

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

AUDIT COMMITTEE

14 NOVEMBER 2016

1. BREACH OF DISCLOSURE REGULATIONS

Report of the Chief Fire Officer.

RECOMMENDED

- 1.1 THAT the Audit Committee, as Scheme Manager for the Firefighters Pensions Schemes, notes the content of this report.
- 1.2 THAT the Audit Committee considers the recommendations in relation to the Breach of Disclosure Regulations and either:
 - confirms its support for the recommendations identified at 1.3,
 - or
 - provides additional guidance to the Pension Board and asks them to reconsider in line with their guidance.
- 1.3 A summary of the recommendations is as follows:
 - 1.3.1 To ensure that processes, set out in Appendix 2, are in place to avoid a recurrence of the delay when statements are issued in 2017.
 - 1.3.2 The Scheme Administrator to consider the option of a self-service system.
 - 1.3.3 The Pension Board, at their next meeting, to consider their Terms of Reference in respect of the reporting of breaches of the law to The Pensions Regulator.
 - 1.3.4 A Risk Register is added as a Standing Item on future Pension Board Agenda.

2. **PURPOSE OF REPORT**

This report is submitted to the Audit Committee, as Scheme Manager of the Authority's Fire Pension Schemes, to consider the recommendations of the Pension Board in relation to the Disclosure Regulations breach. The Committee should either accept the recommendations of the Pension Board or provide additional guidance to the Pension Board and ask the Board to reconsider in line with the guidance provided.

3. **BACKGROUND**

- 3.1 The role of the Pension Board is to assist the Scheme Manager secure compliance with Scheme regulations, the Pensions Regulator and other specified matters.
- 3.2 The Scheme Manager has agreed the 'Terms of Reference' for the Pension Board.
- 3.3 As part of the 'Terms of Reference' the Scheme Manager may refer matters to the Pension Board for its consideration and recommendation.
- 3.4 The Pension Board will make a recommendation to the Scheme Manager.
- 3.5 The Scheme Administrator notified the Scheme Manager and Pension Board of a breach to the disclosure regulations. Further information is:
 - 3.5.1 West Midlands Fire Service has a Statutory obligation under The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 and The Public Sector Pensions Act 2013 to provide an Annual Benefit Statement to all active member of each of the Firefighters Pension schemes no later than 31st August each year.
 - 3.5.2 This briefing note is provided to the Pension Board to inform them of the breach, provide an explanation of the causes of the breach, and outline remedial action being taken to prevent a recurrence in subsequent years.
- 3.6 It was agreed that the Pension Board would have an extraordinary meeting to consider the report of the Scheme Administrator and make recommendations to the Scheme Manager.

- 3.7 The Scheme Administrator's report presented to the Pension Board at its extraordinary meeting is attached at Appendix 1.
- 3.8 The notes of the extraordinary Pension Board Meeting which include the Pension Board recommendations is attached at Appendix 2.

4. **EQUALITY IMPACT ASSESSMENT**

An initial Equality Impact Assessment has been completed for the Terms of Reference for the Pension Board which has not identified any concerns requiring a full Equality Impact Assessment.

5. **LEGAL IMPLICATIONS**

The Public Services Pensions Act 2013 outlines the role of the Pension Board.

6. **TRADE UNION CONSULTATION**

The Trade Unions were engaged and consulted on the Services approach to implementing the Pension Board.

7. **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

The contact name for this report is Philip Hales, Deputy Chief Fire Officer, telephone number 0121 380 6907.

BACKGROUND PAPERS

Public Services Act 2013
West Midlands Fire Service Pension Board Terms of Reference
The Pensions Regulator