

Minutes of a meeting of the CFA - Local Pension Board held via Microsoft Teams on Tuesday, 20 April 2021.

PRESENT

Mr. W. Liquorish JP CC (in the Chair)

Cllr. Hemant Rae Bhatia  
Adam Taylor

Graham Vaux

In attendance

Callum Faint, Interim Chief Fire and Rescue Officer  
Lauren Haslam, Solicitor and Monitoring Officer  
Colin Sharpe, representing the Treasurer and Pension Scheme Manager  
Mick Grewcock, Interim Assistant Chief Fire and Rescue Officer  
Paul Weston, Interim Assistant Chief Fire and Rescue Officer  
Mark Drinkwater, Fire Brigades Union  
Sean Connor, Senior HR Partner, Derbyshire Fire and Rescue Service  
Anna Poole, Democratic Services Officer

45. Apologies.

No apologies were received.

46. Minutes of the previous meeting.

**RESOLVED:**

The minutes of the Local Pension Board held on 10 February 2021 be taken as read, confirmed and signed.

47. Conflicts of Interest.

The Chairman invited members who wished to do so to declare any interests in respect of items on the agenda for the meeting.

No such declarations were made.

48. Firefighters' Pension Scheme - Age Discrimination Remedy.

The Board considered a report of the Interim Chief Fire and Rescue Officer and The Treasurer/Pension Scheme Manager concerning Firefighters' Pension Scheme arrangements following the Employment Appeal Tribunal judgement handed down on 12 February 2021. A copy of the report marked 'Agenda Item 4' is filed with these minutes.

In presenting the report, the Chief Fire and Rescue Officer informed the Board that further guidance was expected from Her Majesty's Treasury (HMT) later this month. He assured the Board that the approach of the Leicestershire Fire and Rescue Service (LFRS) in remedying the pensions calculations would remain under review and would be amended to reflect the guidance issued by HMT and HMRC. A grant of £39,000 had been received from the Government to help address the increased administrative burden.

The Solicitor and Monitoring Officer said it was recognised that this was a difficult and changing scenario, and that further guidance was awaited to resolve some very technical issues. However, whilst this guidance was awaited, officers would progress as outlined in the report.

In response to questions, members were informed:

- i. The outcome of the Employment Appeal Tribunal allowed individual members the choice of whether to take their pension benefits in the 2015 or 1992 scheme for the time period from April 2015 (the start of the new Scheme) to April 2022 (the end date of the transitional arrangements).
- ii. FRS collectively were working with the Local Government Association to take forward the issues. Particular concerns regarding the tax burden on individual members had been expressed to the Government.
- iii. The Scheme administrators were working on developing mechanisms to provide estimates to members approaching retirement for both the 2015 and the 1992 schemes. However, calculations for the 1992 Scheme would not be accurate at this stage as further guidance was awaited from the Government. In the meantime, it was likely that the Service would replicate the system used by West Midlands FRS.
- iv. Annual Benefit Statements (ABS) would not be provided across the Service this year. ABS for protected members with planned retirement dates up to 31 March 2022 and for those transitional members 6 months into the future on a rolling basis would be provided and prioritised.

The recommendations detailed in the report were moved by Mr Liquorish and seconded by Councillor Rae Bhatia.

The Motion was put and carried unanimously.

**RESOLVED:**

That, noting further advice and guidance from the Local Government Association, Her Majesty's Revenue and Customs and Her Majesty's Treasury was likely in the near future, that

- a) the Local Pension Board supports:
  - i. The tapering of members on to the FPS 2015 scheme shall cease with immediate effect;
  - ii. Pension scheme members approaching retirement and any ill health related cases be provided with the choice to have retirement benefits calculated in their legacy scheme or in the FPS 2015;
  - iii. A retrospective review of the calculations for pensioners who retired after 1 April 2015 on the grounds of ill health with a view to moving them back into their legacy scheme at an early stage, where appropriate;

- iv. A retrospective review of all retired members since 1 April 2015 with a view to moving them back to their legacy scheme, where appropriate.
- b) It be noted that the Chief Fire and Rescue Officer and Treasurer/Pension Scheme Manager using existing delegated powers and following consultation with the Chairman and Vice Chairman of the Combined Fire Authority, will request the Scheme Administrator to implement the above recommendations and will meet any necessary and appropriate costs including any identified additional internal resource;
- c) A further report be submitted when further advice and guidance is received to enable the Local Pension Board and Combined Fire Authority to consider the wider implications.

49. Date of next meeting.

The next meeting of the Local Pension Board will be held on Wednesday 16 June 2021 via Microsoft Teams following the meeting of the Combined Fire Authority.

9.00-9.29 am  
20 April 2021

CHAIRMAN

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