

Committee: CoL Police Authority Board	Date: 28 June 2023
Subject: The City of London Police Pension Board – Review of Activities for the period 1 April 2022 to 31 March 2023	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	N/A
Does this proposal require extra revenue and/or capital spending?	N/A
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
Report of: The Chamberlain	For Information
Report author: Graham Newman – Chamberlain’s Department	

Summary

This report summarises the activities of the Police Pensions Board (the Board) for the period 1 April 2022 to 31 March 2023. The Police Pension Scheme Regulations 2015 provided for the establishment of a Board with the responsibility of assisting the Scheme Manager (the Commissioner of the City of London Police) in ensuring the efficient and effective governance and administration of the Police Pension Scheme (PPS).

Over the last twelve months the Board:

- continues to review the working practices of the City of London Police Pensions Office including reviews of all letters and documents issued to scheme members, prospective scheme members, leavers and retirees;
- monitored and where appropriate updated the Board’s Risk Register ; and
- continues to undertake online training modules with the Pensions Regulator’s Toolkit.

The training needs of all Board Members continues to be monitored and training provided as required.

Recommendation

Members are asked to note this report.

Main Report

Background

1. The Public Services Pensions Act 2013 (the 2013 Act) included several provisions regarding better governance and improved accountability for all public-sector pension schemes. As a result, the Police Pension Scheme Regulations 2015 provided for the establishment of a Board with the responsibility of assisting the Scheme Manager in ensuring the efficient and effective governance and administration of the Police Pension Scheme (PPS).
2. The Scheme Manager for the City of London Police Pension Scheme is the City of London Police Commissioner, with responsibility for the administration of the Scheme delegated to the Chamberlain of the City of London Corporation.

The Role of the Police Pension Board

3. The Pension Board sits in an oversight role, to assist the Scheme Manager with ensuring the administration of the Scheme complies with
 - the Regulations;
 - other legislation relating to the governance and administration of the Scheme; and
 - the requirements imposed by The Pensions Regulator in relation to the Scheme.
4. In accordance with the Regulations, the structure of the Board must include an equal number of scheme member and scheme employer representatives. The City of London Police Pension Board consists of 3 scheme member representatives and 3 scheme employer representatives.
5. The 2013 Act makes it a legal requirement that members of the Board do not have a conflict of interest and therefore all members are expected to identify, monitor and manage any potential, actual or perceived conflicts of interest. The Members of the Board are set out below, and Appendix A sets out the attendance record of each Board Member.

Scheme Employer Representatives:

Alderman Alexander Barr	(Deputy Chairman since 25 April 2022) – Elected Member
Superintendent Helen Isaac	Serving CoL Police Officer
Mr Henry Colthurst –	Elected Member

Scheme Member Representatives:

Mr John Todd	(Chairman since 25 April 2022) – Retired CoL Police Officer
Sergeant Michael Reed	(Until 11 July 2022) Serving CoL Police Officer
Mr Timothy Parsons	(Until 10 March 2023) Retired CoL Police Officer
Mr Ray Eaglesmith	(From 15 February 2023) Serving CoL Police Officer
Mr James Halkett	(From 22 March 2023) Serving CoL Police Officer

6. Under the 2015 Police Pension Regulations (Regulation 14), the Chair and Deputy Chair of the Police Pensions Board must not both be employer representatives or scheme member representatives. In addition, if the Scheme Manager does not appoint an independent Chair, then the Chair and Deputy Chair must alternate their roles at intervals agreed by the Police Pensions Board. Currently this is every year. For the avoidance of doubt “independent” means neither an employer representative nor a scheme member representative.

Activities of the Board

7. Since 1 April 2022 three meetings have been held – 7 June 2022, 11 October 2022 and 10 March 2023. It is expected that there will continue to be 3 meetings held in every year.

Training

8. Board Members have certain legal responsibilities and must be conversant with the PPS Regulations and the governance and administration of the Scheme to enable them to exercise their role as a Board Member.
9. Members are expected to keep their knowledge and understanding requirements under review. This will allow the training plan to be reviewed and updated as required to meet the training needs.
10. The Pensions Regulator has created an online learning programme, the Trustee Toolkit. The Toolkit is aimed at the board members of occupational pension schemes and Police Pension Board Members have been provided with the necessary details and are expected to undertake all 7 training modules. Completion of the Trustee Toolkit is mandatory for all Board Members and the status of each Member’s training is reviewed periodically. It should be noted that as at 10 March 2023, all training modules had been completed by the incumbent Members of the Board.
11. In addition to the training modules provided by the Pensions Regulator, the Pensions Office continues to provide training sessions to Members. A training session in respect of the McCloud Remedy was given at the June 2022 meeting.

Annual Schedule of Events

12. In order that the Board is able to monitor and oversee the administration of the Police Pension Scheme an Annual Schedule of Events to illustrate the tasks carried out by the Pensions Office, their deadlines and the actual completion dates of each task is maintained. The Schedule is updated as required and is a standing agenda item for each Board meeting.

Risk Register

13. A risk register has been created to cover the risks in respect of the City of London Police Pension Scheme. The Register is a standing agenda item for each Board meeting and means that potential risks are continually assessed, reviewed and amended or added to or removed from the Register as deemed appropriate.

Documentation and Communication

14. The Board continues to review the working practices of the City of London Police Pensions Office, including all letters and documents issued to members, prospective members, leavers and retirees to ensure optimum clarity as well as accuracy.

Data Protection Act 2018 (GDPR)

15. On 25 May 2018 General Data Protection Regulations were introduced. Part of the requirement of pension schemes is to clearly communicate data use and retention. To meet this requirement, the Scheme Manager of City of London Police Pension Scheme must issue a privacy statement to scheme members.
16. A copy of the City of London Police Force's generic privacy statement was included with the 2019 annual benefit statement that was issued to all serving Police Officers by the Pensions Office. A copy of the privacy statement was also sent separately to all retired officers. A copy of the privacy statement is available to officers upon request.

Breaches of Data Security (Information Commissioner's Office (ICO) GDPR)

17. There were no known breaches during the year.

Breaches of Pension Law (The Pensions Regulator (TPR) code of practice)

18. There were no known breaches during the year.

Lord Chancellor and Secretary of State for Justice v McCloud and others

19. The Court of Appeal has ruled that reforms made to the judges' and firefighters' pension schemes were discriminatory on the grounds of age. It was determined that the reforms made to all public sector pensions schemes, including the PPS, were also be deemed to be discriminatory on the same grounds and all public sector pension schemes will need to review their regulations and possibly make amendments to them.
20. On 10 March 2022 the Public Service Pension and Judicial Offices Act 2022 (the Act) received Royal Assent. The main purpose of the Act was to support the implementation of the McCloud remedy in the public service pension schemes and is to be implemented in two phases.
21. Phase one took effect from 1 April 2022 and moved all remaining active members of the 'legacy' pension schemes (the Police Pension Schemes 1987 and 2006) into the new scheme (the Police Pension Scheme 2015).
22. Phase two will be in respect of the implementation of the deferred choice underpin and will give eligible members the choice between legacy scheme and new scheme membership for the period 1 April 2015 and 31 March 2022.
23. The Act confirms that Phase two must be implemented by 1 October 2023 at the latest. Further consultation has taken place and we await the formal regulatory changes are required to allow this to happen.
24. The Pensions Office continues to attend several technical working groups in respect of the Remedy and a dedicated webpage has been set up to communicate all relevant information to officers as it is released.

Conclusions

25. The Police Pension Board was created with reference to the Public Services Pensions Act 2013 and the Police Pension Scheme Regulations 2015. The Board has met three times in 2022/23 and Board Members are aware that they should ensure their knowledge of the Scheme is up-to-date in order that they remain compliant with their legal requirements.
26. The Board continues to review the working practices of the City of London Police Pensions Office and regularly monitors all letters and documents issued to members, prospective members, leavers and retirees. The Board maintains a Risk Register and an approved Breaches Policy.

Appendices:

Appendix A – Board Member Record of Attendance

Contact: Graham Newman
Pensions Manager, Chamberlain's Department
Email: graham.newman@cityoflondon.gov.uk

Appendix A

Police Pension Board - Board Member Record of Attendance

	07/06/2022	10/10/2022	10/03/2023
Alexander Barr			X
Helen Isaac	X		
Henry Colthurst	X		X
John Todd	X	X	X
Mike Reed (Resigned 11 July 2022)		n/a	n/a
Timothy Parsons (resigned 10 March 2023)	X	X	X
Ray Eaglesmith (Appointed 15 February 2023)	n/a	n/a	X