

NATIONAL LGPS TECHNICAL GROUP MINUTES

***A member of the
LOCAL GOVERNMENT PENSIONS COMMITTEE (LGPC)***

Published on 13 December 2019

Held at the offices of:

AON

The AON Centre, The Leadenhall Building (“the Cheese grater”)

122 Leadenhall Street, London, EC3V 4AN

At 11:00 on Tuesday 10 December 2019

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Attendees

Standing (voting) members of the group		Present / Apologies / Substitute / Absent
Kevin Gerard (Chairman)	Welsh Pension Officer Group (WPOG)	Present
Joanne Griffiths	Welsh Pension Officer Group (WPOG)	Apologies 10/12/19
Ian Howe (Deputy Chairman)	East Midlands Pension Officer Group (EMPOG)	Present
Gary McLellan	East Midlands Pension Officer Group (EMPOG)	Present
Karen Gibson	South West Pension Officer Group (SWPOG)	Present
Kate Shore	South West Pension Officer Group (SWPOG)	Apologies 10/12/19
Claire Lewis-Smith	Southern Area Pension Officer Group (SAPOG)	Apologies 23/10/19
Amanda Jupp	Southern Area Pension Officer Group (SAPOG)	Present
Louise Savage	South Eastern Counties Superannuation Officer Group (SECSOG)	Present
Joel Ellner	South Eastern Counties Superannuation Officer Group (SECSOG)	Present
Richard Smyth	London Pension Officer Group (LPOG)	Present
Neil Mason	London Pension Officer Group (LPOG)	Present
Steven Moseley	Shrewsbury Pension Officer Group (SPOG)	Present
Debbie Sharp	Shrewsbury Pension Officer Group (SPOG)	Present
Heather Chambers	North East Pension Officer Forum (NEPOF)	Present
Heather Currie	North East Pension Officer Forum (NEPOF)	Present
Erin Savage	Scottish Pensions Local Government (SPLG)	Present
Zena Kee	Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC)	Present
Representative (non-voting) members of the group		
Jeremy Hughes	Ministry of Housing, Communities & Local Government (MHCLG)	Present
Kimberly Linge	Scottish Public Pension Agency (SPPA)	Present
Siobhán McKelvey	Department of Environment (Northern Ireland)	Apologies

Jayne Wiberg	Local Government Association (LGA)	Present
Lorraine Bennett	Local Government Association (LGA)	Present
Jeff Houston	Local Government Association (LGA)	Apologies
Ad-hoc (non-voting) members of the group		
Paul Kateley	Software supplier - Aquila Heywood	Present
Catherine Carruthers	Software supplier – Capita	Present
Julie Potter	Software supplier – Civica	Present
Jon Slater	Software supplier - Equiniti	Present
Annemarie Allen	Actuarial - Barnett Waddingham	Present
Ian Colvin	Actuarial - Hymans Robertson	Present
Justine Davies	Actuarial – PWC	Present
Catherine Pearce	Actuarial – Aon	Present
Jonathan Perera	Actuarial – Mercer	Present
Kelly Scotford	Secretary	Present

Minutes

Agenda item	Description	Outcome
1	<p>Standing members only present for this agenda item</p> <p>Purchase of LGPS Knowledge System</p>	<p>Standing members discussion: The group examined the responses received from administering authorities. The Chair received 25 completed undertakings and there was little suggestion that this number would significantly rise should the alternative procurement approach (suggested by the LGA in November 2019) be adopted.</p> <p>Standing members unanimously agreed the following:</p> <ol style="list-style-type: none"> 1) Not to recommend that the LGA pursue a procurement exercise to purchase an LGPS Knowledge System on behalf of LGPS administering authorities. 2) The Chair would approach the LGPS National Frameworks to see if the organisation would be interested in setting up a framework to procure for an LGPS Knowledge System (no further

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		involvement from the National LGPS Technical Group) – Chair & JW to action
2	<p>Standing members only present for this agenda item</p> <p>CIPFA annual report guidance – Paper from LGA (Jayne Wiberg) for the group to consider.</p>	<p>Standing members discussion: The group discussed the questions raised in the paper and considered the way forward. Additional, it was also discussed as how this area interacts with the LGPS E&W SAB 'Good Governance' project?</p> <p>Standing members unanimously agreed the following:</p> <ol style="list-style-type: none"> 1) To check how the LGPS E&W SAB 'Good Governance' group interacts with this area? Lorraine Bennett to action 2) Contact CIPFA and invite to the National LGPS Technical Group on 6 March 2020 - Lorraine Bennett to action 3) Set up pre-meeting with members of the National LGPS Technical Group and Software providers - Lorraine Bennett to action
3	Apologies for absence / temporary substitute nominations	See attendee list.
4	Minutes of the last meeting held on 20 September 2019	Group action: Agreed in full.
Matters arising from previous meetings		
Matters arising from minutes of the meeting held on 20 September 2019		
5	Item 4(b) – Taper Annual Allowance	<p>LGA update: The LGA (Jayne Wiberg) attended a public service meeting on 23 September 2019 with John Glen (Economic Secretary to the Treasury – EST) to discuss the impact of the taper annual allowance on the provision of public services. Following the meeting the Secretary confirmed that he had found the meeting very useful. It is unclear whether any changes will be made to the Taper Annual Allowance as a result.</p> <p>COMPLETE</p>
	Item 6 – Contracted-out reconciliation stalemate cases Query on how to proceed -	<p>LGA update; Following on from the recommendations made at the last meeting HMRC published Countdown bulletin 49 on 4 October 2019.</p>

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	NILGOSC?	Countdown bulletin 49 confirms that HMRC will respond to queries sent via the Live Schemes Shared Workspace e-room, but only if a 'life event' is occurring. COMPLETE
Matters arising from minutes of the meeting held on 14 June 2019		
	Item 5(b) - Annual Benefit Statements	LGA update: Paper from LGA (Rachel Abbey) providing updates from the meeting held on 11 October 2019, with LGA and the software providers, to discuss the data requirements for active members ABS statements. Next steps LGA to publish the ABS guide before the end of January 2020 – Rachel Abbey to action
Matters outstanding from minutes of the meeting held on 8 March 2019		
	Item 9 – Statutory guidance for survivor benefits	MHCLG update: Update from MHCLG dated 25/11/2019. Group action: To note.
	Item 15 - Historical list of recommendations / agreements / outcome of decisions made by the Group	Group member update: Update spreadsheet with position before 28 September 2018 by 6 March 2020 meeting – Heather Currie to action
6	LGPC update – Jayne Wiberg	Group discussion: The group reviewed the update and made the following requests: 1) Further to the article in bulletin 191 about 'member videos', the group requested that a member video be produced covering 'Pension scams' – Lorraine Bennett to take this forward. 2) MHCLG requested that the LGA resend the information concerning the issues with the non-payment of CEPs – Jayne Wiberg completed on 11/12/2019
7	MHCLG update – Update from MHCLG (Jeremy Hughes)	Group discussion: The group discussed MHCLG update. MHCLG noted: • Bulletin 177 covered the case of Harvey v Haringey (relating to the non-payment of a cohabiting partner's pension where the member left the LGPS before 1 April 2008 – the judge found in favour of

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		<p>Haringey Council and MHCLG and dismissed the application for judicial review). MHCLG confirmed that a similar case has arisen.</p> <ul style="list-style-type: none"> • Bulletin 187 covered the case Ms Langford and the RAF pension scheme. The Court of Appeal awarded a survivor pension to Ms Langford following the death of her partner in 2011 despite Ms Langford married to someone else at the time of her partner's death. MHCLG confirmed that the MOD have applied for permission to appeal this case. • The Chair requested that MHCLG provide an update report in advance of each National LGPS Technical Group meeting to which MHCLG agreed – MHCLG to action
8	<p>NI Data base – Paper from LGA (Lorraine Bennett) for the group to consider.</p>	<p>Group discussion: The group noted that a number of administering authorities had not signed the new data sharing agreement, and of those who had signed had not uploaded data to the NI database. In order for the NI database to successfully work, all administering authorities need to upload data on a regular basis.</p> <p>Group agreement: 1) The group agreed that the LGA should contact the section 151 officers, Chair of Pension Committees & Local Pension Boards to inform them of their authority's noncompliance – LB to action</p>
9	<p>Pensions Tax – Paper from LGA (Jayne Wiberg) for the group to consider</p>	<p>Group discussion: The group discussed the content of the paper.</p> <p>Group recommendation: To allow time for any revisions to this area due to political changes the group agreed to defer this agenda item until the next meeting on 6 March 2020.</p>
10	<p>Pre 14 AVCs used to purchase additional pension</p>	<p>Group discussion: The group discussed the paper and noted that one of the largest LGPS AVC providers</p>

Agenda item	Description	Outcome
	<p>for deferred members – Paper from NEPOF (Heather Chambers) for the group to consider.</p>	<p>had stopped providing annuities for small AVC pots.</p> <p>Group recommendation: The group recommended that the regulations should be changes to allow deferred members who left the Scheme before 1 April 2014 to purchase additional pension with their AVC pot – Chair emailed SAB on 13/12/19</p>
11	<p>Standing item – McCloud and Sargeant case</p> <p>Background The case concerns the transitional protections provided to members of the judges and firefighter pension schemes when the schemes were reformed in 2015, as part of the public sector pension scheme reforms. On 20 December 2018, the Court of Appeal found that these protections were unlawful on the grounds of age discrimination and could not be justified.</p> <p>Latest position Please find paper published on 15/11/2019 from LGPS E&W SAB.</p> <p>The cost management page of the English and Welsh SAB website contains background information on the case, including a Q&A which has been updated to take into account the Supreme Court ruling.</p> <p>Please find update from MHCLG 25/11/2019.</p>	<p>Group action: To note.</p>
12	<p>Standing item – MHCLG consultation: Fair deal</p> <p>Latest position</p>	<p>MHCLG update: Update from MHCLG dated 25/11/2019.</p> <p>Group action:</p>

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	<p>The MHCLG consultation on 'Fair deal – strengthening pension protection' in the LGPS closed on 4 April 2019. The consultation documents and the response submitted by the LGPC can be viewed on the Scheme consultations page of www.lgpsregs.org. The Chair of National LGPS Technical Group responded on 13 March 2019.</p>	<p>To note</p>
<p>13</p>	<p>Standing item - HMT Consultation: Exit payments cap</p> <p>Latest position In April 2019, HM Treasury launched a consultation called 'Restricting exit payments in the public sector: consultation on implementation of the regulations'. The consultation documents and the response submitted by the LGA can be viewed on the non-scheme consultations page of www.lgpsregs.org. The Chair of National LGPS Technical Group responded on 1 July 2019.</p>	<p>MHCLG update: Update from MHCLG dated 25/11/2019. MHCLG noted that 'redundancy claw back' (page 48) features in the Conservative 2019 manifesto, which may indicate that it would also be the Conservatives intention (if they obtain a majority in the 12 December 2019 election) to proceed with the 95k Exit Payment Cap.</p> <p>Group action: To note</p>
<p>14</p>	<p>Standing item - MHCLG Consultation: Local valuation cycle and the management of employer risk</p> <p>Latest position On 8 May 2019 MHCLG issued a 12 week policy consultation called 'LGPS: Changes to the local valuation cycle and the management of employer risk'. The consultation closed on 31 July 2019. The consultation documents and the response submitted by the LGPC can be viewed on the Scheme consultations page of</p>	<p>MHCLG update: Update from MHCLG dated 25/11/2019. MHCLG confirmed that the Government response is drafted and will be put before the Minister following the 2019 General Election.</p> <p>Group action: To note</p>

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	<p>www.lgpsregs.org. The Chair of National LGPS Technical Group responded on 15 July 2019.</p> <p>MHCLG have confirmed that they have received 279 responses, and that it is likely they will publish their response in the autumn of 2019. Once issued their response will be published on the scheme consultations page of www.lgpsregs.org.</p>	
15	<p>Standing item – LGA technical queries with MHCLG</p> <p>All LGA technical queries with MHCLG can be found on the ‘technical group minutes’ page of www.lgpsregs.org and www.scotlgps.org.</p> <p>Latest position</p> <p>On 25 November 2019, the LGA suggested 15 or so technical amendments that MHCLG might be able to implement without the need for policy consultation. The LGA will keep the group updated should these suggestions progress any further.</p>	<p>Group action: To note</p>
16	<p>Standing item - historical list of recommendations / agreements / outcome of decisions</p> <p>All recommendations / agreements / outcome of decisions made by the National LGPS Technical Group from 28 September 2018 can be found on the ‘technical group minutes’ page of www.lgpsregs.org and www.scotlgps.org.</p>	<p>Group action: To note</p>

Agenda item	Description	Outcome
17	<p>Standing item – list of recommendations made to the SAB E&W since November 2018</p> <p>Recommendations made to the SAB E&W from November 2018 can be found on the ‘technical group minutes’ page of www.lgpsregs.org and www.scotlgps.org.</p> <p>Latest position</p> <p>On 18 November 2019, SAB confirmed that MHCLG would be happy to take forward this recommendation for change. We await all four recommendations inclusion, in a statutory consultation (no date as yet):</p> <ul style="list-style-type: none"> • 5 year time limit for refunds • Forfeiture • Concurrency aggregation • Non-payment of CEPs 	<p>MHCLG update:</p> <p>MHCLG confirmed that they would be in a better position to confirm the timing of a consultation covering these amendments at the next meeting on 6 March 2020.</p> <p>Group action:</p> <p>To note.</p>
18	<p>Standing item – Group membership</p> <p>The current list of group membership can be found on the ‘technical group minutes’ page of www.lgpsregs.org and www.scotlgps.org.</p>	<p>Group action:</p> <p>To note</p>
19	<p>Standing item - any other business</p> <p>Written details using the blank template for agenda items to be given to the Chairman (Kevin Gerard) prior to the start of the meeting.</p>	<p>To discuss on the day:</p> <p>None.</p>
	<p>6 March 2020</p> <p>PWC</p> <p>Agenda items for meeting of 6</p>	<p>To note</p>

Agenda item	Description	Outcome
	<p>March 2020 to be supplied to the Secretary and Jayne Wiberg by no later than close of play 28 February 2020 using the blank template for agenda items for this meeting.</p>	
	<p>12 June 2020</p> <p>Mercer</p> <p>Agenda items for meeting of 12 June 2020 to be supplied to the Secretary and Jayne Wiberg by no later than close of play 29 May 2020 using the blank template for agenda items for this meeting.</p>	To note
	<p>25 September 2020</p> <p>Barnet Waddingham</p> <p>Agenda items for meeting of 25 September 2020 to be supplied to the Secretary and Jayne Wiberg by no later than close of play 11 September 2020 using the blank template for agenda items for this meeting.</p>	To note
	<p>11 December 2020</p> <p>Hymans</p> <p>Agenda items for meeting of 11 December 2019 to be supplied to the Secretary and Jayne Wiberg by no later than close of play 27 November 2020 using the blank template for agenda items for this meeting.</p>	To note