

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**15TH APRIL 2024**

1. **PENSION SCHEME UPDATE**

Report on behalf of the Scheme Manager (Chief Executive Officer).

**RECOMMENDED**

THAT Members note the Scheme Manager's update on the governance and administration of the West Midlands Firefighters' Pension Scheme.

2. **PURPOSE OF REPORT**

To provide an update on the work of the delegated Scheme Manager and the Local Pension Board.

3. **BACKGROUND**

3.1 **McCloud Remedy**

3.1.1 From 1 October 2023, eligible members of the Firefighters' Pension Scheme have choices about the benefits they receive for service between 1 April 2015 and 31 March 2022. This is the Sargeant/McCloud Remedy Period, and these choices are referred to as 'remedy'.

3.1.2 For active and deferred pension scheme members, the service are aiming to provide further information through a Remediable Service Statement (RSS) by the time of the next Annual Benefit Statement in August 2024. The service are legally obliged to provide an RSS by March 2025 or October 2024 for "deferred unprotected" scheme members.

3.1.3 Those scheme members that retire before the RSS are provided to all members will be provided with one upon retirement. Those that were already retired before October 2023 were dealt with through Immediate Detriment, the process of which the Authority agreed should be restarted in 2022. However, these ID cases will need to

be rechecked against the published regulations, which will take place over the same timescale, for delivery by March 2025, with members contacted to rectify any under or over payments as necessary.

### 3.2 **Pension Administration Business Case**

3.2.1 Between October 2023 and January 2024, the service consulted on the option to outsource the service's pension administration function to an external provider with the intention of improving customer experience.

3.2.2 We are very grateful for the constructive input of not only the pension section and trade unions, but also our Pension Board and colleagues from our procurement team. Following three months of consultation, the decision was taken to withdraw the business case at the Joint Consultative Committee held on 10 January.

3.2.3 The decision to stop consultation was made for a range of reasons, including the long lead-in time for any such change (likely 12-18 months), which would likely significantly negatively impact pensions administration in the interim, the significant workload associated with Sargeant/McCloud Remedy that needs to be completed by March 2025, the likely high level of cost involved and the lack of interest from within the wider sector in taking on such a contract.

3.2.4 Instead, the service is now focused on how it can strengthen and support the work of the existing team by bringing in additional staffing, and considering what investment is required in training and systems.

### 3.3 **Pension Section Mitigation Plan**

3.3.1 There continue to be challenges with delivering the pension administration workload, due to reduced staffing and the need to implement Remedy, which makes each retirement more complex.

3.3.2 A mitigation plan has been put into place to ensure that priority pension cases are completed within statutory timeframes, and key deliverables, such as the annual pension uplift, are completed.

- 3.3.3 A temporary Pensions and Payroll Manager has been put in place, alongside additional administrative support. Recruitment for a permanent P&P manager has also taken place but unfortunately this was unsuccessful. We are considering options of how we move this forward, including the use of external recruitment agencies.
- 3.3.4 Overall, there is a recognition that we are not currently delivering for customers as promptly as we would like. The pensions team continue to work hard to deliver accurately and quickly for all scheme members.

### 3.4 **Pension Board Work Plan**

The Pension Board and Pension Administration team continue to deliver against the workplan agreed with The Pension Regulator in November 2022, as well as further items that have been added during the six months. The full Work Plan as of March 2024 can be viewed in Appendix A.

### 3.5 **Scheme Member Communications**

- 3.5.1 In Autumn 2023 [a new pensions webpage](#) was launched to provide both active and retired members with further information on the scheme and how they can contact the service. It also provides details of the IDR process and the recently agreed Pension Administration Strategy.
- 3.5.2 Members are also provided with regular scheme updates, which are also shared via internal channels and directly to members as appropriate. Recent news items include details of the April 2024 Pension Uplift, details of the McCloud Remedy process and the withdrawal of the Pension Administration Business Case.

### 3.6 **Statistics**

The pension scheme has the following membership numbers as at 31 January 2024:

Active Firefighters	1,346
2015 scheme members	1,216
Non-members	130 (9.66%)

Pensioners	2,319
Dependants	420

### 3.7 **IDRP Submissions**

- 3.7.1 In the past two quarters the Scheme Manager has received one FFPS submission through the Internal Dispute Resolution Procedure (IDRP). This was a Stage Two appeal, which was heard by the Appointments, Standards and Appeals Committee on 26 February 2024.
- 3.7.2 It concerned an individual who had opted out of the 1992 pension scheme based on external advice. They requested to be allowed to rejoin the 1992 pension scheme, and to be allowed to make a contingent decision claim. The Committee upheld the Stage One decision that the IDRP was not founded, noting that it was not legally possible for the Authority to provide the outcome requested. The individual was again advised to raise issue with the advice that they had received by the company that had provided it.

## 4. **EQUALITY IMPACT ASSESSMENT**

As this is an update report, no initial Equality Impact Assessment has been undertaken.

## 5. **LEGAL IMPLICATIONS**

- 5.1 The Public Services Pensions Act 2013 created a statutory requirement to have a Scheme Manager, and this is defined in regulations as the Fire and Rescue Authority. WMFRA have chosen to delegate the role of Scheme Manager to the Chief Fire Officer. However, it is important to note that the power to delegate does not absolve the Fire Authority of the responsibility of the pension scheme.
- 5.2 The responsibility to ensure the scheme is managed within the regulations rests with the Fire Authority and any fines resulting from errors will be the responsibility of the Fire Authority. It is therefore important that the Authority maintains oversight of the governance of the scheme.

6. **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this update report.

7. **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this update report.

BACKGROUND PAPERS

None

The contact for this report is Kelly Harding, Head of People Support  
[Kelly.Harding@wmfs.net](mailto:Kelly.Harding@wmfs.net)

KELLY HARDING  
HEAD OF PEOPLE SUPPORT

**APPENDIX A – Pension Board Action Plan**

Ref	Date	Subject	Action	Responsible	Completion date / Suggested timeframe	Status [Ongoing / Completed]
<b>Actions arising from The Pensions Regulator Supervisory Report 2020/21 on the West Midlands Firefighter Pension Scheme</b>						
A1	11/11	Skills and Training	Pension Board (PB) and Scheme Manager (SM) to undertake Training Needs Analysis to set a baseline for development of future training plans. Previous templates exist that can be used.	Pension Board Chair and Scheme Manager	Undertaken by <b>March 2023</b>	TNAs completed as of May 2023
A2	11/11	Pension Board Training and skills	PB to formalise their training plan, to be reviewed at least yearly, which will cover emerging themes, such as cyber security. This will be published on a joint Pension Board filing system/Teams site (see Recommendation D1) to ensure all PB member can review as required and bring forward suggestions for training and development.	Pension Board Chair	Implemented by <b>July 2023</b>	Agreed at <b>July Pension Board</b>
B1	11/11	Pension Board Succession	Clerk and PSS to develop a succession plan for both Scheme Member and Employer representatives, including undertaking a revision of role descriptions. This will include a proposal for hand-over between departing representatives and their replacements.	Clerk and PSS supported by Pension Board	Implemented by March 2023	Ongoing
B2	11/11	Pension Board Succession	PB and SM to review Terms of Reference with regards to representative tenures to ensure these are staggered and include a suitable handover period.	Pension Board Chair and Scheme Manager	Implemented by July 2023	Revised Terms of Reference drafted and agreed, staggered member

## OFFICIAL

						replacement process agreed.
C	11/11	Pension Board Composition	Review appointment/election communications for Pension Board representatives to ensure they encourage diversity amongst the Pension Board membership and encourage the widest possible number and range of candidates to apply. TPR Equality, Diversity and Inclusion guidance to be utilised.	PSS/Pension Board/Portfolio Team	Implemented by January 2023	Completed – Election communications sent
D1	11/11	Pension Board Information Sharing	Review communications to Pensions Board and Scheme manager and ensure updates are provided when required.	Portfolio and Pensions Administration Teams	Implemented by <b>March 2023</b>	Complete
D2	11/11	Pension Board Information Sharing	Pension Board members to review information sharing arrangements and PB representatives' views on information sharing, knowledge and skills, with input from Scheme Manager.	Pension Board and Scheme Manager		Completed
E1	11/11	Business Continuity Planning	Pensions Board to receive a report on current BCP arrangements and testing and review their effectiveness with a view to making recommendations to Scheme Manager on whether a bespoke BCP outside existing WMFS arrangements is necessary.	Pensions Board Chair and Pensions Manager	To be approved in <b>July 2023</b> .	Pension Board BCP agreed with minor additions at <b>July 2023</b> PB meeting.
E2	11/11	Business Continuity Planning	Pension Administration Team to develop and share with the Scheme Manager and Pension Board a set of procedural notes for key pensions administration tasks. Content may be impacted by implementation of remedy.	Pensions Administration Team	Delayed until mid-2024.	Procedural notes created for some tasks, and work continues but not

## OFFICIAL

						expected until mid 2024.
F	11/11	Information Sharing between SM, PB and Pension Administration Team	Written (rather than verbal) reports to be provided by the Pension Team on key issues to both the Pension Board and Scheme Manager as a standing item for all meetings.	Pensions Administration Team	To begin from March 2023 Audit and Risk Committee	Completed
G	11/11	Conflicts of Interest	Conflict of Interest Register, based on the TPR template, to be created and stored on system where all PB members have access. Will be a standing item for all PB meetings. This document to be shared with The Pension Regulator.	Portfolio Team and Pensions Board	To begin from implementation of new system as of February 2023	Completed
H1	11/11	Risk Management	<p>PB Risk Register Sub Group to consider TPR recommended changes or improvement in formatting of the Risk Register:</p> <ul style="list-style-type: none"> <li>• utilising a cover sheet to provide a snapshot of the current risks, helping to clearly identify the current major risk(s) to the Scheme. The Scheme may wish to identify emerging risks in this location as well.</li> <li>• ensuring all risks have mitigating actions and owners</li> <li>• documenting closed risks</li> </ul> <p>Incorporate relevant WMFS Corporate Risks within the PB Risk Register, to include Cyber Security (CR 7.3).</p>	Pensions Board RR sub group	Completed by January 2023	Complete – PB agreed to maintain current RR approach.

## OFFICIAL

H2	11/11	Risk Management	PB Risk Register to be incorporated into Audit and Risk Committee risk updates.	Scheme Manager	To begin from March 2023 A&R Meeting	Completed
I	11/11	Digitisation of records	All records to be digitised and accessible to support data collection.	Pensions Manager supported by Data and Governance Team	Completed	Completed
J	11/11	Data Improvement policy	Pensions Team to work with Data and Governance team on ensuring a Data Improvement Policy is in place for Pensions Data, either drawing on existing policy or developing a new policy if required. To be taken forward following roll out of ALTAIR update.	Pensions Administration Team & Data and Governance Team	Following appointment of new Pension and Payroll Manager (expected May 2024)	Ongoing.
K	11/11	Data Improvement Plan	Pensions Team, drawing on the Annual Data Review (Action L) to develop a Data Improvement Plan for any areas where data scores are not complete. This to be reported to both Scheme Manager and Pension Board, and shared with TPR. To be taken forward following roll out of ALTAIR update.	Pensions Administration Team	Following completion of Data Review	Ongoing. Due to staffing shortages not expected to be full in place until later in 2024.
L	11/11	Annual data review	Pensions Team to undertake a pension data review, to assess the accuracy and completeness of member data, to be reported to the Pension Board and Scheme Manager.	Pensions Administration Team	Mid-2024	<b>Scores not available for Annual Return to TPR in Jan 2024.</b> Expected to be undertaken in mid-2024 once additional staffing in place.

## OFFICIAL

M	11/11	Recording data scores	Pensions administration team to record common and scheme specific data scores gathered as part of the Annual Data review (Action L) in Exchange as part of annual return to The Pension Regulator.	Pensions Administration Team	Mid-2024	<b>Scores not available for Annual Return to TPR in Jan 2024.</b> Expected to be undertaken in mid-2024 once additional staffing in place.
N1	11/11	Review of KPIs	Scheme Manager to inform Pensions Board which KPIs it wishes to have developed and to receive regular updates on. PB to develop and agree with Pensions Team, and utilise a traffic light system (RAG).	Scheme Manager, Pensions Board and Pensions Administration Team	Completed by March 2023	Completed
N2	11/11	Supporting narrative to KPs	All Key Performance Indicators (provided with RAG rating) to be accompanied by appropriately detailed written narrative (which may be provided alongside a verbal update). This narrative to be provided to both the Scheme Manager and the Pension Board	Pensions Administration Team	Completed by <b>June 2023</b>	Complete – delivered to <b>July PB</b> . Further improvements to be made for future reports.
O	11/11	Documentation of Data validation procedures	Implementation of ORACLE upgrade is intended to allow retired Scheme Members to update their own contact details. All members to be contacted by post to inform them of new system, with further investigation of failed deliveries.	Pensions Administration Team	Following appointment of new Pension and Payroll Manager	Deadline to be set once new P&P Manger in post

## OFFICIAL

P	11/11	Pension Process Automation	Pensions Team to provide a report to the Scheme Manager on automation and systems improvements achieved by implementation of ALTAIR and ORACLE systems system once in place.	Pensions administration team	Following appointment of new Pension and Payroll Manager	Deadline to be set once new P&P Manager in post
Q1	11/11	Administrative Task Timescales	Pensions Team to provide a report to the Scheme Manager setting out the expected task timescales (e.g., responses to queries), which will also be shared with Pension Board.	Pensions administration team	Completed by March 2023	Completed
Q2	11/11	Firefighter Pensions SAB Pensions Administration Strategy	Pensions Board to utilise FPS Administration, Management, and Governance Strategy template to create single documentation of roles and services standards. Document to be agreed by Scheme Manager and published on the WMFRA CMIS site.	Scheme Manager, Pension Board, Pension Team, Portfolio Team	Agreed September 2023	Information from FPSAB to be included on new webpage on WMFS.net
<b>Actions arising from previous Pension Board meetings</b>						
2	08/12	Members opt-out	Information to be circulated to employees to encourage them to remain in the scheme	Governance Advisor/PSS	April 2024	Ongoing - Now included within the Comms plan for Q4.
4	08/12	Actively updating data records	Pensions Manager to go back to all relevant individuals to ask them to update their records, to actively promote them to update their records.	Pensions Manager/ Admin Manager	Ongoing	MSS now in place for Active Scheme Members. Communication to be included in April Payslip.

## OFFICIAL

1	07/09	Training and Development	Members to put forward suggestions for training and development to be added to Pension Board training plan	Pension Board Members	Complete January 2024	Complete
5	07/09	Administration	Update PB Risk Management Approach to reflect service corporate risk approach	Policy Advisor and Portfolio Team	January 2024	Ongoing
6	07/09	Terms of Reference	Scheme Manager to review the terms of reference to ensure that role of scheme manager, pension board and pensions administration are clear.	Scheme Manager and Policy Advisor	January 2024	Deferred
7	07/09	Performance Metrics	Consider update to pension administration KPI relating to transfers – realistic timescales to take account of potentially long delays between inquiries.	Policy Advisor and Pensions Admin team	January 2024	Deferred
9	07/09	KPIs	Review KPIs to see which cases are not currently covered by KPIs.	Board	March 2024	Contained with Pension Section Supporting Information Report
1	02/11	Communications	To determine how we communicate with members via the webpage to ensure their details are accurate.	PSS and P&P Manager	January 2024	Complete
5	02/11	IDRP Process	IDRP - To understand how we capture the decision-making part of the process of Stage 1 appeals and to provide to the board.	Head of PS	January 2024	Reported to January 2024 Board
1	11/01	Training and Development	To confirm number of completed modules.	Policy Advisor	March 2024	
2	11/01	Employer Representative Role	To discuss the criteria of the Employer Representative role. (To replace Julie Felton)	Head of PS	March 2024	

## OFFICIAL

3	11/01	Communication regarding Uplift	To ensure information regarding the uplift be added to the relevant communication.	Policy Advisor	March 2024	Completed 20 February
4	11/01	Communication via social media	Discuss with Corporate Comms about adding to Social Media/Emails where individuals can access relevant information regarding specific issues regarding their pension.	Policy Advisor	March 2024	Completed and began with Uplift Communication
5	11/01	Communication	To discuss with Corporate Comms to ensure information is provided to individuals to explain processes and answer common questions.	P&P Manager Policy Advisor	March 2024	
6	11/01	Person responsible for Action	To add an additional column within the 'Updates Received Register' to identify person responsible for the action	Policy Advisor	March 2024	Completed