



LONDON FIRE BRIGADE

---

MINUTES

**LOCAL PENSION BOARD**

---

DATE	Friday, 13 September 2024	TIME	10.00 am
VENUE	G-03 - Ground Floor, 169 Union Street, London SE1 0LL		

---

Minutes of the proceedings of the meeting of Local Pension Board held G-03 - Ground Floor, 169 Union Street, London SE1 0LL on Friday, 13 September 2024

---

**Present:**

Clair Alcock, Independent Chair  
Frazer Ferguson, DAC Learning and Professional Development (employer side)  
Dan Kipling, DAC Learning and Professional Development (employer side)  
Jon Lambe, Regional Secretary, FBU (employee side)  
Adam Shaw, Regional Treasurer, FBU (employee side)  
David Shek, Executive Committee member, FBU (employee side)

**In Attendance:**

Mostaque Ahmed, Director for Corporate Services  
Adrian Bloomfield, Assistant Director, Finance  
John Crowhurst, LPPA Operations and Commercial Director  
Louise Martin, HR Services Manager  
Rory Murphy, Finance Administration Manager  
Yvette McEntee, Solicitor, Employment and Litigation  
Kat Pilarska, Pension Analyst  
Ozu Okere, Governance Manager

**1. Apologies**

Apologies for absence were received from Nick Davis, Deputy Assistant Commissioner, Learning and Professional Development (employer side); Keeley Foster, Assistant Commissioner Learning and Professional Development (employer side); Tom Goodall, Programme Director (employer side); and Clive Robison (Employee Side).

**2. Welcome**

The Chair welcomed Frazer Ferguson to his first meeting of the Pension Board as a substitute member on the employer side.

**3. Declarations of Interest/ Breaches of the Law**

There were no declarations of interest or breaches of the law declared.

**4. Minutes and Actions arising**

The minutes of the meeting held on 11 June 2024 were approved.

The actions log was reviewed and updated. The Chair noted that some important actions were still being discussed and would be ongoing. They include those actions which formally set out the position statement to the Scheme Advisory Board with regards to how the London Fire Brigade has reacted to the pressures of remedy, mitigations put in place and the challenges that remain.

The following matters were then raised:

(i) David Shek (employee side) sought clarification on why some retired members, who are fully protected, are being sent emails which state they may be affected by the 2015 remedy. In response, the Chair said that fully protected members were still in scope to be contacted. The Assistant Director, Finance added that a session was held recently with pensioners where this issue came up and they have been advised to look at the statements when they get it. They have a year in which to respond otherwise the Scheme Manager would decide on their behalf. He explained that the remedy goes back over the seven years period and asks members to select a benefit either in the 2015 scheme or the legacy scheme which could be different to what the members are already receiving. In response to a question, the Chair confirmed that there is already communication available on the matter and it was agreed that the Scheme Manager would send out the information.

(ii) Adam Shaw (employee side) also reported on another letter circulating whereby a member who in 2021 retired after 30 years of service was informed, they are not eligible for remedy. In response, the Assistant Director, Finance confirmed that anyone in service between 2015 and 2022 would be impacted by remedy. So, it was agreed that the Scheme Manager liaise with LPPA, whose operations team was responsible for sending out the letter, to understand the reasoning behind it.

## **5. Membership and Terms of Reference**

The Board noted the difficulty there had been for the meeting to be quorate due mainly to insufficient members on the employer side. The Board noted that the Assistant Commissioner, Learning and Professional Development would like to step down as a member. She had also expressed concern that all senior operational staff from her team sit on the Board and that consideration be given to other departments/officers to take up these positions. The Board noted the difficulty of having senior operational staff on the Board and discussion followed on whether to open up membership to FRS staff and lower ranked operational staff whilst stressing that there still ought to be senior ranking operational officer on the Board.

The Chair agreed that it was important to have well informed employer representatives on the Board, able to represent the workforce and attend meetings on a regular basis. She sought clarification from the Scheme Manager on the future plan to resolve the membership issues on the employer side. In response, the Assistant Director, Finance and the Director for Corporate Services agreed to work on this.

The Chair noted that there were some vacancies on the employee side and asked that in recruiting consideration be given to equality and diversity of membership on the employee side. David Shek agreed to investigate this.

The Chair asked that update on progress be reported within a month of the meeting.

## 6. Remedy Update

The Chair informed the Board that the item on remedy update was added to the agenda to allow for a substantial discussion on current active members who would not have received an annual benefit statement (ABS)/remediable service statement (RSS) at the required time; current progress on immediate choice members; and reports that would need to be submitted to the Pension Regulator (TPR).

(i) Active Members – Chair aware of the issue with the Scheme Manager providing the LPPA with data to enable them to produce the ABS and RSS statements. The required data for ABS should have been sent out by 31 August 2024 to reflect rollback, that is, reflect members who have gone back into the legacy scheme. The missing data has meant LPPA was unable to do the rollback to allow the ABS to be issued by that date which is a breach of the statutory date which the Scheme Manager has to report to TPR. The Chair stressed that this was not a material breach, but TPR has asked for the information to better understand the challenges facing Scheme Managers/Administrators. She was satisfied with the mitigation put in place to resolve the issues and sought a timeframe for when the ABS statements would be sent. In response, Mr Crowhurst said he would do so after meeting with the Assistant Director, Finance and the Finance Administration Manager to identify the critical mass number. The Chair then asked that the timeframe be circulated to the Board within two weeks.

The Assistant Director, Finance added that sending out the statements without having the data for all the members creates its own challenges. There was too much data to be processed to meet the deadlines and the timetable had not been updated to reflect this. The Chair shared that the main problem with the timetable was the lack of tax guidance which has stopped a significant number of RSS statements being sent out. The Chair to check why LGA has not updated the timetable.

The Chair went on to explain that the reason for providing ABS in August was because it carried with it contribution adjustment statement so, members know what their contribution adjustment will be to meet the deadline for the Pension Saving Statement and valuations which in 2024 were due respectively in October and December. Remedy has meant mass contribution adjustments are required for all members so, all firefighters must have their contributions adjusted for the remedy period. If they are in the 1992 scheme they would not have paid enough and if in the 2006 scheme they would have potentially paid more. The regulation states that on receipt of RSS, members have a choice to decide, within three months of receipt, whether to make that contribution immediately or have it rolled over until they retire. The Chair acknowledged that this would be a difficult choice for members to make but contribution adjustment fact sheets, which explain the choices, have been sent to members.

The Chair then stated that it is Treasury policy for interest to be added to the contributions. This is not a punitive action but an attempt by the government to keep the value of money and be fair to protected members who had to pay their contributions immediately. A further complication is that the Treasury at the end of June 2024 sent out a late notice on how tax relief payments would apply tax to active members for pension contributions. The lateness means it cannot be reflected on their statements, but guidance has been released to Scheme Managers on what it should look like. So, if after receiving their statements a member decides to pay the tax, the Scheme Manager would need to send out a second statement which will then show the tax relief. In response to questions raised by members on the employee side, the Chair confirmed that interest is calculated on a compound rate where payment is deferred. The rate of interest follows the base rate which is currently predicted to fall. She added that the Police who are also affected have issued examples of the amount of

interest a member might pay, and she would find out from the LGA if it is going to issue similar examples. The Chair also informed the Board that Diana Johnson, the Police and Fire Minister, has been challenged about the interest payments and has promised to take the matter away and find out more about it. She added that it is not discriminatory to charge the interest as it is a Treasury policy so there is little Scheme Managers can do about it.

In response to a question on whether there are worked examples as an indicator of tax that might be payable, the Chair confirmed that the August fact sheet contained worked examples for average salary of certain roles. She would circulate the fact sheet after the meeting but asked that it is also referenced on the Brigade's internal website. The Chair added that the frequently asked questions page on the LGA website contained a lot of information with links so members can make their choices in accordance with those facts. She reminded members that remedy is still a good thing with people getting about seven years of pension back and stressed there was still work to do around the communication to help members understand that.

(ii) Immediate Choice Members – The Chair referred to the information on page 3 of the LPP Administration report (page 18 of the agenda report) which showed that 1,642 members are in scope to receive an immediate choice remedial service statement (IC RSS). She noted the good work that had happened in getting the statements out for the first cohort which covered ill health retired members. However, there are issues with IC RSS which has caused an inability to update the timetable and it is do with unauthorised payments charge. This was identified by His Majesty's Treasury (HMT) at the beginning of the year and in July the government moved to get commitment from the Economic Secretary to the Treasury that the regulations would be changed to enable the calculations. HMRC will provide the guidelines on how to do the calculations but has still not done so. The Chair said that having now had sight of the draft, administrators could not be expected to engage with it, so the issue has gone back to the HMT. Until this matter is resolved, it would be difficult to issue IC RSS statements. Mr. Crowhurst, Operations and Commercial Director LPPA confirmed that the LPPA will continue to work with the Scheme Manager on this. They will issue actual trackers to show progress that is being made to get all the statements out by the March deadline. He confirmed a lot of work was ongoing in the background whilst waiting for the issue to be resolved. The Chair added that a letter would be sent to the Scheme Advisory Board about concerns on the lack of regulation and central guidance on the matter.

(iii) Pensions Savings Statements – Chair noted that members are also due to receive their pensions savings statements (PSS) from 6 October 2024. She warned that once again the PSS cannot be done unless all the data is present and confirmed that the late issue of PSS would also be a breach that the Scheme Manager would need to report to the TPR. Mr. Crowhurst said that after his meeting with the Assistant Director, Finance and the Finance Administration Manager to discuss the critical mass number he would be in a position to confirm whether the deadline would be met. Not everyone would be due to receive one and the LPPA might have to prioritise data for senior ranked members of staff. It was noted that the greatest risk was for Group Commanders and above whilst noting that the critical mass would be a combination of earnings and rank.

(iv) Tax Administration Framework – In response to a question, the Chair confirmed that PSS tax charges are due this year despite not being payable in 2023. The 2022/23 statements have been brought into the tax administration framework. As such, within three months of receiving PSS statements this year, members would have to use the digital service to register and pay those charges. Any charges from 2023/24 would need to be registered for self-assessment by 31 January 2025.

(v) Triannual Valuation Data – This requires data from across all the membership and for the data for active members to be rolled back into the legacy scheme with the alternative values provided. The Government Actuary's Department (GAD) has asked that this be done by December 2024. The Chair stressed that this is another important deadline so if data is still missing by that deadline, it could affect the accuracy of the valuation. She sought assurance that there was a plan in place to meet the deadline. In response, Mr Crowhurst said active members were currently being prioritised.

(vi) LPP Report Update – The Chair welcomed the update on retirees especially the tracker which showed when data was sent, option letter sent, and when forms were received etc. This was a helpful improvement and Mr Crowhurst confirmed that the LPPA would continue to produce this information in the pack.

The Chair then asked for anecdotal evidence of the volume of complaints received from members. Both employer and employee Board members confirmed that they have not had the usual volume of complaints, and the Finance Administration Manager added that there has been a lot of communication with members about remedy which has helped. The Chair noted that the position had improved because of the level of work that had been put in by the Scheme Manager/Administrator. She was pleased to see the improvement and would continue to monitor the situation.

On a separate but related matter the Board noted, based on the Chair's experience with the Police, that it was likely that when the ABS and RSS statements are sent it would lead to a high volume of engagement and comments from members. However, most of this would be business-as-usual matters and not remedy focused so important for that distinction to be made. The Chair said that the Communications sub-group could pick this up to consider the contents of the communication on choice which will go out to members.

(vii) Contingent Decision – Ian Shaw (employee side) sought clarification on whether members who came out of the 2015 pension scheme due to changes and went back in would be treated the same regarding payment of missing contributions. The Chair said, in response, that the initial intention under the policy is that members would be put back in the same position they would have been in before remedy. However, the Home Office recently advised that, having reviewed the regulation, members who opted out of the 1992 scheme could only go back to the 2006 scheme and not the 1992 scheme which would not put them back in the position they would have been in before remedy. As such, the Home Office and HMT are taking advice from King's Counsel on how to resolve the issue. So, there is currently a pause on contingent decisions until the matter is resolved.

The Assistant Director, Finance reminded the Board that members who opted out of the pension scheme for the whole of the remedy period, that is, from 1 April 2015 – 31 March 2022 would not have been routinely contacted as they are not directly impacted by remedy. He asked that these members be encouraged to engage with the remedy process by asking for a contingent decision. He informed the Board that the Scheme Manager is also currently going through its payroll records to identify members. The Chair added that she would send out the link to firefighters' decisions on contingent decision.

The Chair concluded by saying she was satisfied the scheme was in a relatively good place having seen the mitigation and planning that has been put in place to deal with immediate choice, and that RSS and ABS statements were due to go out soon.

## **7. Local Pension Partnership Update**

Mr Crowhurst, Operations and Commercial Director LPPA provided an update on the work of the LPPA in Quarter 1 (April-June 2024) as set out Appendix 4 of the Update Report (under item 8 on the agenda). He reported by exception on the following:

(i) Service Level Agreements (SLA) Performance – Set out how SLA performance is measured (page 148 of report) and provided an explanation on why it is late. Confirmed LPPA is working in retirement date order.

(ii) Customer Satisfaction Scores – shows breakdown of quarterly retirement survey. The layout has changed (pages 156-157) and now provides more information on the number of people who have retired, who received the survey and who have responded. Where members have expressed dissatisfaction, it was to do with the pension point calculation. So, working closely with Civica to ensure the information is available for members by January 2025.

(iii) Data Quality (page 163) – The fall in the scheme specific score (75 per cent as of June 2024) is due to the rollback of members as part of McCloud remedy and will improve when monthly return submissions are up to date, year-end processes are run and remedy is progressed. It would then be expected to go above 90 per cent. The Chair added that feedback from the Police is that the data is not up to date because members are not doing the updating themselves.

The Chair thanked Mr Crowhurst for the helpful figures.

## **8. LPB-071 Firefighters' Local Pension Board - Provision of Information**

The HR Services Manager introduced the report highlighting that 90% of the workforce are now in the 2015 Firefighters' Pension Scheme, of which 11% are female and 13% ethnicity. From the 10% of staff not in the pension scheme, 17% are BME and 7% female. The main reason of staff opting out is other financial commitments and this led to discussion on how best the Brigade could promote the benefits of the pension scheme. Various options included clear and better explanations of pension benefits at the recruitment stage, regular communications at key points in firefighters' career, as well as videos using real life events to showcase how people have benefitted from being in the pension scheme. The Finance Administration Manager informed the Board that LFB would be doing the three yearly auto enrolment exercise in August 2025. It was agreed that these options should be revisited in time for the enrolment process. The HR Services Manager informed the Board she would feed back to the team involved with the ongoing project on corporate induction.

The Deputy Assistant Commissioner, Learning and Professional Development informed the Board that as firefighters in development fall within his remit, he would find out what pension information they receive and discuss how to better support the communication.

The Chair welcomed the detailed discussion and the proposed plans to improve take up of the pension scheme.

The Local Pension Board then noted the report.

## **9. LPB-072 Firefighters' Local Pension Board - Update Report**

The Finance Administration Manager presented the report highlighting the following:

(i) Injury to feelings (Sargeant cases) – the terms upon which these claims can be settled have now been agreed but proceedings have been stayed to July 2025. The General Counsel team will keep the Board informed of any update.

(ii) Auto Enrolment – The Pension (Extension of Automatic Enrolment) Act 2023 which would extend automatic enrolment to 18-21 years old has yet to be implemented.

(iii) Employment Tribunal claims – General Counsel have received a number of complaints from claimants not being able to aggregate pensionable service accrued as a retained fire fighter with pensionable service accrued as a whole-time fire fighter. The Employment Tribunal have at the request of the Secretary of State stayed the claims. Further updates to be provided as the cases progress.

(iii) Pensions Dashboard Programme – The Department for Work and Pensions has extended the delivery of pensions dashboard, so the implementation date has now slipped to summer of 2025.

(iv) LPB Member Training – Members encouraged to attend the LGA training sessions either in person on 18 September 2024 or online (MS Teams) on 23 January 2025, and to inform the LPB clerk when booked. The Chair confirmed that she was attending the session on 18 September.

(v) Communication with Members – A series of Teams live presentations were held throughout May and June 2024 to provide updates and answer questions on the pension remedy. Further sessions for retired members are being arranged.

The Local Pension Board noted the report.

## **10. Board Working Group Updates**

There were no updates provided as neither representative from the Communications or Equalities Working Group was present.

The Chair to pick up any actions directly with the representatives.

## **11. Any Other Business**

There was no other business.

## **12. Date of Next Meeting**

The next meeting of the Board was scheduled for 12 December 2024.

*The meeting ended at 11:57*

Ozu Okere  
**Clerk to Local Pension Board**