

<b>Committee:</b> Police Pensions Board	<b>Date:</b> 12 June 2019
<b>Subject:</b> The City of London: Police Pension Scheme - Update	<b>Public</b>
<b>Report of:</b> The Chamberlain	<b>For Information</b>
<b>Report author:</b> Graham Newman – Chamberlain’s Department	

### **Summary**

The Board have agreed that at each meeting that information regarding a range of topics in relation to the City of London Police Pension Scheme (the Scheme) would be provided along with any updates.

<b>Item</b>	<b>Update</b>
Annual schedule of events for the Pensions Scheme	Update provided (Appendix 1).
The Pensions Board’s Risk Register	No Changes (Appendix 2)
Information of Scheme Record Keeping	No amendments since the last Board meeting.
A record of any complaints or disputes under the Scheme’s complaints procedure	None to report
Any recent Police Pension Scheme breaches of the law	No breaches to report.
Any audit reports relating to the administration of the Scheme	<p>An internal audit covering the administration of the pension scheme was undertaken in December 2018.</p> <p>The 2018/19 Internal Audit Opinion and Annual Report was presented to the Audit and Risk Management Committee (A&amp;RMC) on 7 May.</p> <p>In this report the substantial assurance rating for the administration of the Pension Fund was green.</p> <p>This means there is a sound control environment with risks to system objectives being reasonably managed.</p>
Required Training	No regulatory changes to report.
GDPR / DPA18	General Date Protection Regulations (GDPR) / Data Protection Act 2018

	<p>(DPA18) came into effect on 25 May 2018.</p> <p>The Commissioner has confirmed the privacy notice covers the Forces obligation.</p> <p>Communication of the privacy notice will be undertaken by the Pensions Office. A copy will be included with the annual benefit statements that are issued to all serving Police Officers. A copy of the statement will be sent separately to all retired and deferred Police Officers.</p>
Legal Challenge 1	<p><u>Lord Chancellor and Secretary of State for Justice v McCloud and others</u></p> <p>The Court of Appeal has ruled that reforms made to the judges and firefighters pension schemes were discriminatory on behalf of age.</p> <p>The government has sought leave to appeal to the Supreme Court and the decision is expected imminently.</p> <p>Law firm Leigh Day are representing a number of judges and firefighters and await the outcome.</p> <p>The Police Federation is reviewing the situation and is seeking legal advice as to how to proceed once the governments intentions are known.</p> <p>Ultimately it could mean that the reforms made to all public sector pension schemes in 2014 and 2015 are deemed as illegal.</p> <p>Press release regarding the case provided at Appendix 3</p>
Legal Challenge 2	<p><u>Evans &amp; Ashcroft vs Chief Constable of South Wales</u></p> <p>This is a court of appeal case in respect of the Police (Injury Benefit) Regulations 2006.</p> <p>In October 2018 the Court of Appeal handed down its judgement in the case</p>

	<p>of Evans &amp; Ashcroft v Chief Constable of South Wales Police. The Court held that the Chief Constable was entitled to deduct from a former police officer's police injury pension the full amount of certain social security benefits actually paid to the retired police officer, as increased with index-linking from year to year.</p> <p>However, the Court also held that the deductible levels of those social security benefits from the tax year 2010/11 onwards need to be recalculated as if the increases in the 2010/11 tax year had never been implemented and as if the base levels for subsequent increases had been correspondingly lower.</p> <p>The judgement currently only applies to the two officers involved in the case, but it is likely to be cited in any similar claims brought under those regulations for those officers that have been in receipt of a police injury pension prior to April 2010 and have had an entitlement to certain social security benefits.</p> <p>Guidance from the Home Office / Police Pensions Technical Group is awaited.</p>
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### Recommendation

Members are requested to review the information and provide any comments.

#### Appendices:

Appendix 1 – Annual Schedule of events  
Appendix 2 – Risk Register & Risk Matrix  
Appendix 3 – Leigh Day challenge details

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