

# AGREEMENT AND ACTIONS

**Communications Working Group  
11am to 2pm – 16 May 2018  
Beecham Room – 18 Smith Square**

## **1. Present**

Andy Brooks (Gwent (Torfaen) Pension Fund)  
Andy Hemming (West Midlands Pension Fund)  
Ben Altoft (Avon Pension Fund)  
Carol Haywood (Leicestershire Pension Fund)  
Cheryl Platts (Buckinghamshire Pension Fund)  
David Williams (Environment Agency)  
Guy Hayton (Merseyside Pension Fund)  
Jenny Gregory (East Riding Pension Fund)  
Jenny Wylie (Oxfordshire Pension Fund)  
Karen Brooker (Kent Pension Fund)  
Kate Escudier (LGSS)  
Lorraine Bennett (LGPC Secretariat)  
Mandy Judd (Hampshire Pension Fund)  
Martin Griffiths (Staffordshire Pension Fund)  
Matt Trodd (Hampshire Pension Fund)  
Neil Lewins (Local Pensions Partnership)  
Paul Cooper (Tyne and Wear Pension Fund)  
Steve Makin (Avon Pension Fund)  
Stuart Duncombe (West Yorkshire Pension Fund)

## **Apologies**

Mathew James - Vice Chair (Dyfed Pension Fund)  
Pamela Bruce (Lothian Pension Fund)  
Rachel Howe - Chair (West Midlands Pension Fund)  
Rebecca Clough – (Shropshire Pension Fund)  
Matthew Allen – (Cornwall Pension Fund)  
Cory Blose (LGSS)

## **Vice-chair**

The current vice-chair (Mathew James) stood down as he will not be able to attend future meetings due to travel restrictions. LB asked for nominations for a replacement prior to the meeting. The nominations were discussed and it was agreed on the day that Martin Griffiths will be the vice-chair.

## **2. Actions and agreements from last meeting held on 30 January 2018**

Minutes from the last meeting were agreed. All actions were completed apart from action 2 (LB to create national Scottish member website).

## **3. Member website**

### **Statistics**

	<b>January 2018</b>	<b>April 2018</b>	<b>% increase</b>
Users	38,664	42,210	9.17%
Sessions	53,105	56,940	7.22%
Page views	281,636	301,393	7.00%

Bounce rate	31.83%	33.01%	3.70%
<p>General discussion on the website took place. Most funds link to the national website via their own sites.</p>			
<p><b>4. GDPR</b></p> <p>The chair ran through a list of documents that LGA and WMPF have provided to date. It was agreed these were very useful.</p> <p>Lorraine Bennett (LB) informed the group that Squire Patton Boggs (SPB) have made some changes to the privacy notices to reflect their latest thinking. They will be sending revised versions through soon – these will be uploaded to <a href="http://www.lgpsregs.org">www.lgpsregs.org</a></p> <p>Rachel Howe (RH) from WMPF sent through a written update confirming that they had issued their version of the employer MOU to their employers a few weeks ago and had received queries asking for an assurance statement on how WMPF comply with GDPR. They have therefore produced:</p> <ul style="list-style-type: none"> <li>• An assurance statement</li> <li>• A cyber security policy for the administering authority</li> <li>• A completed ICO checklist for data controllers.</li> </ul> <p>They have also amended their data sharing agreement with a template assurance questionnaire and will require this to be completed on signing the agreement. This will be an annual compliance piece for all contractors to complete.</p> <p>RH also informed the group that the ICO recently issued a consultation on their Action Policy (which includes the provision for no-notice inspections). The consultation closes on 28 June 2018.</p> <p>The group reported that some funds are asking for consent before they will share data in relation to aggregation. LB confirmed this was not necessary and agreed to put an article in the next monthly bulletin to clarify the position.</p> <p>General discussion about MSS and GDPR. Aquila Heywood have put a tick box on the self-service system to enable member to consent to their data being used. Civica are not implementing this. General view this is not necessary as data is being processed to comply with a legal obligation. By signing up to MSS members are agreeing to the service.</p> <p>Discussion around whether the group should produce a MOU for use between administering authorities – all members agreed this should not be taken forward.</p> <p>Transferring data outside of the EU was discussed in relation to overseas transfers. LB agreed that the template discharge forms would be amended to include a line that where data is being transferred outside of the EU it may be subject to different data protection legislation and that by signing the discharge forms the member is agreeing to that.</p>			

LB informed the group that SPB had provided further detail on why 15 years has been used in the privacy notice in relation to how long data is kept for. SPB suggested some alternative wording where funds were not going to specify a time limit (although to fully comply with GDPR a time limit should really be specified). David Williams (DW) agreed to share Environment Agency's wording (**post meeting update – DW shared this on 17/5/2018**).

Mortality screening data sharing agreements were discussed - most had now been sorted although there were some still in progress. Norfolk are currently trying to incorporate Morality Screening into their national LGPS frameworks – this will be GDPR compliant.

Survey software was also discussed – survey monkey is not based in the EU so funds are not using it. All funds should ensure that any survey software they use is GDPR compliant. Some members are using mail chip and snap survey.

**Action 1:** LB to include an article in the next bulletin that funds do not need member consent to share data for aggregation purposes.

**Action 2:** Template transfer discharge to be updated for GDPR – LGA

**Action 3:** LB to circulate email from SPB regarding retention periods (**post meeting update – this was done on 16/5/2018**).

#### **5. LGPS (Amendment) Regulations 2018**

LB ran through the main policy changes introduced by the amending regulations. A discussion around early payment at 55 in general took place and how were funds going to handle this. Some are sending individual letters, some are putting the change in a newsletter. Where possible funds were going to point members to self-service if they wanted figures of what the reduced benefits would be – others were planning on including reduction tables. However, LB confirmed that GAD are undertaking a factor review process at the current time so it might be better to link to the [online reduction factors](#) instead.

The transitional issue for the 1995 regulation members was discussed and it was agreed that communicating this is going to be problematic. MHCLG are aware of the problem and funds will wait until a response is received before planning any communication to this group.

It was agreed that template wording for a newsletter should be produced by the group for funds to use to communicate the material changes to members. Disclosure 2013 Regulations require that the changes should be communicated by 13 August 2018, at the latest. LB agreed to produce the newsletter wording if a small sub-group could check it. Volunteers were: David Williams, Jenny Gregory, Martin Griffiths (MG), Andy Hemming (AH), Andy Brooks and Steve Jones (volunteered by Guy Hayton).

LB confirmed that LGA's guides (member and technical) would be updated in due course) along with the member websites (desktop and mobile) and the timeline regulations. The group asked for an indication of timings for the updates which LB agreed to put in the next bulletin.

**Action 4:** LB to produce newsletter wording by Friday 8 June 2018.

**Action 5:** Sub-group to check newsletter wording by Friday 22 June 2018.

**Action 6:** LB to confirm rough timings of when the guides will be updated in the next monthly bulletin (post meeting update: we will update the member guides, member websites, discretionary guides, F&C AVC guide and the timeline regulations by the end of June. Updates to other technical guides will follow, including the HR and payroll guides.)

## 6. ABS

AH updated the group with the work that Shropshire, Staffs, and West Mids have undertaken on customer journey mapping on ABS.

Approximately 1,000 responses were received and the top three wants from the ABS were:

- an estimate of the reduced benefits payable for members between 55-60
- details of what the max lump sum would be
- a projection of what benefits would be built up in set period of time say 10-20 years.

At this stage the group thought they would only want to take forward the first one. Members can work out their maximum tax free cash by using the [online calculator](#) and the last want would not be workable.

A discussion around not projecting benefits to NRA was discussed. LB confirmed that NHS do not project and TPR do not appear to be concerned that this does not meet disclosure requirements. The balance between complying with disclosure regulations and providing a meaningful statement that our members can understand was discussed.

MG has produced a project plan for the review of the ABS with a view to making amendments for the 2019 statements – it was agreed that it is more likely that any changes will be made in time for the 2020 statements as we will need to meet with software suppliers, agree a template and then make the necessary amendments to software will need to be made.

It was agreed that the project will need the backing of the LGA to get the buy-in of software suppliers.

AH will forward a table of all the results to the group and ask for feedback on the suggestions made by members. The group are to feedback by the end of May.

Stuart Duncombe (SD) updated the group on the video work that WYPF have been doing. They are in the process of producing more videos on topics such as when can I retire etc.

A general discussion on videos took place. All agree it is a good way to communicate and should be used going forward. It is on the annual work-plan and will be looked at later in the year.

**Action 7:** AH to forward a table highlighting member feedback from the ABS customer feedback.

**Action 8:** The group are to feedback to AH which of the suggested actions they would like to take forward - feedback is to be provided by the end of May.

### **7. Elmes v Essex - paying cohabiting partners**

LB updated the group on the mini survey undertaken by LGA. The survey asked the funds that attend the Comms working group what they are doing in relation to cohabiting partner pensions affected by the judgement.

All but one fund are paying these pensions when approached by potential beneficiaries but not all funds have undertaken an exercise to identify potential cases or advertised the judgement. LB reminded the group of LGA's view which she emailed on 8 May 2018.

A discussion took place around what funds had done to identify cases, how they did it and what evidence they accepted to satisfy the fund that the eligibility criteria were met. Obviously, given the passage of time, it is going to be harder to prove the criteria have been met but it was suggested that group agree what evidence would be acceptable in such cases. The group did not want to take this forward as they felt it was too subjective.

Some funds are asking that potential beneficiary sign a statement in front of a solicitor confirming they met the criteria. Others have accepted photo albums as part evidence. It was agreed that the starting point for these cases should be the evidence the fund would expect from current cohabittees and this would only be relaxed if it was not available.

### **8. AVC FAQ**

LB confirmed the FAQ was finalised but held back because of the amending regulations. The FAQ will now need to be updated and then re-checked by the sub-group.

**Action 9:** LB to update the AVC FAQ by end of July 2018 and circulate to the sub-group for checking by the 24 August 2018. Sub-group are RC, SM, CH, AB, JW, SD and DW.

### **9. Regional Comms Groups**

MG updated the group on the work undertaken by the joint group that is a mix of 13 funds. LB confirmed that the LGA had received some example under and overpayment letters that are being used during the GP reconciliation process. She will circulate these to the group.

**Action 10:** LB to circulate example over and underpayment letters

### **9. Communications Work Plan**

LB confirmed that she has uploaded the 2018/19 work-plan to [www.lgpsregs.org](http://www.lgpsregs.org) – the items included were agreed at the last meeting. The timescales for the ABS project will need to be changed now that we have agreed we are working to 2020.

**Action 11:** LB to update the work-plan for 2018/19 for the ABS project timings.

### **10.AOB**

- CP asked the group about their experience of online employer training, what software they used etc.

- BA asked the group if they use any software to allow members to upload documents securely. This can be done by MSS apparently but Kent do it using a different software as they don't have MSS. KB will confirm what the software is.
- BA asked if the group still sent statutory notifications to new starters. Most don't as they include the information in a letter instead – this meets statutory requirements.
- One fund was having issues where a transgender member could not get a gender recognition certificate as they did not want to divorce their spouse. LB to confirm latest position with gender recognition certificates.
- LB updated the group on the latest exit cap and recovery position.
- AB confirmed he will not be attending the meetings in person in future but will dial in. Gareth Hall will attend in his place.

**Action 12:** KB to confirm what software KCC use to allow members to upload documents securely

**Action 13:** LB to confirm latest position on gender recognition certificates

**Next Meeting**

Proposed date: Wednesday 12 September 2018 – 18 Smith Square.