

# National LGPS Technical Group Minutes

## 7 December 2021

The National Local Government Pension Scheme (LGPS) Technical Group is a member of the Local Government Pensions Committee (LGPC).

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## 1) Date and time of meeting

The meeting started at 9.30am and finished at 11.30am on the 7 December 2021.

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## 2) Venue

The meeting was held virtually by way of MS Teams.

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## 3) Attendees and apologies for absence

### Attendees

1. Kevin Gerard (Chairman) - Welsh Pension Officer Group
2. Joanne Griffiths - Welsh Pension Officer Group
3. Phil Drury - East Midlands Pension Officer Group
4. Karen Gibson - South West Area Pension Officer Group
5. Emma Sanders - South West Area Pension Officer Group
6. Claire Lewis-Smith - Southern Area Pension Officer Group
7. Sandy Armstrong - Southern Area Pension Officer Group
8. Louise Savage - South Eastern Counties Superannuation Officer Group
9. Joel Ellner - South Eastern Counties Superannuation Officer Group
10. Richard Smythe - London Pension Officer Group
11. John Smith - London Pension Officer Group
12. Paul Hill - Shrewsbury Pension Officer Group
13. Debbie Sharp - Shrewsbury Pension Officer Group
14. Heather Chambers - North East Pension Officer Forum
15. Erin Savage - Scottish Pensions Liaison Group
16. Zena Kee - Northern Ireland Local Government Officers' Superannuation Committee
17. Jeremy Hughes – Department for Levelling Up, Housing and Communities
18. Victoria Antcliff – Scottish Public Pension Agency
19. William Dobbin - Department for Communities (Northern Ireland)
20. Jayne Wiberg - Local Government Association and Secretarial Support
21. Lorraine Bennett - Local Government Association
22. Steven Moseley (Scotland) – Local Government Association
23. Paul Kateley - Heywoods
24. Catherine Carruthers - Capita Employee Benefits
25. Julie Potter - Civica
26. Heidi Twort – Equiniti
27. Jon Slater – Equiniti
28. Anne Marie Allen - Barnett Waddingham

29. Ian Colvin Actuarial - Hymans Robertson
30. Justine Davies - Price Waterhouse Coopers
31. Catherine Pearce - Aon
32. Jonathan Perera – Mercer
33. Kelly Scotford – secretarial support

#### Apologies for absence

34. Ian Howe – East Midlands Pension Officer Group (EMPOG) - Vice Chair
35. Liz Vollans - North East Pension Officer Forum
36. Neil Mason - London Pension Officer Group
37. Kimberley Linge - Scottish Public Pension Agency

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## 4) Minutes of the last meeting

On 6 October 2021 [the minutes of the meeting held on 1 October 2021](#) were published.

The group agreed the content of the minutes.

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## 5) Matters arising from previous minutes (not included elsewhere on the agenda)

There were no matters arising.

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## 6) LGPC update

The LGA is happy to take questions on the bulletins that have been issued since the last meeting.

#### Group discussion

The group discussed the following issues:

- [The Occupational and Personal Pension Schemes \(Conditions for Transfers\) Regulations 2021](#). Jayne Wiberg confirmed that the LGA aim to publish a revised non-club transfer guide together with updated acknowledgement letters, and new refusal / confirmation of payment letters by 16 December 2021. The group agreed that the revised guidance and correspondence should be published simultaneously.
- A concern arose regarding the new security measures HMRC have introduced for administering authorities to access the Managing Pension Schemes and Pension

Schemes Online services (ie GMP checker etc). It seems that the new measures will not accept numbers starting with '0333'. That said, another group member confirmed it worked okay with numbers starting with '0208'.

- Jeremy Hughes mentioned that HMT are starting to engage with DLUHC regarding the impending changes to Normal Minimum Pension Age (NMPA) and how this affects transfers between schemes. HMT are starting to consider the policy for public sector pension schemes, ideally so there is a consistent approach across the board. Additionally, DLUHC need to consider how the LGPS regulations are structured. Currently, NMPA is referred to as 'age 55', to accommodate future changes to State Pension age (SPa) it might be necessary to refer to NMPA as 'SPa less 10 years'.
- Following on from the previous bullet point the conversation turned to incoming transfers where members might have had a protected pension age in their previous scheme. [LGPC bulletin 216](#) recommends that administering authorities record where an incoming transfer retains a protected pension age. Paul Kateley (Heywood) confirmed, they are currently considering how administering authorities should record such information on their pensions administration system.
- Jeremy confirmed that DLUHC will be expanding their pensions team in 2022. This will allow them to consider the [recommendations for changes](#) to the regulations made by the group by way of the Scheme Advisory Board (eg removal of the age 75 limit on death grants).

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## 7) DLUHC update

Jeremy Hughes [provided an update](#), on behalf of the Department for Levelling Up, Housing and Communities (DLUHC).

- Jeremy confirmed that DLUHC will be expanding their pensions team in 2022. This will allow them to consider the [recommendations for changes](#) to the regulations made by the group by way of the Scheme Advisory Board (eg removal of the age 75 limit on death grants).
- Jeremy also confirmed that DLUHC will be considering equality changes to the scheme in 2022 (eg amendments for the Goodwin case and GMP equalisation).

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## 8) SPPA update

Kimberly Linge [provided an update](#) during the meeting that was discussed by Victoria Antcliff, on behalf of the Scottish Public Pensions Agency.

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## 9) DfC update

William Dobbin [provided an update](#) on behalf of the Department for Communities.

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## 10) LGPS McCloud remedy

The:

- Department for Levelling Up, Housing and Communities ('the Department'), formerly the Ministry of Housing, Communities and Local Government (MHCLG) published a [consultation on amendments to the statutory underpin](#).
- Scottish Public Pensions Agency (SPPA) published a [consultation on amendments to the statutory underpin](#).
- Department for Communities (DfC) published [a consultation on amendments to the statutory underpin](#).

The above consultations sought views on the proposed changes to the LGPS in England and Wales, Scotland and Northern Ireland, to remove the unlawful age discrimination identified in the McCloud judgment.

### Quarterly feedback

[Responses](#) were received from 66 of the 98 administering authorities in England & Wales, Scotland and Northern Ireland provided responses.

### Group discussion

The group discussed the content of feedback:

- Paul Kateley confirmed that Heywoods are working with Leicestershire and NILGOSC using live data to develop tools to assist administering authorities with uploading the data to their pensions administering authorities.
- Due to the delays in uploading and verifying data in the live system (primarily due to delays in upload facilities from the software providers) there are concerns that this will cause employers problems when queries are eventually raised.
- The group requested that the Scheme Advisory Board England & Wales secretariat are made aware of the feedback supplied from administering authorities.

### Action

- In advance of the next meeting to be held on 11 March 2022, each POG representative [must complete the pre-populated excel spreadsheet](#) with the

answers to the list of standard questions in respect of each administering authority, and [return to Jayne Wiberg](#) by 12 noon on 25 February 2022.

- Each POG representative to directly chase for updates from any administering authorities who fail to respond.
- Jayne Wiberg to ensure the Scheme Advisory Board England & Wales secretariat are aware of the content of the feedback from each administering authority.

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## 11) Pensions Dashboards Programme

### Group agreement

- The group agreed that each POG representative would complete a pre-populated excel spreadsheet with the answers to a list of standard questions concerning pensions dashboards in respect of each administering authority and return to Jayne Wiberg by the time and date agreed in the minutes. The standard questions are based on those desired by the Pensions Regulator.
- The group requested that all the software providers give an update at each quarterly meeting as to where they are in their development and support of the pensions dashboards.
- A request was made for central support for administering authorities regarding the need for additional resource for McCloud and Pensions Dashboards.
- Jeremy mentioned that DWP have asked for estimated costs of how much it will cost to implement the pensions dashboards across the LGPS in England & Wales. Lorraine Bennett confirmed that she had approached Heywoods for an indicative quote to provide an ISP for each administering authority, on top of which estimated onboarding and business as usual costs would need to be incorporated. A group member noted that Heywoods is not the only software provider and other software providers might have different indicative costs to those calculated by Heywoods.

### Group agreement

- In advance of the next meeting to be held on 11 March 2022, each POG group representative [must complete the pre-populated excel spreadsheet](#) with the answers to the list of standard questions in respect of each administering authority, and [return to Jayne Wiberg](#) by 12 noon on 25 February 2022.
- Each POG representative to directly chase for updates from any administering authorities who fail to respond.
- In advance of the next meeting to be held on 11 March 2022, each software provider representative [to provide an update using the standard proforma](#) as to

where they are in their development and support of the pensions dashboards, and [return to Jayne Wiberg](#) by 12 noon on 25 February 2022.

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## 12) Claims Management Companies (CMCs) standard response

At the meeting of 18 June 2021, the group agreed that the LGA should seek guidance / legal view on what administering authorities should be providing in their response to CMCs. After which, the LGA contacted Squire Patton Bogs to produce the following on behalf of LGPS administering authorities in England & Wales and Scotland:

- Background information - information tailored specifically for LGPS administering authorities that sets out the legal basis and any other considerations LGPS administering authorities should be aware of.
- Step by Step Procedure - standardised step by step procedure based on the background information that LGPS administering authorities can easily follow upon receipt of a DSAR.
- Template documents - standard communications covering all aspects of responding to a DSAR. It is intended that the correspondence should be used consistently by LGPS administering authorities.
- All documents to be fully accessible.

### LGA update

Squire Patton Bogs has produced an initial draft of documents. The LGA has raised a number of questions concerning these to which they currently await a response. Once LGA are happy with the initial drafts they will share these with a small number of group members for comment, before final completion and distribution nationally.

### Group agreement

- The group agreed that Ian Howe (EMPOG), Heather Chambers (NEPOF) and Paul Hill (SPOG) would review the initial drafts and provide comments to the LGA.

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## 13) History of pension scam communication

Following on from the previous agenda item covering CMCs, Ian Howe has asked for an 'historical timeline' of pension scam information. This would cover what information and when that information, should have been provided during the transfer out process (from around the outset of pensions liberation). The historical



timeline is intended to help administering authorities should they become embroiled in a legal challenge. At the meeting of 1 October 2021, the group agreed:

- that [Jayne would share the legal slides with the group](#).
- that each representative would discuss with their pension officer group whether they think this information would be useful and report back their findings at the meeting in December 2021.
- after considering feedback from the pension officer groups, the group will decide whether to proceed.

### Group discussion

The group discussed [the regional POG feedback](#) which all indicated an 'historical timeline' of pension scam information would be useful.

During the meeting representatives from LPOG, NEPOF, SECSOG, SPOG and SWAPOG all confirmed that an 'historical timeline' of pension scam information would be useful.

### Group agreement

- The group agreed that an 'historical timeline' of pension scam information would be useful and that LGA should arrange for this to be collated.

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## 14) Prudential AVCs

At the last meeting held on 1 October 2021, Lorraine Bennett confirmed that at the LGPC meeting on 27 September 2021 it had been agreed that the chair of LGPC would liaise with the chair of SAB (England & Wales) to write a letter to Prudential setting out the concerns with the service on behalf of the Scheme. The letter would also ask Prudential to attend either the next LGPC meeting or the next SAB meeting.

### LGA update

Lorraine Bennett confirmed that representatives from Prudential have agreed to attend the Scheme Advisory Board (SAB) in England & Wales on 13 December 2021. Additionally, the LGA will be having a pre meeting with the Prudential to discuss specific issues prior to the SAB meeting.

Lorraine asked for a volunteer to attend the pre meeting to discuss their issues in person.

## Group discussion

The group discussed the various issues that are still ongoing such as:

- regulatory breach due to the non-publication of the financial statements (due seven months after the year-end)
- annual benefit statements still not published though there is no regulatory breach as these do not have to be published until 31 March 2022
- concern regarding the lack of reconciliation with the employer returns
- administering authorities have had to use the employer returns to calculate the annual allowance as the contributions are not recorded / partially recorded with Prudential
- slight improvement on disinvestment.

## Group agreement

- The group agreed that Karen Gibson (SWAPOG) would attend the pre meeting with the LGA.

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## 15) Independent Financial Advisers(IFAs)

Please [see paper from Ian Howe](#). At the meeting of 10 December 2020, it was agreed that each member would discuss the paper's content at their respective pension officer group. Members discussed the comments fed back from the regional pension officer groups at the meeting of 5 March 2021. Jayne Wiberg sent [a collation of the feedback](#) to the Scheme Advisory Board in England and Wales on 10 March 2021 (requested update on 2 June 2021).

## To note

- SAB England and Wales have met with TPR and the matter is ongoing.

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## 16) Potential amendment to pensionable pay regulations to allow HMRC approved salary sacrifice for electric and zero emission motor vehicles

Phil Drury [provided a paper](#) concerning a potential amendment to the pensionable pay regulations. At the last meeting the group agreed that Jayne Wiberg would put a paper together outlining the proposal for agreement at the meeting on 7 December 2021. On 18 October 2021 Jayne Wiberg [shared a paper](#) with the group for consideration.

## Group discussion

The group discussed the paper raising various points, all largely disagreeing with the proposal.

## Group agreement

- The group agreed not to proceed with recommending a change to the regulations.

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## 17) LGA technical queries

All [LGA technical queries](#) with MHCLG can be found on the ‘technical group minutes’ page of [www.lgpsregs.org](http://www.lgpsregs.org). The latest version is dated 21 April 2021.

All [LGA technical queries](#) with SPPA can be found on the ‘technical group minutes’ page of [www.scotlgpsregs.org](http://www.scotlgpsregs.org). The latest version is dated 24 March 2021.

To note

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## 18) Historical list of decisions made by the group

All [recommendations / agreements / outcome of decisions](#) made by the National LGPS Technical Group from 1 April 2014 to date can be found on the ‘technical group minutes’ page of [www.lgpsregs.org](http://www.lgpsregs.org) and [www.scotlgps.org](http://www.scotlgps.org).

To note

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## 19) List of recommendations made to the SAB England and Wales

[Recommendations](#) made to the SAB England and Wales from November 2018 to date can be found on the ‘technical group minutes’ page of [www.lgpsregs.org](http://www.lgpsregs.org) and [www.scotlgps.org](http://www.scotlgps.org).

## Update from DLUHC

- Jeremy confirmed that DLUHC will be expanding their pensions team in 2022. This will allow them to consider the [recommendations for changes](#) to the regulations made by the group by way of the Scheme Advisory Board (eg removal of the age 75 limit on death grants).

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## 20) Group membership

The current list of [group membership](#) can be found on the 'technical group minutes' page of [www.lgpsregs.org](http://www.lgpsregs.org) and [www.scotlgps.org](http://www.scotlgps.org).

- Jon Slater from Equiniti is retiring and will be replaced by his colleague Heidi Twort. The Chair thanked Jon for his contribution over the years and wished him well for the future.
- Catherine Carruthers confirmed that she is moving from Capita to Falkirk Pension Fund.

### Action

- Catherine to advise on her replacement on the group.

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## 21) Any other business

To be sent by email to the chairperson before the start of the meeting.

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### 21.1 HMRC registration of pension schemes

John Smith (LPOG) [raised a discussion](#) concerning the due diligence processes HMRC undertake when registering pension schemes.

### Group discussion

The group discussed the paper and raised various points some of which are noted below:

- It was felt that if challenged HMRC would state that they had already taken a number of legislative steps over the years to ensure their due diligence.
- The architecture of certain schemes means that there will always be a large number of pension schemes.

No action to take

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## 22) Dates of next meetings

### 11 March 2022

Hybrid meeting hosted by the LGA:

- Smith Square rooms 1 & 2 - 18 Smith Square, Westminster, London, SW1P 3HZ:

- Coffee 10.00am – meeting start 10.30am – Lunch 12 noon – meeting finishes no later than 15.00pm
- MS Teams
  - Meeting start 10.30am - meeting finishes no later than 15.00pm

New agenda items, updates for existing agenda items and updates from Government Departments for meeting of 11 March 2022 to be supplied to [Kelly.Scotford@royalgreenwich.gov.uk](mailto:Kelly.Scotford@royalgreenwich.gov.uk) the Secretary and [jayne.wiberg@local.gov.uk](mailto:jayne.wiberg@local.gov.uk) LGA by no later than 12 noon on 25 February 2022 using [the blank template for 2022 agenda items](#).

### **17 June 2022**

MS Teams – 9.30am till 1.00pm

New agenda items, updates for existing agenda items and updates from Government Departments for meeting of 17 June 2022 to be supplied to [Kelly.Scotford@royalgreenwich.gov.uk](mailto:Kelly.Scotford@royalgreenwich.gov.uk) the Secretary and [jayne.wiberg@local.gov.uk](mailto:jayne.wiberg@local.gov.uk) LGA by no later than 12 noon on 3 June 2022 using [the blank template for 2022 agenda items](#).

### **2 September 2022**

MS Teams – 9.30am till 1.00pm

New agenda items, updates for existing agenda items and updates from Government Departments for meeting of 2 September 2022 to be supplied to [Kelly.Scotford@royalgreenwich.gov.uk](mailto:Kelly.Scotford@royalgreenwich.gov.uk) the Secretary and [jayne.wiberg@local.gov.uk](mailto:jayne.wiberg@local.gov.uk) LGA by no later than 12 noon on 16 August 2022 using [the blank template for 2022 agenda items](#).

### **9 December 2022**

MS Teams – 9.30am till 1.00pm

New agenda items, updates for existing agenda items and updates from Government Departments for meeting of 9 December 2022 to be supplied to [Kelly.Scotford@royalgreenwich.gov.uk](mailto:Kelly.Scotford@royalgreenwich.gov.uk) the Secretary and [jayne.wiberg@local.gov.uk](mailto:jayne.wiberg@local.gov.uk) LGA by no later than 12 noon on 25 November 2022 using [the blank template for 2022 agenda items](#).