

## LGPC Bulletin 209 – April 2021

Local Government Pensions Committee (LGPC)  
Secretary, Lorraine Bennett

### Foreword

This bulletin contains important updates for administering authorities, scheme employers and software suppliers. It also provides a general update for all LGPS stakeholders.

This bulletin contains important articles on:

- [New versions of employee and councillor brief guides \(Scotland\)](#)
- [Direction on GMP indexation updated](#)
- [Reminder to review communication policy statement](#)

which need action by certain stakeholders.

If you have any comments or articles for future bulletins, please contact [query.lgps@local.gov.uk](mailto:query.lgps@local.gov.uk).

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## LGPS England & Wales Scheme Advisory Board (SAB)

### Online A-Z guide to RI launched

On 28 April 2021, Cllr Phillips, Chair of the SAB, announced the launch of the online A-Z guide to Responsible Investment (RI) at the Local Authority RI Seminar.

The guide provides a glossary of RI terms, organisations, standards and legislation indexed by its classification (what it is), category (where it fits in Environmental, Social and Governance (ESG)) and status (in the context of the LGPS legislative framework) with related LGPS specific case studies.

The SAB has prepared the guide with the assistance of the newly established Responsible Investment Advisory Group (RIAG). It does not claim to be a complete guide, especially in such a fast-moving area, and will continue to be monitored and updated on a regular basis. Users can make use of the 'What's Missing' facility to advise RIAG about either omissions or errors in the guide's contents.

The SAB would be grateful for examples of case studies to add to the guide and the 'using this site' tab gives details on how to send them in.

The guide has been tested across several different browsers and platforms. If you have any questions or comments relating to the guide or its operation, please send them to [Robert.holloway@local.gov.uk](mailto:Robert.holloway@local.gov.uk).

You can access the guide from [the SAB's home page](#).

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## LGPS England & Wales

### Correction slip to exit payments revocation regulations

On 6 April 2021, the Government issued a correction slip to the Restriction of Public Sector Exit Payments (Revocation) Regulations 2021.

The correction slip amends an incorrect cross-reference in regulation 4(3) and relabels the reference from 'order' to 'S.I.' in the footnote.

You can access links to the regulations and the correction slip on [the related legislation](#) page of [www.lgpsregs.org](http://www.lgpsregs.org).

### MHCLG letter about new requirement for exit payment data

MHCLG wrote to chief financial officers of councils and combined authorities in England on 9 April 2021, letting them know about a new requirement to provide data on exit payments.

Councils will be asked to provide data on all redundancy payments, pension strain payments and other special payments made in consequence of an exit for 2014/15 to 2020/21 by the end of May 2021. We expect that a similar request will be made for subsequent years.

The data will be used to inform delivery of the Government's policy to end excessively high exit payments in the public sector.

The letter included a draft specification and invited comments by 26 April 2021 on the clarity of the data requirements and the practicality of providing this.

We have been working with the Scheme Advisory Board's secretariat to respond to concerns about confidentiality, clarity and timing of the final request (expected sometime in May 2021).

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## LGPS Scotland

### **New versions of employee and councillor brief guides**

On 28 April 2021, Steven Moseley emailed administering authorities letting them know we have published version 2.1 of the employee brief guide and version 2.0 of the councillor brief guide.

We have published Word versions of the guides so that administering authorities can add contact information and any other details specific to their authority.

If you plan to publish a PDF version of the guide, you may need to take additional steps to ensure that it complies with [the Public Sector Bodies \(Websites and Mobile Applications\) \(No. 2\) Accessibility Regulations 2018](#) (which we covered in [Bulletin 190](#)). You can find more information online about:

- How to [Create accessible PDFs](#)
- [Creating accessible PDFs in Adobe Acrobat](#).

You may need to take extra steps to tag tables correctly.

You can access the new versions (including documents showing the changes) from [the Administrator guides and documents page](#) of [www.scotlgpsregs.org](http://www.scotlgpsregs.org).

### **Action for administering authorities**

Please update your version of the guides in line with the changes.

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## HMRC

### **The Pension (Non-Taxable Payments Following Death) (Real Time Information) Regulations 2021**

HMRC has recently made [the Pension \(Non-Taxable Payments Following Death\) \(Real Time Information\) Regulations 2021](#), which commence on 6 April 2022.

The regulations will require pension schemes to report certain non-taxable payments made to beneficiaries following a member's death. Schemes will report this information to HMRC using the Real Time Information system. This will not apply to non-taxable defined benefits lump sum death benefits and non-taxable uncrystallised funds lump sum death benefits.

HMRC has prepared [a tax information note](#) giving more information about the changes. HMRC will also update the following guidance closer to 6 April 2022:

- [Pension death benefit guidance](#) part of the Pension Tax Manual
- [CWG 2 – further guide to PAYE and national insurance contributions](#).

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## TPO

### **TPO publishes three member factsheets**

In March 2021, the Pensions Ombudsman (TPO) published three factsheets aimed at members, covering the Early Resolution Service, how TPO investigates complaints and complaining to the party at fault.

[The factsheet on the Early Resolution service](#) explains what the service is, how it operates and what the member's options are.

[The factsheet on how TPO investigates complaints](#) explains the investigation process, what is meant by a determination, how TPO will communicate during the investigation, how TPO will share information and how the member can help the process.

[The factsheet on complaining to the party at fault](#) explains the need for members to have first tried to resolve the matter with the party at fault before TPO can investigate. This includes explaining how the member can complain to the party at fault, time limits, and what happens after then.

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## TPR

### **TPR publishes climate change strategy**

On 7 April 2021, TPR published [its climate change strategy](#).

The strategy sets out TPR's strategic response to climate change and how it thinks it can help pension schemes meet the challenges from climate change.

### **Pension scams webinar**

On 31 March 2021, TPR hosted a webinar on the pledge to combat pension scams.

The webinar included speakers from TPR, the Pensions Scams Industry Group, the Money and Pension Service and the City of London Police. It also included recordings of calls from victims of scams.

TPR has published [a recording of the webinar](#) on their website.

### **TPR addresses concerns about new criminal offences powers**

On 19 April 2021, David Fairs from TPR published [a blog addressing concerns raised about TPR's new criminal offences powers](#).

The Pension Schemes Act 2021 includes two new criminal offences, which are expected to come into force in autumn 2021. The offences cover avoiding employer pension debts and risking savers' pensions. TPR has recently consulted on their policy setting out their approach to the investigation and prosecution of these new powers (see [Bulletin 208](#)).

Many industry commentators have raised concerns about the reach of the new powers. Some have speculated that the new powers could lead to competent trustees resigning in fear of inadvertently committing an offence.

David Fairs confirms in the blog that TPR will not overstretch the intent and purpose behind the new powers.

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## HMT

### **Direction on GMP indexation updated**

We let you know in [Bulletin 208](#) that the Government had decided to discount conversion as a long-term policy solution and make the interim solution the permanent solution for indexing guaranteed minimum pensions (GMPs) in public service pension schemes.

HMT has updated their direction under section 59A of the Social Security Pensions Act 1975, implementing the decision. The updated direction commenced on 6 April 2021 and applies in England, Scotland and Wales.

We will update the technical guide 'The application of increases to LGPS pensions in payment' to reflect the final position in due course.

You can access the updated direction on the related legislation pages of [www.lgpsregs.org](http://www.lgpsregs.org) and [www.scotlgpsregs.org](http://www.scotlgpsregs.org). You can also access the technical guide on the administrator guides and documents pages of those websites.

### **Action for administering authorities**

Ensure you correctly index GMPs for members who reach their State Pension age after 5 April 2021 (including GMPs for survivors).

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## **Other news and updates**

### **LGPC responds to NMPA consultation**

On 19 April 2021, the Local Government Pension Committee (LGPC) responded to [the consultation on increasing the normal minimum pension age \(NMPA\)](#).

HM Treasury consulted on increasing the NMPA, which we covered in [Bulletin 206](#). The consultation reconfirmed an earlier decision to increase the NMPA from 55 to 57 from 6 April 2028. The consultation also sought views on proposals to implement the increase.

You can read the LGPC response on –

- [the non-scheme consultations](#) page of [www.lgpsregs.org](http://www.lgpsregs.org)
- [the non-scheme consultations](#) page of [www.scotlgpsregs.org](http://www.scotlgpsregs.org).

### **Job opportunities**

We are recruiting for two new roles: part-time research and data analyst for the Scheme Advisory Board and part-time web developer to work as part of the LGPC pensions team.

The closing date to apply for either role is 5pm on 3 May 2021.

For full details and to apply, please see [the research and data analyst](#) page or [the web developer](#) page on [Jobtrain's website](#).

### **Ill health certificates survey**

Steven Moseley emailed administering authorities in England, Wales and Scotland on 31 March 2021, inviting them to complete a short survey letting us know how they use the LGA ill health template certificates. The survey closed on 23 April 2021, and we wish to thank all those who completed it.

We are planning to review the certificates this year, and the feedback from the survey will assist this.

You can access the current version of the certificates at:

- [Administrator guides and documents page](#) of [www.lgpsregs.org](http://www.lgpsregs.org)
- [Administrator guides and documents page](#) of [www.scotlgpsregs.org](http://www.scotlgpsregs.org).

### **PSIG publishes new version of Code of Good Practice**

The Pensions Scams Industry Group (PSIG) has published [version 2.2 of its 'Code of Good Practice on Combating Pension Scams'](#).

The new version is effective from 1 April 2021 and is updated to improve usability and to reflect recent regulatory changes as well as the evolving nature of pension scams. The code includes a section outlining the key changes.

### **Action Fraud launches awareness campaign about pension scams**

On 20 April 2021, Action Fraud launched a national awareness campaign to remind the public about the importance of doing their research before making changes to their pension, including a warning to remain vigilant against pension scams.

[The press release announcing the launch](#) contains some simple steps for members to protect themselves against scams and advice on what to do if they suspect a scam.

### **PDP issues ITT for dashboard digital architecture**

On 13 April 2021, the Pensions Dashboards Programme (PDP) issued an invitation to tender (ITT) for a supplier to provide the digital architecture for pension dashboards.

The chosen supplier will provide the main parts of the digital architecture. This will include the pension finder service, the consent and authorisation service and the governance register.

To find out more, please see [the press release announcing the ITT](#).



## **Reminder to review communication policy statement**

We would like to remind administering authorities to review and, if necessary, revise their communication policy statement.

Under regulation 61 of the LGPS Regulations 2013, an administering authority in England and Wales must set out in a written statement its policy concerning communications with various people (such as members and employers). In particular, the statement should set out the authority's policy on providing information and publicity about the Scheme (including the format, frequency and distribution method). Where the authority's policy materially changes, it must revise its statement.

Regulation 59 of the LGPS (Scotland) Regulations 2018 sets out equivalent provision for administering authorities in Scotland.

Due to the COVID-19 pandemic, we understand that some administering authorities have announced changes to their communication practices. It is therefore a good time for administering authorities to review their communication policy statements.

### **Action for administering authorities**

Review and, if necessary, revise your communication policy statement.

## **Prudential announce update to their brand**

Prudential has announced that they will be updating their brand with a fresh new look and feel (including a new logo). This will include updating their websites, social media, brochures, letters and emails.

Prudential will roll out the updates to their communications gradually from mid-May 2021. So, you may receive information from them in the old and new brand over the next 12 months.

Prudential has said that the brand update will have no impact on either their contact details or login details to their online services.

Prudential has set up [a webpage about their brand update](#) giving more information.

## **Version 1.2 of non-Club transfer out guide**

On 27 April 2021, Jayne Wiberg emailed administering authorities to let them know we have published version 1.2 of the LGPS Non-Club Transfers Out Technical guide. We have:

- amended section 2 (CETV Key steps) step 4, to include reference to regulations 8(2)(ca) and 8(4) of the Pension Schemes Act 2015 (Transitional Provisions and Appropriate Independent Advice) Regulations 2015 concerning pension credit members
- updated section 4 (CETV Questions and Answers) paragraph titled ‘What happens if the member disputes the value of a CETV?’ with regard to pension credit members
- updated section 8 (Dictionary) to define further the meaning of ‘independent’ within independent financial advice.

You can access both clean and tracked changes of version 1.2 of the guide on the Administrator guides and documents pages of [www.lgpsregs.org](http://www.lgpsregs.org) and [www.scotlgpsregs.org](http://www.scotlgpsregs.org), under Transfers Out.

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## Wider landscape

### Supreme Court refuses to hear claim against SPA changes

The Supreme Court has recently confirmed that it will not hear the claim against the State Pension age (SPA) changes. The claim was supported by the [campaign group, Backto60](#).

In the claim, Backto60 argued that the increase in the SPA affecting women born in the 1950s was discriminatory and that government did not give the women enough notice. Both the High Court and Court of Appeal had previously dismissed the claim.

### Guidance published on teachers’ pension employer contribution grant

On 28 April 2021, the Education and Skills Funding Agency published [guidance on the Teachers’ pension employer contribution grant](#). The guidance sets out the allocations and conditions of the grant for 2021/22 financial year.

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## Legislation

### Statutory Instruments

[Correction Slip 1 to the Restriction of Public Sector Exit Payments \(Revocation\) Regulations 2021](#)

[The Pension \(Non-Taxable Payments Following Death\) \(Real Time Information\) Regulations 2021](#)

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## Useful links

[LGA Pensions page](#)

[LGPS member website \(England and Wales\)](#)

[LGPS member website \(Scotland 2015\)](#)

[LGPS Advisory Board website \(England and Wales\)](#)

[LGPS Advisory Board website \(Scotland\)](#)

[LGPS Regulations and Guidance website \(England and Wales\)](#)

[LGPS Regulations and Guidance website \(Scotland\)](#)

[Public Sector Transfer Club](#)

[Recognised Overseas Pension Schemes](#) that have told HMRC that they meet the conditions to be a ROPS and have asked to be included on the list.

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## LGPS pensions section contact details

If you have a technical query, please email [query.lgps@local.gov.uk](mailto:query.lgps@local.gov.uk) and one of the team's LGPS pension advisers will get back to you.

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## Further information

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