Megan Tuckwell

1. **Changes to the operation of the board**

The Technical Finance Manager provided an overview of the changes in operation of Board meetings, in light of changes to the Council's constitution which was due to approved in November 2020. Dispensation has been received from the Monitoring Officer enabling the Board to operate in accordance with its revised terms of reference as the existing legal status of the Board remained unchanged. It was clarified that meetings would remain open to scheme members, and the change would allow for more flexibility in management of the agendas.

RESOLVED:

THAT the update be noted.

2. **Minutes**

RESOLVED:

THAT the Minutes of the meeting held on 5 December 2019 be confirmed.

3. **Declarations of Interest**

Sean Harrison declared an interest in Minute 7, as a postholder of temporary promotion.

4. **Administration Update**

The Technical Finance Manager provided an update on membership numbers as at 31 August 2020. It was confirmed that all Annual Benefits Statements had been issued prior to the deadline and all other statutory administration deadlines had been met. Concerns were raised regarding the Annual Benefits Statements and a

discrepancy for those with temporary positions being charged at a full amount rather than at their substantive rank. The Technical Finance Manager agreed to seek a response from the Pension Manager.

RESOLVED:

- i) THAT the update be noted.
- ii) THAT the Technical Finance Manager would seek a response from the Pension Manager regarding the discrepancy for those with temporary positions being charged at a full amount rather than at their substantive rank.

5. Legislation and Local Government Association (LGA) update report

The Technical Finance Manager presented the report on bulletins issued by the Local Government Association in respect of fire pension schemes since the last board meeting in December 2019. It was noted that the information contained in the report was presented to the Hampshire Fire and Rescue Authority (HFRA) Hampshire Firefighters' Pension Board at its meetings on 15 July 2020 and 8 October 2020. Attention was drawn to key points for noting, which included; changes to the threshold income used to calculate a tapered annual allowance, raising tax awareness through job adverts, the pensions dashboard, and the equalisation of male survivor benefits. The Board were offered a separate briefing on adjusted income limits, if required.

RESOLVED:

THAT the update be noted.

6. McCloud/Sargeant case update

The Technical Finance Manager presented the report which provided an overview of the latest developments in relation to the age discrimination court case that was brought against the transitional protections for the 2015 Fire Pension Scheme. It was advised that the consultation was underway, and that the remedy would ultimately be implemented by the Combined Fire Authority) CFA, from April 2021, as it was anticipated that it would not be resolved until 2022. The responsibility of the Isle of Wight Council at this stage was to ensure that any known information was communicated with scheme members, and that all data was up to date.

Discussion took place regarding communication with scheme members, and it was suggested that it would be beneficial for a frequently asked question (FAQ) document to be produced. Concern was raised regarding the impact of the complexities and uncertainties around this case, and the Board felt this should be added to the Council's risk register. The Technical Finance Manager agreed to flag this with CMT.

RESOLVED:

- i) THAT the update be noted.

- ii) THAT frequently asked questions be made available to scheme members.
- iii) THAT the matter be raised with the Corporate Management Team for inclusion in the Isle of Wight Council's risk register.

7. **Combined Fire Authority**

The Technical Finance Manager provided an update on progress towards the Hampshire and Isle of Wight CFA, including planning for post-1 April 2021, and the automatic reenrolment process. It was confirmed that data migration was underway, and communications would be prepared for scheme members close to retirement at 31 March 2021.

Discussion took place regarding temporary promotions, in light of the issue that the HFRA have made them pensionable whereas IWFRS have not. It was recommended that the CFA determine that from 1 April 2021, temporary promotions be pensionable for Fire Pension Scheme members of the CFA that are temporarily promoted whilst a member of the 1992 or 2006 Fire Pension Schemes; and the resulting additional pay be used to award an Additional Pension Benefit to the member.

Discussion took place regarding CFA Board membership. It was confirmed that Ross Singleton and Sean Harrison would become members of the CFA Board, one as an employer representative and the other as scheme member representative. The board sought assurance that the Island's geographical population would be represented on the CFA Board, and it was therefore recommended that the CFA terms of reference specify that two board members should be from the Isle of Wight.

The Board were asked to endorse the proposals for the consistent treatment of temporary promotions in the CFA and for the membership of the CFA Fire Pension Board.

RESOLVED:

- i) THAT the Board endorsed the recommendation that the CFA determine that from 1 April 2021, temporary promotions be pensionable for Fire Pension Scheme members of the CFA that are temporarily promoted whilst a member of the 1992 or 2006 Fire Pension Schemes; and the resulting additional pay be used to award an Additional Pension Benefit to the member; and that a report is taken to the Shadow Hampshire & Isle of Wight Fire and Rescue Authority recommending a formal decision to this effect.
- ii) THAT the Board endorsed the proposals around the membership of the Fire Pension Board under the CFA as set out in paragraphs 8-11 of the report, and that a report be taken to the Shadow Hampshire & Isle of Wight Fire and Rescue Authority to enable the necessary appointments to be made.
- iii) THAT the board recommends that the CFA terms of reference specify that two CFA board members should be from the Isle of Wight.

8. Other matters for the board's attention

The Pensions Manager joined the meeting and the following matters were discussed:

- The Technical Finance Manager drew the Board's attention to the O'Brien case which could impact retained firefighters and other part-time employees dating back to the 1970's. Questions were raised regarding the provisions being put in place by the Isle of Wight Council to prepare for any remedy that may be required. It was advised that this would likely take place post-April 2021, so preparations were mostly regarding Payroll data.
- The Pensions Manager provided an update on the progress with the transfer of membership data to Hampshire ahead of the CFA. It was advised that weekly discussions were taking place. It was confirmed that all data transfers would be carried out in a GDPR compliant through data extractions and transfers by each system provider.
- Discussion took place regarding pensions savings statements breaches, discrepancies regarding temporary promotions, and the risk register.
- Consideration was given to upcoming meetings of the board. It was agreed that next meeting should primarily focus on developments with the CFA and the McCloud/ O'Brien cases. It was agreed that the next meeting, scheduled for 2 December 2020, should be deferred to the beginning of January 2021 when more information would be available.

RESOLVED:

THAT the next meeting of the Board, scheduled for 2 December 2020, be deferred to the beginning of January 2021.

CHAIRMAN