

# LOCAL PENSION BOARD

## FIREFIGHTER PENSION SCHEMES



**DATE: 14 AUGUST 2025**

**TITLE: SCHEME MANAGER UPDATE**

**REPORT OF: SCHEME MANAGER**

<b>For Approval and Noting</b>
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### 1. PURPOSE

- 1.1 To inform and update the Board.

### 2. UPDATE TO THE BOARD

#### 2.1 Governance and Administration

- **Terms of Reference**

The terms of reference has been reviewed and is attached at Appendix 1 for the Boards approval.

For Approval

- **Annual Work Programme**

The Annual work programme has been reviewed and is attached at Appendix 2 for the Boards consideration.

For Approval

- **Training & Development**

For Noting

The Board has an obligation to ensure Members receive adequate training and knowledge to support them in their role. A number of Board Members attended the LGA Firefighter Pension Scheme training session on 25 March 2025 via Microsoft Teams. Further training sessions are available for members should they wish to attend.

- **Discretions Applied** – none

For Noting

- **Ill Health** – there are two members who are currently going through the IQMP process to obtain a medical opinion on whether they meet the criteria for early payment of pension benefits due to ill health. The IQMP has requested GP and consultant's reports.

For Noting

- **Appeals** – none

- **IDRP** – none

**2.2 Scrutiny**

For Noting

- **Breaches of the Law** – the failure to issue all Remediable Service Statements (RSS) by 31<sup>st</sup> March 2025 resulted in a breach. The breach has been assessed and reported to the Pensions Regulator, a copy is attached at Appendix 3.
- **Internal Audit Report 2023-24** - Hartlepool Borough Council reported satisfactory assurance can be provided that the risks identified are well controlled - copy attached at Appendix 4.
- **Cyber Security** – there have been no reported breaches
- **Compliance** - Cyber Essentials Plus (CE+) accredited
- **Audit** - none

**2.3 Risk**

For Noting

The Board has a responsibility to take an active role in monitoring the key risks on a regular basis and driving forward improvement.

Work has been ongoing to amalgamate the Authority's 3 current risk registers into 1 register using the new corporate format which is attached at Appendix 5 for consideration by the Board.

**2.4 Age Discrimination Remedy (Sargeant/McCloud) – Update**

For Noting

**Deferred Choice (DC) – RSS Issuance**

In the lead up to the statutory deadline for issuance of all RSS, which was 31<sup>st</sup> March 2025, we continued to work closely with XPS to ensure that the remaining RSS were issued.

Unfortunately, we were unable to issue all DC-RSS by the deadline and as of 31<sup>st</sup> March 2025 there were 27 outstanding for active members and 12 outstanding for deferred members. Work has been continuing to identify the reason for non-issuance so that the issue can be resolved and RSS can be produced and issued as quickly as possible.

As we did not meet the statutory deadline a breach assessment was undertaken and a subsequent report made to the Pensions Regulator (Appendix 1).

On receipt of a DC-RSS members can choose whether to enact their contribution adjustment before retirement, this must be done within twelve weeks from being issued with their DC-RSS.

To date CFA have processed 46 member's contribution adjustments:

- 44 x FPS 2006 legacy scheme members, to the value of £237,362 (refund to member)
- 2 x FPS 1992 legacy scheme members, to the value of £9,081.79 (payment to the scheme)

XPS continue to process and issue the outstanding RSS on a weekly basis, this has involved CFA providing further data following queries received from XPS which is now complete.

### **Immediate Choice (IC)-RSS Issuance**

17 members were issued with an IC-RSS in July 2024 as they were not impacted by the unauthorised payment charges and a further 129 were issued following the receipt of HMRC guidance relating to this tax issue.

Unfortunately, we were unable to issue all IC-RSS by the statutory deadline of 31st March 2025, following which there were 4 outstanding cases, all of which have been identified as having a pension sharing order (PSO) debit, for which Home Office guidance is required, these members have been communicated with to explain the delay and their RSS will be issued once the guidance is released.

As we were aware that we would not be able to issue the 4 outstanding RSS by the statutory deadline due to the PSO issue, the Scheme Manager exercised their discretion under Section 29(10B) to extend the deadline. This has been documented in the breach assessment and subsequent report to the Pensions Regulator (Appendix 1).

XPS have advised that the guidance is likely to be in place for June 2025, at which point they can process the outstanding cases. We await confirmation from XPS on whether this has been completed.

### **Contingent Decisions**

To date CFA has received 9 applications for Contingent Decision, all relate to opt outs. These now need to be considered by the Scheme Manager

CFA have agreed to the proposal submitted by XPS for carrying out this piece of work, which will commence once the decision has been made by the Scheme Manager on whether to accept the applications.

LGA guidance on processing these cases was withdrawn pending receipt of clarification from the Home Office on what constitutes a legacy scheme for the purposes of contingent decisions; therefore, cases are currently on hold pending receipt of this clarification. These will be assessed and processed as soon as further guidance is received. The LGA have indicated that this guidance may be published within the next month therefore this work will be prioritised by the team once published.

**2.5 Part Time Worker Discrimination Remedy (Matthews) - Update**

For Noting

CFA has 74 cases to process and has prioritised them on the following basis following guidance from LGA:

Category	No. Cases	No. Complete	Priority Order
Deceased	5	0	Priority 1 Waiting for further info from Home Office
Pensioner	41	39	Priority 1
Deferred Imminent entitlement	1	1	Priority 2
Deferred Not immediate/imminent	25	25	Priority 3
Active	3	3	Priority 3

To date CFA have processed the benefits for 39 Pensioner members who have received payment, and we continue to work our way through the remaining cases whilst we await further LGA guidance on the outcome of the Home Office Consultation.

Of the deferred and active cases, all have been provided with an individual statement and to date we have processed 7 positive elections.

It is acknowledged that Deceased members should be treated as Priority 1 cases however, we are waiting for additional guidance from the Home Office on eligibility for this, as current guidance only covers those that were deceased prior to 6th April 2006 or those that elected to join the modified scheme and died before 31st March 2025. Unfortunately, CFA's cases relate to those that have died before being able to make an election so as soon as the guidance is received and if the outcome is positive for their situation, then the 5 cases will be prioritised for processing.

The Home Office have been consulting on further changes to the exercise which includes death cases, extending eligibility to convert 2006 service, opted out service and an extension to the exercise deadline March 2026, and whilst we await confirmation of final legislative changes, we continue to process cases which are not affected by the consultation outcome.

**2.6 Pensions Dashboards**

For Noting

It has been agreed that XPS will undertake a Connection Readiness project for the Authority to ensure that member data is matched so that we can achieve compliance by our connection date of 31st October 2025.

**2.7 Annual Benefit Statements (ABS) Issuance**

For Noting

Work is ongoing with XPS to ensure that we are on target to achieve the statutory deadline for issuance of Annual Benefits Statements by 31<sup>st</sup> August 2025.

**PETER RICKARD  
SCHEME MANAGER**