

LGPC Bulletin 250 – April 2024

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

- [Gender Pensions Gap – virtual event on 9 May 2024 at 2pm](#) – share details of the event.
- [Pension schemes newsletter 157](#) – ensure you are using the correct HMRC form for QROPS transfers.
- [Annual benefit statement wording \(McCloud\)](#) – consider using the standard wording in the 2024 annual benefit statements.
- [Impact of the abolition of the LTA on the McCloud remedy](#) – make further enquiries in respect of an application for a transitional tax-free amount certificate from a member with previous benefits in a different public service scheme.
- [Abolition of the LTA administrator guide](#) - review and implement changes.
- [New page for LGPS job adverts](#) - make relevant people aware of the page.

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)

Audit information note being finalised

As reported in [bulletin 247](#), the SAB and the Institute of Chartered Accountants in England and Wales (ICAEW) have jointly commissioned an information note. The note sets out the timeline and information flow for the triennial valuation, audit and accounting processes in the LGPS. It explains the current accounting requirements, information flows, valuation processes and the various roles of actuaries, employers, and administering authorities during key times.

The document is being finalised, following feedback from the SAB's audit roundtable on 17 April 2024, and will be made available in the coming weeks.

Cost control assessment complete

The Government Actuary's Department has recently published the [2020 cost control valuation](#) for the LGPS (England and Wales).

The valuation found the core 'cost cap cost' falls outside the 3 per cent corridor - 3.2 per cent below target cost. The new 'economic cost cap cost' also falls outside the 3 per cent corridor though in the other direction - 7.3 per cent above target cost. As a result, the mechanism as a whole is not breached and the Government is not proposing to make any changes to scheme benefits.

The SAB is required to undertake a scheme cost assessment and the final report will be published shortly. However, the Board has already seen the initial results and agreed not to recommend to the Secretary of State any changes to benefits through that process.

More details are available on the [SAB website news page](#).

Economic Activity of Public Bodies (Overseas Matters) Bill enters Lords Committee Stage

The [Economic Activity of Public Bodies \(Overseas Matters\) Bill](#), also known as the Boycotts, Divestments and Sanctions Bill, was discussed for a second time in the House of Lords on 17 April 2024. The recording of the discussion is available on [parliamentlive.tv](#) - discussion starts from 16:28:35.

The LGA has published a [technical briefing](#) commenting on proposed amendments and current concerns with the Bill. To date, none of the amendments proposed by peers, or by the LGA, have been incorporated into the Bill.

The Bill team has indicated their expectation that Royal Assent will be attained swiftly once Parliamentary proceedings are complete.

Gender Pensions Gap – virtual event on 9 May 2024 at 2pm

As part of the SAB's ongoing work programme on the Gender Pensions Gap, the LGA is hosting a virtual event. During the event, they will look at how and when pensions gaps arise and actions that can be taken to help to close or reduce the gap over time.

This event is aimed at HR/Senior Managers at Councils and interested LGPS administrators. It will take place on 9 May 2024 at 2pm and is free for local authorities who are LGA members. For more information and to book a place, visit [the event's page on the LGA website](#).

Action for administering authorities

Share the details of the event with HR professionals at your authority, as well as senior managers at local authority employers and interested LGPS officers.

LGPS Live webinar on the new Annual Report Guidance

The updated guidance for preparing the fund annual report can be found on the [SAB website](#). As confirmed in [bulletin 247](#), the guidance says administering authorities should use their best endeavours to comply fully with the requirements for 2023/24 but exercise judgement where, because of changes to the previous content, to do so would require disproportionate effort or cost.

The April edition of LGPS Live addressed what the new guidance covers and how it differs from the 2019 guidance in a discussion with joint authors of the guidance. This included representatives from the SAB, Department for Levelling Up, Housing and Communities (DLUHC) and the Chartered Institute of Public Finance and Accountancy (CIPFA), along with LGPS experts. The recording of the session is available on the [LGPS Live website](#).

Minor correction to Annual Report Guidance and overview document published

The new Annual Report guidance has had two minor corrections made to references in the last two rows of the table on page 29. The references were previously D5 and D6 but should be E5 and E6. The updated guidance is available on the [SAB website](#).

A short document has also been published on the [SAB website](#), giving a high-level overview of key areas in the new guidance where there has been significant change or new reporting added, compared to the previous guidance.

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](#).

Your LGPS contacts – stay connected

The SAB secretariat uses the 'Your LGPS Contacts' database to keep practitioners informed about its ongoing and future workstreams. Unfortunately, emails often result in a high number of 'undeliverable' messages. Therefore, the SAB Secretariat asks that all administering authorities review their political and finance contacts as soon as possible and, in particular, if these change following upcoming local elections.

Administering authorities are responsible for maintaining their contacts details on '[Your LGPS Contacts](#)'. Authorities should regularly review their details so they remain accurate and up to date.

Action for administering authorities

Review and update the information on '[Your LGPS contacts](#)'.

LGPS England and Wales

LGPS guidance for academies

The Education & Skills Funding Agency has released [new LGPS guidance for academies](#). The guidance, produced by the Academy Working Group, was published on 24 April 2024 and is aimed at academies in England.

Key areas of the guidance:

- LGPS overview
- regular valuations
- LGPS academy guarantee from the Department for Education

- pooling
 - academy conversions and transfers
 - engaging with the LGPS.
-

LGPS Scotland

2020 HM Treasury cost control mechanism results

On 19 April 2024, the Government Actuary's Department released [the results for the 2020 HM Treasury cost control](#).

The results showed that the core cost was 12.4 per cent of pensionable pay. This is 2.8 per cent below the employer cost cap of 15.2 per cent. As this lies within 3 per cent of the cost cap corridor, there is no breach of the cost control mechanism. Therefore, there is no requirement for Scottish Ministers to consult on changes to the scheme.

HMRC

Abolition of the LTA

Consolidated version of the FAQs

On 26 April 2024, HMRC published a [consolidated version of all the frequently asked questions](#) (FAQs) published, in pension scheme newsletters and Lifetime Allowance (LTA) newsletters, since January 2024. Including those published in [pension schemes newsletter 157](#).

Updates to PTM

HMRC [updated the Pensions Tax Manual](#) (PTM) with the changes brought about by the abolition of the LTA on 6 April 2024.

The PTM details the changes made by Finance Act 2024 and the Pensions (Abolition of Lifetime Allowance Charge etc) Regulations 2024. Any changes subject to further regulations will be highlighted in the PTM by pointing users towards the relevant LTA newsletters.

If you have feedback on or wish to request changes to the PTM, please send these to ptm.consultation@hmrc.gov.uk.

Pension schemes newsletter 157

HMRC published [pension schemes newsletter 157](#) on 28 March 2024.

The newsletter covers:

- additional security on the Managing Pension Schemes service
- migrating to the Managing Pension Schemes service
- updates to HMRC forms that are used for qualifying recognised overseas pension schemes (QROPS) transfers
- an invitation to volunteer to assist HMRC develop the function to submit the APSS262 form on the Managing Pension Schemes service
- updates to the event report due to the abolition of the LTA.

The newsletter also contains additional FAQs on the abolition of the LTA.

Action for administering authorities

Ensure you are using the correct version of the HMRC forms for QROPS transfers.

Consider if you wish to volunteer to help HMRC develop the function to submit the APSS262 form on the Managing Pension Schemes service.

Pension schemes newsletter 158

On 4 April 2024, HMRC published [pension schemes newsletter 158](#). The newsletter gives more information on the abolition of the LTA. This includes:

- an update on future communications and guidance
- an outline of changes that will shortly be made through regulations. These will have effect from 6 April 2024 and cover:
 - transitional tax-free amount certificates
 - reporting requirements
 - protections
 - lump sum death benefits
 - overseas transfer allowance
 - scheme-specific lump sum protection
- guidance on how schemes should operate before the regulations come into force.

The newsletter also covers the impact of the abolition of the LTA on the McCloud remedy. See the [McCloud section](#).

Pension schemes newsletter 159

On 26 April 2024, HMRC published [pension schemes newsletter 159](#). The newsletter gives more information on the abolition of the LTA. This includes clarification on:

- how to treat benefits paid from 6 April 2024 where the individual became entitled to them before that date
- pension commencement excess lump sums
- the statutory override
- lump sum death benefits and transitional calculations
- how to deal with cases where further regulations are required and the member requires payment and cannot wait due to financial hardship
- lump sum reporting.

The newsletter also covers the tax treatment of interest payments for McCloud recalculations (covered in an [article under the McCloud section](#)).

McCloud

Annual benefit statement wording

The LGA, in conjunction with the Communications Working Group, has produced standard wording for administering authorities to use in the 2024 annual benefit statements. Using the standard wording will help to provide a consistent message to LGPS members.

The McCloud remedy

When public service pension schemes changed from final salary schemes to career average schemes in 2014 and 2015, older members were protected from the changes.

In 2018, the Courts found that younger members had been discriminated against because the protection did not apply to them. Changes made to the LGPS from 1 October 2023 removes the discrimination found in the court case. These changes are called the McCloud remedy.

Not all LGPS members are affected by the changes. You can find more information on the national LGPS website, including a short video. Please visit www.lgpsmember.org/mccloud-remedy/ [or, for Scotland, Please visit www.scotlgpsmember.org/mccloud-remedy/].

If you are affected, you do not need to write into the pension fund or make any decisions. If you are contacted by a third party organisation selling a service to help you claim additional pension, you should not engage with them.

As a member of the LGPS, you do not need to take any action to claim your protection under the McCloud remedy. If you qualify, the pension fund will automatically apply the protection when you take your LGPS pension.

Action for administering authorities

Consider using the standard wording in the 2024 annual benefit statements.

Impact of the abolition of the LTA on the McCloud remedy

On 4 April 2024, HMRC published [pension schemes newsletter 158](#), which covers the consequences of abolishing the lifetime allowance (LTA) on the McCloud remedy. For the LGPS, the key points are:

- Pensioner members will have a new tax entitlement if their benefits increase due to McCloud recalculations. The original benefit crystallisation events do not change.
- If the entitlement to the extra pension arises after 5 April 2024 and the member can and does elect to commute part of the extra pension for lump sum, a relevant benefit crystallisation event (RBCE) occurs, using up some of their lump sum allowance and lump sum death benefit allowance.
- Regulation 31 of The Public Service Pension Schemes (Rectification of Unlawful Discrimination) (Tax) Regulations 2023 needs to be amended. It covers top-up death grants from McCloud recalculations. It aims to treat top-up death grants paid after the 'relevant two-year period' as being paid within that period for tax purposes if the original death grant was. The 'relevant two-year period' begins with the date the administrator first knew of the death, or could first reasonably have known of it. Due to changes to abolish the LTA from 6 April 2024, regulation 31 no longer delivers the intention. HMRC will consult with public service schemes to resolve this.
- Administering authorities will need to be careful upon receiving transitional tax-free amount certificate applications from members with previous benefits in other public service schemes - other than the LGPS. This is due to the retrospective nature of the McCloud remedy in those schemes. Before issuing a certificate, additional enquiries are necessary. For more

information, refer to the section entitled 'Transitional tax-free amount – all scheme types' in newsletter 158.

- HMRC plans to extend the deadline for applying for Fixed Protection 2016 or Individual Protection 2016 for members with remediable service, changing it from 5 April 2025 to 5 April 2027.

Action for administering authorities

Make further enquiries if you receive a transitional tax-free amount certificate application for a member who has previous benefits in a different public service pension scheme.

LGA response to McCloud implementation statutory guidance consultation – England & Wales

Earlier in April, LGA responded to DLUHC's closed consultation on draft statutory guidance on McCloud implementation. On 29 April 2024, we emailed administering authorities, software suppliers and actuarial firms to provide a link to a copy of our response.

As the consultation was closed, we are waiting for DLUHC to confirm if we can publish the draft guidance and our response. However, we wanted stakeholders to be aware of the comments we had made about the draft guidance and any issues we raised in our response.

If you represent an administering authority in England or Wales and you did not receive the 29 April 2024 email, please contact rachel.abbey@local.gov.uk to request a link to the LGA response.

Tax treatment of interest payment on McCloud recalculations

In [newsletter 159](#), HMRC confirmed it has updated previous guidance in [newsletter 156](#) regarding the tax treatment of interest payments on arrears / top up payments stemming from McCloud recalculations.

Before it was updated, newsletter 156 suggested a portion of the interest payment may have been an unauthorised payment. The updated guidance clarifies if the interest is paid on an authorised payment, the whole interest payment is also an authorised payment. See the amended guidance in [newsletter 156](#) for more details.

Temporary unavailability of remedy adjustment online service

Due to an urgent technical issue, HMRC's public service pensions remedy adjustment online service is currently offline.

The online service allowed members to calculate and report annual allowance and lifetime allowance tax adjustments due to the McCloud remedy to HMRC.

HMRC is working on reinstating the online service. There is no timescale for when they expect this to be done.

Therefore, members are currently unable to calculate and report their relevant tax adjustments to HMRC. HMRC apologises to any LGPS members affected.

Next steps

- **For updates:** HMRC will contact members when the service is reinstated. To be included in these updates, members should email publicservicepensionsremedy@hmrc.gov.uk, putting 'PSPR submission' as the title and giving their name and contact email address / number. Members can also monitor the service's status by visiting [the online service's availability page](#).
- **For members unable to wait for the service to be reinstated:** HMRC is exploring potential alternative solutions. Affected members should send their name and contact number / email address to publicservicepensionsremedy@hmrc.gov.uk. HMRC will contact them with details of an alternative solution as soon as it is available.

Action for administering authorities

If you are aware of any members who need to calculate and report an annual allowance or lifetime allowance adjustment due to the McCloud remedy to HMRC, share this article with them.

Dashboards

Check your 'connect by' date

The Pensions Regulator (TPR) has published a ['Check your connect by date' tool](#). Administrators can use this tool to work out by when they should connect to the dashboards ecosystem in line with guidance published by the Department for Work and Pensions (DWP).

All public service pension schemes should connect to the ecosystem by 31 October 2025.

FCA consultation on regulatory framework for firms offering dashboards

On 27 March 2024, the Financial Conduct Authority (FCA) started [a consultation on new guidance for firms intending to offer dashboards to customers](#). The new guidance is intended to help firms understand the scope of offering dashboards – which is a new regulated activity and when FCA authorisation and permission is required.

The consultation closes on 8 May 2024.

PDP progress update report

PDP published its [ninth progress update report](#) on 26 April 2024.

The report looks back at the achievements since October 2023, as well as looking ahead to its focus areas for the next six months.

TPR

Blog on equality, diversity and inclusion

On 26 March 2024, TPR published [a blog on equality, diversity and inclusion](#): how transparency can help to build trust. The blog discusses transparency on TPR's pay gaps and why this is a small but important part of making workplace pensions for all savers. It also includes publication of TPR's gender pay gap data.

Other news and updates

Abolition of the LTA administrator guide

We have published two updates to the administrator guide since it was first published on 22 March 2024.

Version 2.0 was published on 2 April 2024 and version 2.1 on 26 April 2024.

The main changes:

- clarify a pension commencement excess lump sum (PCELS) can be paid when none of the member's lump sum allowance (LSA) or lump sum death benefits allowance (LSDBA) is available – the guide incorrectly said 'LSA and LSDBA'
- confirm HMRC has advised the new method of valuing crystallised rights when assessing if a trivial commutation lump sum can be paid is under review

- clarify the rules around reporting and paying tax charges on lump sum death benefits – the personal representative is responsible for assessing if the LSDBA has been exceeded. Administering authorities do not need collect information about previous pension benefits when paying a death grant.

There are many other important changes. We provided a full list when we emailed authorities to notify the guide had been updated. You can also view the changes in tracked versions of the guide.

Clean and tracked version are available on the Administrator guides and documents pages of www.lgpsregs.org and www.scotlgpsregs.org. To view old versions of guides and documents, you need to tick 'old' under status in the blue filters bar.

We are still waiting for DLUHC / SPPA to confirm if a PCELS can be paid from the LGPS. If you have any live cases please email query.lgps@local.gov.uk with the details.

Action for administering authorities

Review the revised guidance and amend your processes accordingly.

Let us know if you have any cases where a PCELS could be paid.

Previous benefits declaration form

On 26 April 2024, we published an updated version of the declaration form. The initial form was published as a draft on 2 April 2024.

We also circulated [draft notes on completing the declaration form](#) for members. The notes are currently under review and will be finalised shortly.

The declaration form is designed to be sent as a hard copy. If authorities wish to upload it to a website, they will need to amend it to make sure it complies with [Web Content Accessibility Guidelines \(WCAG\)](#).

Although authorities only need to know the used up lifetime allowance (LTA) per cent from benefit crystallisation events that took place between 6 April 2006 and 5 April 2024, the declaration form allows members to provide pension and lump sum amounts where they do not know their used up LTA.

We included these columns because feedback from the Communications Working Group (CWG) indicated members do not often know their percentage of used up LTA, but they can provide their pension and lump sum figures. We understand authorities will make further enquiries if the member is near the limit of the lump sum allowances. The declaration form also assumes authorities will make further

enquiries if the member ticks they are taking other pension benefits on the same day.

We thank the CWG for their help in producing these documents.

Version 1.0 of the form is available on the Administrator guides and documents pages of www.lgpsregs.org and www.scotlgpsregs.org.

Cost control judicial review

On 17 April 2024, the Court of Appeal published its verdict on the case of [The British Medical Association, R \(on the Application Of\) v His Majesty's Treasury & Anor 2024](#).

The British Medical Association and the Fire Brigades Union judicially reviewed the Public Service Pensions (Valuations and Employer Cost Cap) (Amendment) Directions 2021. These directions set out that McCloud costs are included as member costs in HM Treasury's cost control process.

In March 2023, the High Court dismissed the judicial review - see [Bulletin 236](#). Following this, the unions took their appeal to the Court of Appeal, which has also dismissed their appeal.

HM Treasury revaluation issue 2021 and 2022

[Bulletin 249](#) covered the HM Treasury revaluation issue for years 2021 and 2022.

Regulatory amendments were necessary for the firefighter and armed forces CARE schemes to correct the issue. So far, the following have been amended:

- Firefighters' CARE Scheme (England) (amendments took effect from 27 March 2024)
- Firefighters' CARE Scheme (Scotland) (amendments took effect from 2 February 2024)
- Armed Forces CARE scheme (UK) (amendments took effect from 6 May 2024).

We will provide updates when the regulations for the firefighter schemes in Wales and Northern Ireland are updated.

New page for LGPS job adverts

We have set up a new webpage to advertise current [LGPS job vacancies](#). We will no longer be sending out details of vacancies by email. You can find a link to the jobs page in the menu at the top right of the screen on www.lgpsregs.org and www.scotlgpsregs.org.

If you would like to advertise an LGPS job, email query.lgps@local.gov.uk and use 'Job advert' as the subject of your email. Please let us know:

- employer
- job title
- application link
- location
- closing date.

We plan to update the page every Monday. Please email us by the end of a Thursday with details of any job you want us to advertise the following week.

If you have recently contacted us to share details of a current vacancy, and the closing date has not yet passed, that job should already be on the new page. Let us know by contacting query.lgps@local.gov.uk if any open vacancies are missing or if you spot any errors.

The LGPS investment pool Border to Coast has produced a video that will shortly be made available on the [LGPS Jobs page](#). It is a two minute video that can be used by LGPS funds to help encourage interest in working in the LGPS. The video talks about the work of funds and the importance of the LGPS to its members.

Where you are advertising / promoting vacancies on social media, we strongly encourage you to use #LGPSJobs. This will enable potential candidates to find job opportunities more easily.

Action for administering authorities

Let your teams and anyone in your organisation responsible for advertising LGPS vacancies know about the new page and video www.lgpsregs.org/jobs.php. Use #LGPSJobs on social media platforms.

CWG minutes published

We have published the minutes of the Communications Working Group (CWG) meeting held on 11 April 2024. At the meeting the group discussed:

- member engagement
- promotion of the LGPS
- latest updates on McCloud and pensions dashboards
- the abolition of the lifetime allowance
- the workplan for 2024/25 – which has now been published.

You can find the 2024/25 workplan and the minutes from past meetings on the:

- [Communications Working Group page \(England and Wales\)](#)
- [Communications Working Group page \(Scotland\)](#).

LGPC minutes published

On 16 April 2024, the draft minutes of the LGPC meeting held on 11 March 2024 were published. The minutes will be agreed at the next meeting. Topics discussed included:

- restructure of LGPC secretariat team
- subscriptions for 2024/25
- regulatory updates
- SAB update
- Technical Group update
- training and conference update.

The minutes can be found on the LGPC minutes page of www.lgpsregs.org and www.scotlgpsregs.org.

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.

Aggregation training (England and Wales)

- [1 August 2024 - online](#)

Survivor benefits training (England and Wales)

- [6 November 2024 – online](#)

- [13 November 2024 – online](#)

Employer role training (England and Wales)

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

Transfer training (England and Wales)

All courses are currently at capacity.

Insight training (England and Wales)

All courses are currently at capacity.

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.

Wider landscape

2020 HM Treasury cost control valuation results

The Government Actuary's Department (GAD) has published the [2020 cost control valuation results](#).

These cover 20 public service pension schemes across all regions of the UK. The valuations assess the results of the cost control mechanism. For the unfunded schemes, they also outline employer contribution rates from April 2024.

See the above [Scheme Advisory Board \(England and Wales\) section](#) for an article on the LGPS (England and Wales) results and the [Scotland section](#) for an article on the LGPS (Scotland) results.

For information on the results of the other public service pension schemes, visit [GAD's page of the gov.uk website](#) (see 'Latest from the Government Actuary's Department').

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 \(Scotland\)](#)

[Current LGPS job vacancies](#)

[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.

Team contacts

Joanne Donnelly (Head of Pensions)

Telephone: 07464 532613

Email: joanne.donnelly@local.gov.uk

Lorraine Bennett (Senior Pensions Adviser – LGPC Secretariat)

Telephone: 07766 252847

Email: lorraine.bennett@local.gov.uk

Jayne Wiberg (Pensions Adviser – LGPC Secretariat)

Telephone: 07979 715825

Email: jayne.wiberg@local.gov.uk

Rachel Abbey (Pensions Adviser – LGPC Secretariat)

Telephone: 07827 307003

Email: rachel.abbey@local.gov.uk

Steven Moseley (Pensions Adviser – LGPC Secretariat)

Telephone: 07780 227059

Email: steven.moseley@local.gov.uk

Karl White (Pensions Adviser (Training) – LGPC Secretariat)

Telephone: 07464 652886

Email: karl.white@local.gov.uk

Lisa Clarkson (Pensions Adviser (Employer) – LGPC Secretariat)

Telephone: 07464 532596

Email: lisa.clarkson@local.gov.uk

Toni Durrant (LGPS Training and Development Adviser) – LGPC Secretariat)

Telephone: 07385224553

Email: toni.durrant@local.gov.uk

Daniella Howell (Programme Support Officer (Pensions) – LGPC Secretariat)

Telephone: 07966 441903

Email: daniella.howell@local.gov.uk

Jeremy Hughes (Senior Pensions Secretary - LGPS Scheme Advisory Board (E&W))

Telephone: 07960 513946

Email: jeremy.hughes@local.gov.uk

Ona Ehimuan (Pensions Secretary (Governance and Digital) – LGPS Scheme Advisory Board (E&W))

Telephone: 07501 088144

Email: ona.ehimuan@local.gov.uk

Becky Clough (Board Support and Policy Officer – LGPS Scheme Advisory Board England & Wales)

Telephone: 07795 410793

Email: becky.clough@local.gov.uk

Sarah Tingey (Research and Data Analyst – LGPS Scheme Advisory Board England & Wales)

Telephone: 07548 952802

Email: sarah.tingey@local.gov.uk

Further information

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