

LGPS Bulletin 247 – February 2024

This bulletin contains updates for all LGPS stakeholders. It includes important articles on:

- [The LGPS \(Scotland\) \(Amendment\) Regulations 2024](#) – update processes
- [2024/25 Pension scheme return](#) – update processes
- [National LGPS Frameworks](#) – find out more about the latest frameworks and what being a ‘Founder’ entails
- [Training programme for 2024](#) – share information with relevant parties

which need action by certain stakeholders. If you have any comments or articles for future bulletins, please contact query.lgps@local.gov.uk.

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LGPS England & Wales Scheme Advisory Board (SAB)

Annual Report Guidance

A workstream was established to review the 2019 guidance and identify changes required to streamline the current guidance and bring it up to date. Many thanks to those who participated in the working group and officers who provided feedback, the work is now complete. Draft guidance was approved by both the SAB's Compliance and Reporting Committee (CRC) and the Chartered Institute of Public Finance and Accountancy Public Finance Management Board in February 2024.

The guidance will be submitted for ministerial approval in time for it to be in place from April 2024. It will apply to 2023/24 annual reports which are due for publication by 1 December 2024 and later years. We acknowledge it may be a challenge to report on all the new requirements for the 2023/24 reporting year, as changes to the recording and reporting of data may take time to implement. The guidance says pension funds should use their best endeavours to comply fully with the requirements but exercise judgement where, because of changes to the previous content, to do so would require disproportionate effort or cost.

Economic Activity of Public Bodies (Overseas Matters) Bill

Ahead of the second reading debate on the Bill in the House of Lords on 20 February 2024, the Local Government Association published a further briefing on [the Economic Activity of Public Bodies \(Overseas Matters\) Bill](#). The briefing includes matters raised in previous briefings for the House of Commons, and suggested some amendments that the LGA would support.

Funding Strategy Statement (FSS) Guidance

The annual report guidance is close to completion and the CRC has agreed its next priority will be to revise the FSS guidance. This was last updated in 2016 and the aim is to create content in relation to:

- setting up of academies on conversion
- use of employer flexibilities and deferred debt arrangements
- employer representations around asset strategies and partial terminations
- treatment of exit debts and credits
- consultation with employers.

Gender Pensions Gap

The Gender Pensions Gap working group met for the third time on 13 February 2024. It continued to explore what practical actions can be taken to address the underlying issues contributing to the pensions gap identified by the Government Actuary's Department (GAD) in the SAB commissioned reports.

As part of the four actions explored by the group, the SAB secretariat and LGA Workforce team will put on a virtual event for local government human resources (HR) professionals on 9 May 2024. The aim of the event is to improve awareness amongst HR practitioners, discuss what best practice already exists amongst employers and encourage them to review the information and pension communications available for their staff at key life points.

There will also be a post in the LGA's Workforce blog in March 2024 and the publication of a frequently asked questions document to support administering authorities and employers to ensure members are able to make informed choices about their pensions throughout their working career, during key life events.

Further updates including the registration link for the virtual event will be published in the March bulletin.

LGPS Live webinar

The next LGPS Live webinar will take place on 6 March 2024. It will focus on the Pensions Regulator's (TPR) General Code of Practice, including its requirements, as well as the challenges and opportunities it presents.

You can register to attend on the [LGPS Live website](#).

Local Audit Developments

The SAB, along with the Institute for Chartered Accountants in England and Wales, have commissioned an information note to set out the timeline and information flow for triennial valuation and the international accounting standard (IAS19). The aims are to:

- aid mutual understanding, by explaining some of the background and respective constraints
- signpost various parties to where they should be requesting information from
- provide visual maps showing the information flow between employers, actuaries, administering authorities, custodians and auditors
- provide a model questionnaire with key questions for actuaries to complete and to provide to scheme employer auditors.

The proposed audience is auditors, administering authority practitioners and employers. We hope to have the information note available before the Summer of 2024.

A further audit roundtable has been arranged in April 2024 to agree communications around the information note. The roundtable will also consider any new issues that might create problems when the audit round for the 2023/24 accounts starts later this year.

TPR General Code of Practice

Following the publication of The Pensions Regulator's (TPR) General Code of Practice ('the Code'), the SAB secretariat held a focus group with administering authority officers on 8 February 2024. We know authorities are reviewing the Code and undertaking compliance and gap-analysis exercises either using a third-party or as an internal project. The focus group gathered initial feedback on the Code to understand what support and interpretation would be helpful and to consider the impact on SAB workstreams with links to the Code.

The SAB secretariat thanks the attendees for their insights and participation. We have already identified clear overlaps between the content of the Code and existing work to implement the Good Governance recommendations, as well as ongoing work within the CRC workstreams.

Website

[The SAB's website](#) provides information about its work. Use the links below to find out more about:

- [a summary of the last Board meeting](#)
- [latest news](#)
- [SAB meeting and agenda papers](#)
- [committee meetings and agenda papers](#)
- [Responsible Investment Advisory Group meetings and agenda papers](#).

LGPS England & Wales

The East Midlands Combined County Authority Regulations 2024

On 27 February 2024, the Department for Levelling Up, Housing and Communities made [The East Midlands Combined County Authority Regulations 2024](#), which establishes the East Midlands Combined County Authority.

The regulations also amended the LGPS Regulations 2013 to assign Nottinghamshire County Council as the appropriate administering authority for employees of the new authority. This took effect from 28 February 2024.

We will update the timeline regulations due course.

LGPS Scotland

SPPA Circular 2024/01 – pensions increase review and revaluation orders

On 9 February 2024, the SPPA published Circular 2024/01. SPPA confirms in the circular:

- deferred pensions and pensions in payment will increase by 6.7 per cent from 8 April 2024
- the in-service revaluation for the CARE scheme in respect of 2023/24 will be 6.7 per cent.

You can find this and past circulars on:

- the [SPPA circulars and guidance](#) page of www.scotlgpsregs.org, and
- the [LGPS Circulars](#) page of the SPPA website.

The LGPS (Scotland) (Amendment) Regulations 2024

On 8 February 2024, the Scottish Government laid [The LGPS \(Scotland\) \(Amendment\) Regulations 2024](#) ('the regulations') - effective on 28 March 2024.

The SPPA consulted on the changes from 14 March 2023 to 27 March 2023. You can access the consultation documents, including our response, on the [Scheme consultations](#) page of www.scotlgpspregs.org. We have updated the [timeline regulations](#).

Changes to the annual revaluation date

The regulations remove the impact of inflation on annual allowance calculations by changing the annual revaluation date for CARE pensions from 1 April to 6 April.

There is no change in the outcome for:

- members whose benefits in payment would have increased on 1 April
- death grants of deferred and pensioner members who die between 1 and 5 April.

The changes are backdated to 31 March 2023 - see [bulletin 234A](#) for more information.

Changes to regulation 60 of the LGPS (Scotland) Regulations 2018

From 1 June 2022, the LGPS (Scotland) (Miscellaneous Amendment) Regulations 2022 amended regulation 60 requiring:

- triennial actuarial valuations to be assessed on “both an ongoing and a cessation basis”
- rates and adjustment certificates to specify the liabilities for each employer arising in respect of their members as at the valuation date, assessed on “both an ongoing and cessation basis”.

The new requirements applied to the 2023 actuarial valuation (and accompanying rates and adjustment certificates) and subsequent valuations – see [bulletin 224](#) for more information.

The Amendment Regulations 2024 revoke these requirements, with backdated effect to 1 June 2022.

Changes to regulation 61 of the LGPS (Scotland) Regulations 2018

From 1 June 2022, the LGPS (Scotland) (Miscellaneous Amendment) Regulations 2022 inserted regulation 61(2A), requiring actuarial termination assessments to be fixed for 90 days. See [bulletin 224](#) for more information.

The regulations replace this. The new provision, from 28 March 2024, gives employers proposing to exit the Scheme a power to request an indicative actuarial termination assessment. Administering authorities must obtain this unless the employer previously requested one within the last 12 months. The indicative assessment is calculated at a specific date. If the employer exits, the indicative assessment must, for up to 90 days from that specific date, be used instead of any assessment calculated at the exit date.

Action for administering authorities

Review the regulations and make sure your processes are in line with the changes.

HMRC

2024/25 Pension scheme return

On 12 February 2024, HMRC published [guidance for administrators](#) preparing for the new 2024/25 pension scheme return (PSR).

It includes details on when the new PSR should be completed, who is required to complete it, and what steps administrators should do now to prepare.

Action for administering authorities

Review the guidance and complete the steps set out in it to prepare.

Abolition of the lifetime allowance (LTA)

The Government has introduced legislation to abolish the lifetime allowance from 6 April 2024. It has introduced two new lump sum limits to restrict the amount of tax free cash an individual can take over their lifetime.

As with the lifetime allowance, most LGPS members will not be affected by the new lump sum limits.

Lump sum limit	Limit	Lump sums included
Lump sum allowance (LSA)	£268,275	Pension commencement lump sums (PCLS) and uncrystallised funds pension lump sums (UFPLS)
Lump sum and death benefit allowance (LSDBA)	£1,073,100	PCLS, UFPLS, serious ill health lump sums (SIHLS), authorised lump sum death benefits

We are currently working with Aon on a guide to explain the changes and what they mean for your administration processes. We hope to publish this by the middle of March. A short summary is provided below.

From 6 April 2024, if a member takes a PCLS from the LGPS, you will need to check the lump sum fits with the LSA and LSDBA. You still need to ask members how much lifetime allowance they have used before 6 April 2024 to do this.

If an individual holds valid LTA protections the LSA and LSDBA are increased.

The maximum PCLS is the lowest of:

- 25 per cent of the capital value of the benefits
- the remaining LSA
- the remaining LSDBA

Where a member has taken payment of pension benefits previously, the LSA and LSDBA are reduced accordingly. The standard calculation is the LSA less:

- the total of any PCLS and non-taxable amounts of UFPLS paid since 6 April 2024
- an amount equal to 25 per cent of the percentage of LTA previously used.

However, if the member has a transitional tax-free amount certificate the calculation is:

- the total of any PCLS and non-taxable elements of UFPLS paid since 6 April 2024
- the individual's transitional tax-free amount.

The LSDBA is amended similarly except you also deduct 100 per cent of any serious ill health lump sums previously paid. You should also deduct any authorised death benefit lump sums previously paid; however, we think is unlikely to apply if you are paying a PCLS.

Transitional tax-free amount certificates

A member may wish to apply for a transitional tax-free certificate if they opted to take a PCLS or UFPLS of less than 25 per cent when they took their benefits before 6 April 2024.

In reality, this is only going to be needed where the amount of PCLS or UFPLS they can take over their lifetime is limited by the LSA and LSDBA.

[HMRC's February lifetime allowance guidance newsletter](#) contains detailed information about transitional tax-free amount certificates.

We will provide more information about the payment of other lump sums and the new reporting requirements in the guide. We will also provide a template form to help gather information about previously paid pensions and lump sums.

HMRC lifetime allowance newsletters

December 2023 LTA guidance newsletter updated

On 8 February 2024, HMRC updated their [December 2023 lifetime allowance guidance newsletter](#).

They have updated the section titled 'Relevant benefit crystallisation event (RBCE) statement' in section 6. The update makes clear where an individual received a BCE statement, and they are not receiving pension income, they must be provided with a BCE statement before 6 April 2025. Our understanding is this applies where you are not currently providing an annual BCE statement eg for a suspended tier three ill health. We are clarifying this with HMRC.

February 2024 LTA guidance newsletter published

On 13 February 2024, HMRC published a further [February 2024 lifetime allowance guidance newsletter](#). The newsletter contains:

- answers to frequently asked questions
- confirmation where indicated, HMRC will issue guidance and regulatory changes to implement the intended policy
- information about the new transitional tax-free certificates including who should apply, how to apply, by when to apply and the impact of obtaining a certificate
- confirmation administrators can continue to use P60 statements to report an individual's allowance used
- information about new event 24 – reporting where a lump sum paid exceeds the lump sum allowance or lump sum death benefit allowance, or would have exceeded had the individual not been relying on a protection or enhancement
- information about the removal of the permitted maximum when paying a pension commencement excess lump sum
- updates on the real time information reporting requirements.

On 27 February 2024, HMRC amended the information about event report 24.

HMRC Pension schemes newsletters

Correction to newsletter 155

On 7 February 2024, HMRC updated [pension schemes newsletter 155](#) to correct a factual error. They confirm in question eight, regarding the abolition of the lifetime allowance (LTA) from 6 April 2024, they will not be legislating to limit which pension schemes individuals can apply to for a transitional tax-free certificate.

An individual can apply for a transitional tax-free certificate, before their first relevant benefit crystallisation event after 5 April 2024.

Newsletter 156

On 23 February 2024, HMRC published [pension schemes newsletter 156](#). The newsletter includes articles on:

- the abolition of the lifetime allowance
- pension scheme return
- public service pensions remedy – tax treatment of interest. Interest of 8 per cent will be due on certain payments made by public service pension schemes because of the McCloud remedy. The newsletter confirms that part of the interest paid will be unauthorised in some circumstances. We will provide more information on interest payments on McCloud recalculations in part 3 of the McCloud Technical Guide, which we will publish later this year.

HMT

Finance Bill 2023/24

On 22 February 2024, the Finance Bill 2023/24 received Royal Assent, following readings in the House of Lords.

The [Finance Act 2024](#) contains provisions on the abolition of the lifetime allowance and its replacement by two new lump sum allowances.

McCloud

Non-Club transfer spreadsheet

On 21 February 2024, Rachel Abbey emailed administering authorities in England & Wales confirming we have published a spreadsheet for calculating the McCloud element of a non-Club transfer value. A Scottish version will be published once guidance is received from SPPA and GAD.

The spreadsheet provides for the calculation of the McCloud element of a non-Club transfer value for a member who is under 65. The provisional underpin amount and provisional assumed benefits on the underpin date must be calculated first to use the calculator. We recommend reading the notes tab of the spreadsheet before using it.

There is a separate tab on the spreadsheet for taper protected members. The provisional figures on the underpin date will need to be split between pension built up before and after 1 April 2020 for these members. There are a very small number of members in this group, so testing of this part of the calculator was limited.

The spreadsheet can be used for calculations in the current Scheme year. We will review the position in April 2024 and decide if there is demand for a revised calculator to cover the 2024/25 Scheme year.

We have not protected the spreadsheet. This is to allow users to make local changes to the appearance or labels of the spreadsheet. We recommend introducing protections to any local versions so the factors and formulas are not mistakenly over-written.

The calculator is on the [Administrator guides and documents page](https://www.lgpsregs.org) of www.lgpsregs.org.

The publication of this tool does not change the transitional arrangements for interfund payments. Until 24 March 2024, you can continue to calculate these payments in line with the GAD guidance on incoming and outgoing transfers in force before 24 January 2024.

Note we will not be creating a spreadsheet for Club transfers.

Pensions dashboards

FRC publishes revised AS TM1

On 9 February 2024 the Financial Reporting Council (FRC) published a revised version of the [Actuarial Standard Technical Memorandum](#) (AS TM1). This follows a consultation published in November 2023 – see [bulletin 244](#) for more information.

AS TM1 specifies the assumptions and methods to be used in statutory money purchase illustrations (SMPIs). SMPIs are used by LGPS AVC providers to project AVC estimated retirement income. This data will be shown on pensions dashboards.

Administering authorities will need to understand AVC value data as they are legally responsible for ensuring this data is displayed on dashboards. More information can be found in the [LGPS Pensions Dashboards connection guide](#).

Guidance on deferred connection

On 2 February 2024, the Department for Work and Pensions published updated [guidance on deferring dashboards connection](#). The guidance is relevant to trustees or managers of occupational pension schemes and their advisers. It sets out the issues they should consider if they are applying for a deferral of the connection deadline.

The guidance was initially published in December 2022. The updates reflect the changes made by the Pensions Dashboards (Amendment) Regulations 2023. For more information about deferring dashboards connection see our [Pensions Dashboards connection guide](#) which already includes these updates.

PDP - blog on the central digital architecture

On 13 February 2024, Chris Curry – Principle of the Pensions Dashboards Programme (PDP), published a [blog on the central digital architecture](#), setting out what it is and how it works.

The central digital architecture is made up of three services: the Identity service, the Consent and Authorisation service and the Pension finder service. The blog explains how these services fit together to facilitate the exchange of pensions data.

Invite PDP to an event

If you want to know more about pensions dashboards, the PDP team is available to speak at your industry events or meetings. Email supportpdp@maps.gov.uk for more information.

TPR

Blog on ESG risks and opportunities

On 21 February 2024, the Pensions Regulator (TPR) published a [blog on environmental, social and governance \(ESG\) risks and opportunities](#).

Capita cyber security incident

On 2 February 2024, TPR published their [Capita cyber incident report](#) on how they worked with Capita and scheme trustees, after the cyber incident in March 2023. See [bulletin 238](#) for more information.

Following this incident, in December 2023, TPR published revised [cyber security guidance](#) to help trustees and scheme managers meet their duties.

Pension scams warning

TPR would like to remind LGPS administering authorities of the dangers of pension scams.

Pension scams are a serious threat to the retirement security of pension savers. Scammers use various tactics to persuade savers to transfer out their pension benefits, often resulting in huge losses and tax bills.

The LGPS is not immune to this risk. Administering authorities are the first line of defence against scammers.

You can find useful guidance from TPR on [how to avoid and report pension scams](#).

TPR also encourages administering authorities to make the pledge to combat pension scams. This is a commitment to follow higher standards of anti-scam practice. You can do this by visiting the [Pledge to combat pension scams](#) webpage.

Other news and updates

Carer's leave

The Carer's Leave Regulations 2024 have been laid before Parliament and will take effect from 6 April 2024.

The regulations provide an entitlement for employees to take one week's unpaid leave in a 12-month period to give or arrange care for a 'dependent' who has:

- a physical or mental illness or injury that means they're expected to need care for more than 3 months
- a disability (as defined in the [Equality Act 2010](#))
- care needs because of their old age.

The leave can be taken in blocks from as little as half a day to one continuous week. More information about carer's leave is available on the [Gov.uk website](#).

There is no right to statutory pay when an employee takes carer's leave. DLUHC has confirmed that unpaid carer's leave will be treated in the same way as an authorised absence under the LGPS regulations.

If the employer pays the member during the period of carer's leave, their pension will continue to build up as normal.

National LGPS Frameworks

The National LGPS Frameworks is a voluntary, not for profit collaboration 'by the LGPS, for the LGPS'. It helps LGPS administering authorities and pools procure specialist pensions related products and services by setting up procurement frameworks open to all authorities, pools and Scheme employers. Although primarily designed for the LGPS, the wider public service pensions community can also use them.

Small teams from administering authorities and pools work together as founders to set up each framework, supported by the Frameworks team hosted by Norfolk pension fund. Authorities and pools across the LGPS can then save time and money by procuring from the Frameworks. Details of the current frameworks are on the [National LGPS Frameworks website](#). Two new frameworks are due to go live soon - ISP and Member Data Services, to support Dashboard readiness, and AVC Services.

In November 2023, the founders agreed they should start the process of letting the next Pensions Administration Software Framework and explore the possibility of a new Transition Management and Implementation Framework in 2024.

Pensions Administration Software Framework

The current Pensions Administration Software Framework has been very well used, and there needs to be a replacement when it expires in April 2025. Several authorities have already confirmed they would like to support the new framework by being a founder. The Frameworks team welcomes expressions of interest in working with them and the other founders to help shape and set up this framework. Initial meetings are planned for April 2024.

Transition Management and Implementation Services Framework

The first version of this framework expired in November 2022 and it was not re-let. Since then, the Frameworks team has had enquiries from authorities and pools hoping to use this Framework. If you think a new Transition Management and Implementation Services Framework would be useful and / or you would be interested in acting as a founder to let a new version of this framework, please let the Frameworks team know.

Contacts

Please contact jo.quarterman@norfolk.gov.uk or leon.thorpe@norfolk.gov.uk at the National LGPS Frameworks to find out more.

Action for administering authorities

Please contact the National LGPS Frameworks to find out more about frameworks and what is involved in being a founder and working with the team.

Member portal survey

We let you know in [Bulletin 246](#) about the [LGPS member portal survey 2024](#). Thank you to all administering authorities that have completed the survey. The survey will remain open until 10 March 2024. Please do complete it if you have not already

done so. If you do not operate a member portal, you will only need to answer two questions. If you do, the survey should only take around five minutes to complete.

Please contact rachel.abbey@local.gov.uk if you have any questions about the survey, you have had any problems accessing the survey or to check whether your administering authority has already responded.

Training

Training programme 2024

All 2024 training events are available to book via the [LGA events website](#). The link for each course contains the course programme, pricing and booking link.

Bookings are on a first come, first served basis. Each topic is capped at five delegates per organisation over the course of the training programme.

If you are unable to book a place on a course, or would like more than five places, email training.lgps@local.gov.uk with details of the course you would like to attend. Please include how many places you require and the format - online or in person. We will keep a waiting list and consider running additional training if the demand is high enough.

We also accept requests for commissioned training. If you would like us to run training for your authority, or a group of authorities, please email training.lgps@local.gov.uk.

Transfer training (England and Wales)

All courses currently at capacity.

Aggregation training (England and Wales)

- [18 June 2024 – London](#)
- [1 August 2024 – online](#)

Survivor benefits training (England and Wales)

- [30 October 2024 – London](#)
- [6 November 2024 – online](#)
- [13 November 2024 – online](#)

Employer role training (England and Wales)

- [2 May 2024 – online](#)
- [14 May 2024 – online](#)
- [13 August 2024 – London](#)

- [29 August 2024 – online](#)
- [1 October 2024 – online](#)
- [7 November 2024 – online](#)
- [6 December 2024 – online](#)

Insight (England and Wales)

- [22 to 26 July 2024 – online](#)
- [23 to 26 September 2024 – Bournemouth residential](#)

Action for administering authorities

Share information about the employer role training with your Scheme employers.

Discuss potential for commissioned training at Pension Officer Group meetings.

Focus group minutes

The [minutes](#) of the Training focus group held on the 17 January 2024 accompany this bulletin. Topics discussed included:

- progress of the qualification
- training events since the last meeting and future events.

The next meeting is provisionally scheduled for 11 July 2024.

Wider pensions news

GAD developing AI skills

On 14 February 2024, the Government Actuary's Department (GAD) published an [article on developing artificial intelligence \(AI\) skills](#). GAD is working with an AI partner to develop coding to perform quality assurance checks on administrator calculations.

Oversight of workplace pensions

On 22 February 2024, TPR announced organisational changes in its oversight of the workplace pensions market. This is as a result of fewer, larger pension schemes, presenting different risks and opportunities for savers.

From April 2024, TPR will create three new regulatory functions:

- regulatory compliance
- market oversight
- strategy, policy and analysis.

Read more about [TPR's organisational changes](#).

Overview of the defined benefit landscape

On 20 February 2024, TPR published data it received from the annual scheme return concerning the defined benefit landscape. The data looks at defined benefit membership, schemes open and closed to accrual plus funding levels.

Read more about [TPR's overview of the defined benefit landscape](#).

Small pots delivery group

On 7 February 2024, the Department for Work and Pensions launched a [delivery group](#) looking at deferred small pots left in defined contribution schemes. This follows on from the publication of the [Government response to the consultation on the ending of deferred small pots](#).

Legislation

Acts

[Finance Act 2024](#) [2024 c.3]

Statutory Instruments

[The East Midlands Combined County Authority Regulations 2024](#) [SI 2024/232]

Scottish Statutory Instruments

[The LGPS \(Scotland\) \(Amendment\) Regulations 2024](#) [SSI 2024/37]

Useful links

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

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

[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.

LGPS pensions section

Raising a query

If you have a technical query, please email query.lgps@local.gov.uk and one of the team's LGPS pension advisers will get back to you. To avoid delays in receiving a response, please do not email advisers directly.

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Further information

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