

## **Administration and regulatory updates**

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### **1. Synopsis**

- 1.1. The report provides Pension Board members with the latest administration and regulatory updates affecting the Local Government Pension Scheme (LGPS).

### **2. Executive Summary**

- 2.1. This report covers the administration and regulatory issues which have arisen since Pensions Committee on the 17 March 2023 and Pensions Board on the 17 February 2023.
- 2.2. Updates have been provided on the content covered in the fund's webinars undertaken in March and April to active scheme members.
- 2.3. The latest updates on the McCloud remedy are covered and the national Pensions Dashboard project which Government has recently announced a delay to the original timetable.
- 2.4. Other work covering the frozen refund project and pension issues detailed in the Spring 2023 Budget are also covered. The Budget introduced changes to pensions input tax limits.

### **3. Recommendations**

- 3.1. Pension Board members are asked to note the contents of this report with or without comment.

## **REPORT**

### **4. Risk Assessment and Opportunities Appraisal**

- 4.1. Risk Management

By ensuring the guidance and legislation mentioned in this report is followed and adhered to, risks to the fund are minimised. A risk register is kept and updated in line with council corporate policy.

#### **4.2. Human Rights Act Appraisal**

The recommendations contained in this report are compatible with the Human Rights Act 1998.

#### **4.3. Environmental Appraisal**

There is no direct environmental, equalities or climate change consequence of this report.

### **5. Financial Implications**

- 5.1. Currently there are no direct financial implications arising from this report.

### **6. Climate change appraisal**

- 6.1. Energy and fuel consumption: No effect  
Renewable energy generation: No effect  
Carbon offsetting or mitigation: No effect  
Climate Change adaptation: No effect

### **7. Administration and regulatory update**

- 7.1. In addition to this report, the Pensions Board are advised to note the pensions administration reports submitted to the Pension Committee on 17 March 2023.

### **8. Communications**

- 8.1. The fund monitors member take-up of its online portal member self-service area (MSS), known as 'My Pension Online'. The annual benefit statements for both active and deferred members are available to view on 'My Pension Online' unless a member has requested a paper copy. As at 31 March 2023 a total of 49% active members, 42% of deferred members and 47% of pensioners were registered to view their records on 'My Pension Online'. All three categories of membership had an increase of 1% point of members registered, from the previous month.
- 8.2. In March and April 2023, the Communications and Governance Team hosted four webinars; 'Get to know your pension'. Active scheme members were invited to join one of the hour-long webinars to find out more about the Local Government Pension Scheme and the benefits of being a member.
- 8.3. The webinars had two aims; to increase the take up of My Pension Online and to educate scheme members on the pension scheme benefits, particularly during the current cost-of-living crisis. The webinar covered the most frequently asked questions officers receive through the pensions helpdesk:

- How much does my employer pay?
  - When can I retire?
  - How does my pension build up?
  - What will I get when I retire?
- 8.4. An increase in registration numbers for My Pensions Online in March and April was experienced following the webinars. In total, 373 members attended the webinars and 110 provided feedback by completing the form circulated after the webinar. 99% of respondents felt they knew more about their pension after attending. When asked if members would attend further webinars about pensions, 93% responded 'Yes'; with 31% preferring a mixture of both in-person and virtual presentations going forward but the majority preferring virtual delivery. 53% of respondents were aged between 36-55. A question was asked in the feedback form about future webinars, the key responses were: more in depth explanations of Additional Voluntary Contributions (AVCs), transferring pensions, flexible retirement, scenario-based examples and 1:1s.
- 8.5. Scheme employers have also been reminded that the Team will support in-person presentations at their workplace, followed by member 1-2-1s should there be a local need. So far, one employer has taken up this offer and a date is being agreed.
- 8.6. The fund uses a bulk email functionality to email scheme members and employers the latest fund news. The open rate for member bulk emails was consistently above 50% over the 2022/2023 year. The most opened emails were; 'your 2021/2022 P60 is available now' at 76%, 'your annual benefit statement is ready – deferred members' at 68% and 'member Update December 2022 – retired members' at 66%. Emails that went to retired members only, had the greatest overall engagement over the year.
- 8.7. The open rate for employer bulk emails ranged between 23% to 58% over the 2022/2023 year. The open rate steadily increased throughout the year, with the open rate for updates between January to March 2023, increasing to between 48% and 58%. Officers are undertaking a review of all employer contacts held to ensure it holds the correct details.
- 8.8. The annual project to produce the active and deferred annual benefit statements for 2023 is underway. The statements show member benefits built up to 31 March 2023. The active benefit statements must statutorily be produced by 31 August each year. The statements will be made available in My Pension Online and email notification provided to members unless a paper copy has been requested. Newsletters are being

produced collaboratively with other LGPS funds to be issued with the statements.

- 8.9. The fund's Annual Report for 2022/2023 is currently being prepared and will be presented at the September 2023 Pensions Committee meeting. The Pensions Board Chair is invited to provide an annual update which is published in the report.

## **9. Update from Scheme Advisory Board (SAB) meeting held on 20 February 2023**

- 9.1. The SAB met via a hybrid meeting (virtually and in-person) on Monday 20<sup>th</sup> February 2023.
- 9.2. Pension Board members can read a detailed summary of the meeting on the Board updates page of the SAB website; <https://lgpsboard.org/index.php/about-the-board/prev-meetings>
- 9.3. Pension Board members should also note the news items which are posted to the Scheme Advisory Board website: <https://lgpsboard.org/index.php/welcome>

## **10. McCloud judgement**

- 10.1. In the February 2023 administration meeting report, Pension Board members were provided with the background, latest news and the fund's work on member data relating to the McCloud remedy.
- 10.2. On 6 April 2023, the Government published the highly anticipated and delayed outcome to the consultation which ended on 8 October 2020. The consultation was on 'proposals to remove age discrimination from the Local Government Pension Scheme in England and Wales (LGPS)'. Powers to remove this discrimination were contained in the Public Service Pensions and Judicial Offices Act 2022, which received Royal Assent in March 2022.
- 10.3. Links to the consultation outcome and factsheet can be found below: <https://www.gov.uk/government/consultations/local-government-pension-scheme-amendments-to-the-statutory-underpin>  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1146603/LGPS\\_McCloud\\_factsheet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1146603/LGPS_McCloud_factsheet.pdf)

- 10.4. Because of the date of the ruling, at the time of drafting this report officers are awaiting national commentary and guidance on the consultation response and how this affects the fund's work to date on the remedy. It is expected that a revised consultation will be required. It is expected that this may centre around the treatment of records that have already been aggregated.
- 10.5. In February it was reported that officers had worked with the fund Actuary to check member data using a bespoke tool and to categorise employers, according to results of their data quality. Below summarises the status of the 150 active employers identified as being in scope:
- 101 still need to be graded and have a statement produced
  - 43 have been graded A
  - 6 have been graded B
  - Of the 49 employers already graded, 41 have been sent an agreement to sign and 15 have returned a signed agreement

Below is an overview of each grade:

A) The data passes enough of the tests undertaken so the Fund can be satisfied that the data can be used with no further information from the employer at this stage.

B) There are a few minor queries/clarifications that need to be raised with the employer in order that the Fund can be satisfied that the data can be used.

C) The data hasn't passed enough of the tests undertaken and therefore the employer will need to provide the Fund with separate data for their members.

- 10.6. At the last meeting a query was raised as to the size of the McCloud remedy in terms of costs to the fund. Following the 2022 Actuarial Valuation and in line with the requirements of Regulation 62 of the Local Government Pension Scheme Regulations 2013 (as amended) the fund has since published the results to the Actuarial Valuation as at 31 March 2022. The 2022 Valuation Report can be found on the fund website here: <https://www.shropshirecountypensionfund.co.uk/media/1962/scpf-2022-valuation-report.pdf>
- 10.7. In Section 2 of the report, the Actuary has carried out a stand-alone estimate of the cost of the McCloud Judgment to be estimated that the cost is an increase in past service liabilities at the valuation date of £23 million. This represents 0.9% of total past service liabilities. Provision for these estimated

McCloud costs has been included within the fund's Secondary Contribution Rate and in the corresponding Secondary Contribution Rate for each individual employer.

## **11. LGPS cost management**

- 11.1. In the May 2019 administration update report information was presented to pension board members on the 2 cost control mechanisms across the LGPS. One introduced by the Scheme Advisory Board (SAB) known as the 'employer cost cap' and the other by HMT, 'cost management process' and the impact of McCloud on both of these processes.
- 11.2. In March 2023, SAB has submitted its response to the Government consultation on reforms to the SAB scheme cost assessment process, which closed on the 24th March 2023. The SAB scheme cost assessment is the part of the cost management process which operates independently of, and prior to, the HM Treasury directed cost management process. The full response is on the SAB website:  
[https://lgpsboard.org/images/Responses/221012\\_DLUHCSABCostManagementprocessconsultation\\_SABresponse.pdf](https://lgpsboard.org/images/Responses/221012_DLUHCSABCostManagementprocessconsultation_SABresponse.pdf)

## **12. Dashboard**

- 12.1. On 2 March the Pensions Minister, Laura Trott, issued a written statement announcing delays to the delivery of Pensions Dashboards. The statement explains that the Pensions Dashboards Programme (PDP) will be unable to meet the connection deadlines set out in legislation, and the timeline will need to be revised.
- 12.2. The statement says delays are necessary to give the PDP the time it needs to meet the challenges in developing the digital architecture. It is not clear if connection deadlines for public service pension schemes will change. The Pensions Regulator confirms it:
  - will write to those schemes affected by the announcement to confirm when new deadlines are set
  - has published updated guidance and checklist to help schemes focus on what they should be doing now to prepare for their dashboard duties
  - will produce a 'content toolkit' with key messages for administering authorities to use, as appropriate, in their communications.

- 12.3. The Minister plans to share an update ahead of the summer recess (i.e. before 20 July 2023) but officers understand this may not confirm the revised timeline. Since the written statement, the key message from the Pensions Regulator has been that Dashboards are still definitely going ahead and this is very much only a delay and not a cancellation. Officers have updated the team plan timetables accordingly.

### **13. Employers meeting**

- 13.1. At the February 2023 Pension Board meeting the 2022 Employers Meeting was discussed. 103 individuals attended the 2022 Employers Meeting virtually. 88 had attended the 2021 virtual meeting. Unfortunately, no attendance figures are available for the 2020 meeting. 89 individuals attended the 2019 in-person.
- 13.2. Individual 1 2 1 meetings were also arranged following the meeting for employers to discuss their own particular results with the Fund Actuary, Mercer. Several employers took this option up and the feedback received from the Actuary following these meetings was positive. A frequently asked questions (jargon buster) document was also sent to employers in advance of the meeting.
- 13.3. A feedback form was issued at the end of the meeting and 8 responses were received. Specific comments (not included below) were also provided on feedback forms which officers are taking into consideration for the next meeting. These comments covered:
- Splitting the meeting up into different sections for different employer types/groups.
  - Review the length/breaks in the meeting
  - Simpler explanations of terms and more accessible for different roles at employers (i.e non-financial)
  - More explanation of the information included in the valuation report.
- 13.4. Some of these comments were specific to the Actuarial Valuation but all general meeting comments will be considered for the 2023 Employers Meeting.

How would you rate the Employers Meeting you attended on 23rd November?	How easy was the content of the meeting to understand?	Was the meeting length?	Do you understand more about how the Actuarial Valuation works after attending this meeting?	Do you understand how the valuation affects you as a Fund employer from April 2023?	Do you prefer in person or virtual meetings for your dedicated Employers Meeting?	Would you attend the next Employers Meeting?
Very Good	Average	About Right	Yes	Yes	Virtual	Yes
Very Good	Average	About Right	Yes	Yes	Virtual	Yes
Very Good	Average	About Right	Yes	Yes	Virtual	Maybe
Very Good	Average	About Right	Yes	Yes	Virtual	Yes
Very Good	Average	About Right	Yes	Yes	Virtual	Maybe
Very Good	Very Easy	Too Long	Yes	Yes	Virtual	Yes
Very Good	Average	About Right	Yes	Yes	Virtual	Yes
Average	Difficult	Too Long	No	Yes	Virtual	Yes

## 14. Fund business plan

- 14.1. A Fund Business Plan (FBP) is to be introduced from next financial year. A project Team is currently being set up to start work on the plan. Whilst officers for many years have a documented Team Plan which tracks the projects and work undertaken each year, the FBP will cover the high-level strategic objectives, projects, and work to be undertaken by the fund.
- 14.2. As work on the FBP continues, Pension Board members will be consulted on the content and regularly updated on progress of the FBP.

## 15. Spring 2023 Budget

- 15.1. On 15 March 2023, the Chancellor of the Exchequer delivered the Spring 2023 budget. There were significant changes that affect pension schemes. In particular:
- increasing the annual allowance (AA) from £40,000 to £60,000
  - increasing the money purchase AA from £4,000 to £10,000



- increasing the adjusted income level for the tapered AA from £240,000 to £260,000
  - increasing the minimum tapered AA from £4,000 to £10,000
  - abolishing lifetime allowance (LTA) charges arising in relation to benefit crystallisation events (BCE) occurring on or after 6 April 2023
  - allowing members to accrue new pension benefits, join new arrangements or transfer, without losing enhanced protection or fixed protection where the protection was applied for before 15 March 2023
  - changing the taxation of the LTA excess lump sum, so that it is taxed as pension income (ie taxable at marginal rate rather than 55 per cent)
  - ensuring that payments of (or any part of) serious ill-health lump sums defined benefit lump sum death benefits or an uncrystallised funds lump sum death benefits that would have incurred an LTA charge remain taxable payments, with the excess taxed as pension income (ie taxable at marginal rate rather than 55 per cent).
- 15.2. The LTA will be abolished completely from the 2024/2025 tax year. This will be done through a future Finance Bill. Except where protections apply, the maximum pension commencement lump sum (PCLS) a member can take remains the lower of 25 per cent of:
- the capital value of the pension benefits the member is taking, or
  - their remaining LTA (the standard LTA is £1,073,100 and 25 per cent of this is £268,275).
- 15.3. The fund will need to continue to operate lifetime allowance checks in the 2023/2024 tax year when paying benefits; however, there will be no requirement to report LTA charges on the accounting for tax return.

## **16. Frozen refund project**

- 16.1. Officers have previously reported that the team are contacting scheme members with historic frozen refunds. These members are not entitled to a benefit in the fund and didn't claim the refund at the time of leaving the scheme. There are various tranches of historical frozen refunds which the team are tackling and the post 1998 but pre 2008 leavers are being

written to first, with 435 written to in total and 87 refunds claimed, to date.

## **17. Change in SCAPE discount rate**

- 17.1. On 30 March 2023, the fund was informed that the superannuation contributions adjusted for past experience (SCAPE) discount rate reduced on 30 March 2023 to the consumer price index (CPI) plus 1.7%. This is a change from CPI plus 2.4%. This was announced in a written ministerial statement by the Chief Secretary to the Treasury. The SCAPE discount rate is used to set the employer contribution rates in the unfunded public service pension schemes (PSPS) and determines the actuarial factors across all PSPS. The LGPS is a funded pension scheme so the SCAPE rate change doesn't affect employer contribution rates but it does affect actuarial factors for some calculations.
- 17.2. The LGA have confirmed the following calculations should be immediately suspended following the announcement until new factors are issued:
- certain non-club transfers and interfund / intrafund calculations
  - certain non-club cash transfer sums
  - all cash equivalent values (CEV) for divorce.
- 17.3. It is understood that Government will issue new transfer factors in April / May 2023. They have also confirmed the remainder of the Scheme's actuarial factors will be amended in due course.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Pensions Board Meeting 3 May 2019 – Administration and regulatory updates

Pensions Committee Meeting 17 March 2023 Pensions Administration Report

Pensions Board Meeting 17 February 2023 Administration and Regulatory updates

**Cabinet Member (Portfolio Holder)**

N/A

**Local Member**

N/A

**Appendices**

None