

Pensions Board

20 October 2022 at 10:00 hrs by Digital Meeting

Attendance:

Chair: Alan Tranter – Employee Representative

Employer Representatives:

Julie Felton

Kal Shoker

Officers/advisors in attendance:

Cllr Jalil (Vice-Chair of Audit and Risk Committee)

Tom Embury – Deputy Clerk to the Authority

Paul Gwynn – Pensions and Payroll Manager

Kirsty Tuffin – Democratic Services Officer

Employee Representatives:

Adam Harper

Additional attendees:

The Pension Regulator Representatives

1. Apologies

Apologies were received from Kamla Devi-Ahir, PSS representative.

2. The Pension Regulator Supervisory Report – Draft Action Plan

Representative from The Pension Regulator (TPR) provided an overview of the Pension Regulator Supervisory Report, that had been delayed as a result of the pandemic. The Board were advised that the report had been issued as a result of the 2020-2021 TPR supervision review of the West Midlands Fire Service Firefighters Schemes. The report/recommendations therein had covered the period March 2020-March 2021. During the review in 2020-2021, TPR had requested information to gain an understanding, observed a Pension Board meeting and met with Paul Gwynn, Pensions and Payroll Manager. They had been pleased a thorough action plan had been drafted for Pension Boards consideration and advised that there was flexibility with deadline of 11 November for the final plan to be circulated to TPR. It was agreed that the deadline of 11 November was feasible to obtain.

Following queries, Alan Tranter, Chair of the Board, advised the TPR that since the review in 2020-2021, additional concerns had arisen. He advised that the Scheme Manager would be facilitating and Independent Investigation/Enquiry into the key issues. The investigation had been taking longer than desired but it was felt the right person had to be appointed to the role. It was agreed that Tom Embury, Deputy Clerk, would correspond with Cllr Miks, Scheme Manager Representative, upon her return from leave on a potential timeline and Terms of Reference (TOR) to be provided to Board Members. Paul Gwynn disputed the terminology used and advised the TPR that it had been an investigation rather than an enquiry. He advised that the running of the

scheme had not been the issue and the majority of issues around payments had resulted from taxation issues. The Chair of the Board advised that until the TOR had been released, no statements/assumptions could be made. TPR requested an update on the Investigation once the TOR had been agreed.

Tom Embury provided an overview of the draft Action Plan, for members feedback/amendments. The following changes were agreed:

Reference	Action
A	Training analyses to be conducted with Pension Board Members to provide a baseline on who has attended which courses. Pension Board Teams site has potential history/template to be used. To be added as A2.
B1 & B2	Agree to stagger membership end dates.
C	TPR to circulate the Equality, Diversity and Inclusion Guidance published by TPR in September to incorporate.
D1	External notifications to be considered/tested. Consistency = key. Kirsty Tuffin to alert Pension Board via email of the Bulletin being added onto the Pension Board teams site. Suggested to include IT Literate in Job Descriptions to the Board.
E1/E2	Bespoke Pension Board Business Cont. Plan possible option if PB felt necessary.
H	Sub-Group to consider recommendations/ desire to not make over complicated. Follow up outside of meeting. Alan Tranter wished to have it incorporated into Audit and Risk/Corporate Risk updates.
J, K, L & M	Paul Gwynn comments via email to be added. Bulk of work to be completed once new Pension system in place. Follow up outside of meeting.
N1/N2	TPR to circulate information received on KPIs in March 2020 with Pension Board. Possible KPIs to be developed and worked upon by Pension Board outside of the meeting.
O	No relation to letter of Memorandum, based upon accurate data. Upgrade to Uptair to allow Members to update details. Letters to be circulated to members (if delivery is bounded will investigate). to be included within the plan.
P	Paul's wording via email to be added.
Q2	FRA Bulletin strategy template to be updated by Pension Board with Scheme Manager input. To be endorsed/published externally.

Following discussions, it was agreed that a report to be drafted for Audit and Risk Committee in November on behalf of Pension Board to request an interim Independent Chair. Tom Embury would discuss this with Cllr Miks upon her return from leave. It was agreed that Tom Embury, Julie Felton Employee Representative & Kirsty Tuffin, Democratic Services Officer, would meet to discuss an approach to be taken on correspondence/documents issued to Pension Board to ensure consistency.

Following discussions on a potential bespoke Business Continuity Plan, it was agreed that Paul Gwynn would share the current Business Continuity Plans at the Pension Board meeting in December. Pension Board were happy to contribute to the existing plan or look into the option of a bespoke plan if it was required. Incorporating Local Government Association (LGA) training into December meeting was requested. It was agreed Paul Gwynn to arrange/discuss with the LGA. Training on the new Uptair system had been underway and it was agreed that an update to be given on time

frames for the Uptair new system / implementation be provided in Decembers Pension Board meeting by Paul Gwynn.

Following discussions on ref. J, K, L and M, Paul Gwynn advised the Board that he did not wish for Data Governance to be involved in the process due to difference of opinions on data protection legislation. Alan Tranter expressed the need for Martina Doolan, Data Governance Manager, to be involved to ensure a robust system had been in place in which Paul Gwynn disagreed as it was felt that paper copies had been more secure. It was agreed that an agreement on this matter would be sought outside of the meeting. It was agreed that an update would be provided on the status of E2 in March due to the impact of remedy and the potential publication of legislation in October 22. It was agreed that Tom Embury circulate information/invite to the Pension Schemes AGM taking place next week to Kamla Devi-Ahir, as a development opportunity.

Alan Tranter, expressed concerns that the independent investigation, could impact on the proposed action plan. He advised there had been unrest with membership and Paul Gwynn had been subject to criticism given his position. He was re-assured to hear 2 new members of staff would be employed by the Pension Board team as he felt not all the blame had been Paul/his team but a wider organisation failing. Tom Embury re-assured members that although the action plan would be signed off, additions could still be made following the review that would hopefully rectify some of the issues highlighted.

Resolved:

1. That the Pension Regulator Supervisory Report – Draft Action Plan be noted.
2. That it be agreed that the changes outlined, as per table, to the action plan be approved.
3. That it be agreed that Tom Embury, Deputy Clerk, would correspond with Cllr Miks, Scheme Manager Representative, upon her return from leave on a potential timeline and Terms of Reference to be provided to Board Members.
4. That it be agreed that a report be drafted for Audit and Risk Committee in November on behalf of Pension Board to request an interim Independent Chair. Tom Embury would discuss this with Cllr Miks upon her return from leave.
5. That it be agreed that Tom Embury, Julie Felton Employee Representative & Kirsty Tuffin, Democratic Services Officer, would meet to discuss an approach to be taken on correspondence/documents issued to Pension Board to ensure consistency.
6. That it be agreed that Paul Gwynn would share the current Business Continuity Plans at the Pension Board meeting in December.
7. That it be agreed that Paul Gwynn to arrange/discuss training for Decembers meeting with the LGA.
8. That it be agreed that an update to be given on time frames for the Uptair new system / implementation be provided in Decembers Pension Board meeting by Paul Gwynn.
9. That it be agreed that an agreement on the involvement of Data Management be sought outside of the meeting.
10. That it be agreed that an update would be provided on the status of E2 in March due to the impact of remedy and the potential publication of legislation in October 22.

11. That it be agreed that Tom Embury circulate information/invite to the Pension Schemes AGM taking place next week to Kamla Devi-Ahir, as a development opportunity.

3. Date of the next meeting

Resolved:

1. That the next Pension Board Meeting, scheduled to take place on 08 December 2022, be noted.

The Pension Board meeting ended at 11:38hrs.