Teachers' Pension Scheme Pension Board (TPSPB) TWENTY SECOND MEETING: 21 October 2020 (By TEAMS Teleconference)

MINUTES

Present:		Also Attending:	
Neville Mackay (Chair)	NM	John Brown (DfE Head of Policy Projects)	
Susan Anyan (Independent Pension Specialist)	SA	Neil Crombie (GAD – Guest presenter)	NC
David Butcher (employer representative)	DB	Garth Foster (Actuary GAD – Guest presenter)	
Kate Copley (DfE representative)	KC	Paul Faulkner (TP Director of Operations)	PF
Julie Huckstep (member representative)	JH	Amy Gibbs (TP, Analytics and Risk Manager)	AG
Chris Jones (member representative)	CJ	Richard Giles (Head of TP)	RG
lain King (DfE representative)	IK	Peter Springhall (DfE Head of TPS Supplier	PS
		Management)	
Heather McKenzie (member representative)	НМ	Secretariat (DfE):	
John Pratten (employer representative)	JP	Karen Cammack	
Jackie Wood (employer representative)	JW	Helen Cowan	
Apologies:		Ann Ratcliffe	
Ian Payne (employer representative)		Kathryn Symms	KS
Kate Atkinson (member representative)			

Simon Lowe (employer representative)
Sue Crane (DfE Senior Contract Manager)
Jeff Rogerson (DfE Head of Assurance and

Planning)

	Item	Action
Agenda item 1	 Introduction, attendance, apologies: NM experienced technical problems at the start of the meeting so in NM's absence, KC accepted the apologies and extended a warm welcome to Garth Foster and Neil Crombie from GAD, joining the meeting for agenda item 3. Register of Interests (Paper 2): KC noted that the register had been updated ahead of the meeting and that none of the declared potential conflicts precluded anyone from participating in the meeting. Minutes of the previous meeting (Paper 3): The minutes were agreed as an accurate record of the meeting of 15 July 2020. 	
Agenda item 2	 Actions update (Paper 4): The Board agreed to close actions 2, 3 and 4. AP1/231019 – KS advised that the MAG meeting had taken place on 29 September. The meeting comprised two sessions – the first to allow Prudential to explain the funds, administrative performance and planned developments to further improve administration arrangements; and the second to allow MAG and GAD to discuss and decide the future administration. GAD colleagues had presented their 2020 review of the Teachers' Additional Voluntary Contribution scheme (TAVC), providing an independent view on investment performance, cost and suitability of the funds provided by the scheme. The group challenged the value for money aspect of the fee rates implemented by Prudential for the 'with profits' fund. The complexity of the scheme, for example, there are 12k employers, and the additional security offered suggests that the higher charges are justifiable, however Prudential was asked to demonstrate how members are receiving value for money. Prudential will provide further information on fees to MAG by correspondence by the end of October and demonstrate how the 	

- current charges compare to those being charged for other products, to show that customers are being treated equitably and fairly.
- There was also discussion about how potential efficiencies from the move to the new administrator can be passed on to members by way of reduced charges. Transition will take place over the next couple of months with efficiencies likely once the new processes and IT system have been embedded. Prudential will provide assurance to the MAG group by correspondence by the end of October that risks relating to the move to the new IT platform have been identified and are being actively managed.
- While most TAVC funds have ridden the market well during the pandemic and performed both in line with expectations and against benchmark, the International Equity Fund and Prudential Discretionary fund have underperformed. The MAG acknowledged that Prudential was responding to this, and that the Equity Fund was geared towards providing longer term investment gains and was likely to recover. There was discussion around how this should be communicated to members as there is clearly a balance between providing assurance. without prompting members to withdraw. Prudential will confirm, also by the end of October, what actions are being taken to manage the current underperformance of these two funds. MAG members confirmed that, although they had no critical concerns about the current operation of the TAVC scheme, they will require additional assurance before they are in a position to endorse Prudential's continued position as provider of the TAVC scheme beyond their current tenure.
- SA observed that the key focus would be on value for money and that the proposed changes would be monitored. The next MAG meeting is scheduled for July 2021.

NM joined the meeting Update on "Big 4" public sector pension scheme chairs' meeting:

NM advised the Board that these meetings take place every six months and involve the pension board chairs of the four main public sector schemes (MoD, NHS, Civil Service and Teachers). It provides an opportunity to update each other on key issues – on this occasion how schemes have been managing the response to COVID-19. NM reported that most of schemes had reported similar experiences to TPS and that actions taken were broadly similar. He had been reassured to see that that TP's handling and execution compared well with the other public sector schemes.

Agenda item 3

Cross cutting strategic issue – Oversight of GAD services (Paper 5):

- NM explained that it was important that the Board scrutinises contractual arrangements across the scheme. Whilst it was right that the Board should focus mostly on the arrangements with Capita, it was important to consider other contracts to ensure all contracts are effectively managed and provide value for money.
- The Board was invited to consider whether the arrangements with GAD – which is more in the form of a Service Level Agreement

(SLA) – are satisfactory.

- NC gave a presentation based on a slide pack, shared with Board members. He explained that GAD is a large operation, with over 200 actuaries. This provides the benefit of economy of scale to clients, including the Department for Education. NC advised that as GAD was a "not-for profit" organisation, the Board could be reassured that the department is offered value for money. In his experience, GAD was 25-50% cheaper than private consultancy fees.
- NC explained that GAD only provides advice where there is added value and they are best placed to carry out the work. For example, where they are asked to get involved with individual case calculations, GAD prefers to offer guidance to administrators so that they can carry out the work themselves.
- NC provided assurances that the department is well-served by GAD's TPS team. GF has four years' experience on the TPS, but also understands what has worked well on other schemes. NC explained that his background in the private sector and at TP has given him an excellent understanding of the data and what the challenges are, and what is possible. Other colleagues were equally qualified to assist the department.
- GAD provides a tailored service whilst leveraging efficiencies.
 The central team that specialises in modelling provide information to the Public Service Pension Team, who in turn provide information to NC so that he can tailor advice and guidance to the TPS.
- The wide client base is beneficial across government because of the information-sharing – but NC assured the Board that advice is confidential where it needs to be, including from HMT.
- NC listed some of the work they have undertaken for the department – including employer contribution rates, TAVC investment advice and policy advice on the impact of legislative changes. The process for ensuring that the SLA agreement is delivered involves scoping each aspect of work and planning the budget for that – then monthly reviews take place to ensure the work is on track and to budget.
- GF explained that GAD take a bottom-up approach to managing risks. Meeting departmental leads monthly ensures a consistent approach. He outlined the main risks and mitigations – such as regular discussions to understand client needs ensure advice is appropriately tailored. Resourcing GAD with a mixed skill set is also important.
- GF also set out the standards to which GAD must conform to ensure consistent high quality. He also reassured the Board that their own assurance framework ensured high quality outputs, by properly scoping, resourcing and completing tasks.
- GF explained that GAD's value to the department was not only about the cost of their services, but also the quality and the value added through their deep understanding of the work they carry out. GAD is in the unique position of looking across government to share best practice and innovative ideas.
- The quality of service is subjectively measured through customer feedback. GF shared positive results and quotations with the Board based on recent surveys.

- JB explained that value for money is important to the department, and therefore setting out what is required, estimating costs and monthly monitoring of the work and ongoing costs is essential. He reiterated that as GAD has access to other schemes, and that also provides added value.
- The consistency and knowledge across all public sector schemes is vital. JB also noted that the previous TPS GAD lead is now HMT's advisor, which is beneficial to the TPS.
- NM asked GAD how TPS compares against other schemes in terms of data quality and the working relationship.
- NC confirmed that the data quality compares well and noted that
 where there are issues, there is a plan in place to improve. He
 noted an improvement in data between the 2016 valuation
 exercise, when linking data to the scheme accounts was more
 difficult than in the 2020 valuation exercise mainly because of
 Monthly Data Collection. Overall, the TPS is in a good place, and
 improving.
- GF explained that there is a close partnership with the department and TP. There is positive engagement and a keenness to improve data. Having an actuary at TP means that TP understand what GAD is trying to achieve – which in turn helps GAD to provide a high-quality service.
- NM queried whether the SLA was too general. JB explained that
 there needed to be a degree of flexibility because of unexpected
 events, such as the recent court cases. However, for each piece
 of work, the budget is agreed upfront for the department's specific
 requirements, with monthly meetings in place to look backwards
 and forwards on each item of work to ensure value for money,
 good quality and timeliness.
 - KC suggested that the SLA should specify that the process elements that define the relationship and the interactions that take place to reassure the Board of the management of GAD's work. It was agreed that the Department would consider how these might be associated with the SLA.

 GF clarified that there are certain confidentiality barriers between government departments and between HMT – in particular, where there is a conflict of interest. The department agrees to what will be shared before GAD do so.

 NM thanked NC and GF for their helpful input. He was reassured that the relationship works well, represented reasonable value for money, involved a knowledgeable provider who is in a privileged position in government, and involved appropriate oversight arrangements. The slide-deck will be shared with Board members following the meeting.

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Agenda item 4

Cross-cutting strategic issue – Future ways of working by TP (Paper 6):

 RG introduced his paper and summarised TP's response to COVID-19 and lessons learned. He reminded the Board that most of TP's staff had successfully moved to working from home, including the operation of critical elements of the scheme, such as payroll and the processing death and ill-health cases. Whilst

- the bulk of business as usual work could be delivered equally well via home working, the main exception had been the employer helpline. Technical issues had now been resolved, a pilot completed and this service was now back up and running.
- He noted that risk controls had been strengthened, including the
 introduction of a COVID controls log documenting any processes
 and/or controls that had changed as a result of remote working.
 An internal audit concluded that controls were operating
 effectively, and that delivery of the service was secure.
- He noted the continued importance of communications to members, employers and staff.
- Staff well-being was also important with TP providing a range of activities and events from regular team meetings to quizzes and virtual coffee mornings. Additional support is being provided for any staff that require it.
- Three staff surveys have been completed with around 70% of staff reporting that they are very comfortable working from home.
 Of the 15% who reported they needed more support; this was generally in relation to issues of equipment and concerns around childcare or space at home. TP has made arrangement for those most affected to be able to return to a COVID-secure office.
- On-line training materials have been developed which are proving
 effective for new staff and the Continuous Improvement
 Programme (CIP) is working well. TP will look to develop ways to
 generate new ideas with the aim being to achieve a more agile
 model combining the best aspects of home and office working;
 and will include a push on digitising further, for example, Teams
 meetings have worked very well.
- RG observed that TP will aim for a blended approach to working once things return to normal, based on feedback received.
 However, a return to the office is unlikely before 2021 as Capita remain cautious regarding staff safety. TP will continue to evolve and develop their thinking and he will update the Board once more specific details are known.
- NM thanked RG for an interesting update, noting that the Board's interest is to take assurance that risks have been identified, and that options have been considered and evaluated.
- SA noted TP's achievement in maintaining a resilient service alongside ensuring staff wellbeing.
- RG confirmed that IT security had been maintained in the home working environment. Capita's internal audit team reviewed IT security as part of the working from home arrangements set-up. AG explained that the Data Privacy and Security Working Group, which is also attended by the department's security team, maintains a watching brief to ensure they are comfortable with any changes made.
- NM confirmed that the Board supported TP's direction of travel and would welcome a (verbal) update on progress at the next meeting, with the possibility of a more detailed written paper once Capita had firmed up their plans regarding the next phases of activity.

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Agenda item 5

Independent Pension Specialist update (Paper 7):

SA provided an update on her report. From a regulatory perspective

very little has happened, however particular areas of interest are:-

- The Pensions Regulator's (TPR) Annual Report and Accounts set out what TPR achieved in 2019/20 and explains some upcoming plans. The Regulator has been active in Defined Benefit and Defined Contribution Schemes during COVID-19, including publishing additional guidance. SA also explained that the Regulator has indicated where it will start to reinforce matters where previously it had given easements, such as reporting late payments after 90 days (rather than 150 days) will come back into force from April next year.
- SA noted the FCA's commentary from an industry expert about the inter-generational effects of COVID-19, and that financial resilience is a challenge in the UK - particularly for the younger generation. The pandemic has revealed a lack of financial resilience in younger age groups, and demonstrates the benefits of having a financial cushion and a greater need for better access to financial advice and guidance.
- SA noted that the Continuous Mortality Investigation (CMI) is launching a consultation on its proposed approach to handling the 'death' data for 2020. GAD will refer to the ONS data, and will need to consider the effect of the higher mortality rate as part of the 2020 valuation.
- SA advised the Board that the Pensions Ombudsman (PO) has provided several important decisions, including on an employer's duty regarding automatic enrolment and the importance of engaging with the PO at an early stage.
- NM referred to the Pension Protection Fund (PPF) and asked about the cost of this to the TPS. PS confirmed that public service schemes do not contribute to the PPF because they are underwritten by Government.
- KS referred to 'other news' section of the SA's paper, explaining that when the minimum pension age rises to 57 years in 2028, the TPS regulations will be amended to reflect this change.
- KC queried when the leniency afforded by the TPR in certain respects might stop and return to 'business as usual'. SA confirmed that this was underway, for example, late accounts and regulatory requirements are no longer an easement. For the TPS, the regulator will expect reporting of late contributions and service delivery measures to return to normal in the new year. SA acknowledged that a second wave of COVID-19 may mean the timing of the return to normal will be reviewed by the Regulator.

Agenda item 6

Scheme Advisory Board (SAB) update:

JB outlined the key items discussed at the SAB meeting on 30 September.

<u>Transitional Protection (McCloud)</u>

 The 12-week government consultation on Transitional Protection closed on 11 October 2020 - the government response is not expected until early 2021. Most SAB members favour the deferred choice option. A third option – whereby the government would make the choice for individuals based on the highest value pension - was not supported by HMT or the department because

- it removed the element of individual choice.
- Work is ongoing to identify immediate detriment cases, such as ill-health retirement applications, where members have been assessed under the CARE scheme rather than their final salary scheme, and may be financially disadvantaged by that. These cases will be dealt with first, starting in 2021.
- The department continues to work with HMT to clarify the policy; and work with TP both on the solutions and supporting communications.

Survivor Benefits (Goodwin)

- JB reminded the Board that this involves equalising survivor benefits payable to the widower of a female member, with those paid to same sex partners; service from 1972 will now be taken into account.
- Work is already underway with TP to identify those who may be entitled to a back-payment where the member has already died.
 A project manager and data analyst are being appointed to support the planning of this task; and consideration is being given to required system changes and other supporting tasks.
- NM noted the length of time it will take to address Goodwin and McCloud issues, and the potential operational impact, as both will be big policy projects. PF advised that TP is beginning to evaluate resource requirements and recruit whilst awaiting final guidance.

Independent Schools (phased withdrawal)

- The department paused work on the consultation response due to prioritisation of work due to COVID-19. Work has re-commenced over the summer, and the consultation response document is expected to be published in the next few weeks.
- In response to NM's query, KS confirmed that as at 1 October, a total of 181 schools had withdrawn from the scheme since 31 August 2019, with a further 7 notifying their intent to leave in December. JP advised that a further 100 independent schools were consulting on withdrawal from the TPS. JP noted that this may be the "first wave" and reported that some schools are planning to wait 12-18 months until the outcome of the consultation is known, before making a decision regarding withdrawal.
- JB confirmed that independent schools account for around 8% of membership and 10% of scheme income. He advised that the department is aiming to complete the consultation as soon as possible.
- NM expressed concern at the number of schools that had withdrawn and suggested that the topic be added to the forward work plan for future focused discussion. The Board's role is primarily to address the financial and communication aspect of this issue rather than to revisit policy decisions which sit with the SAB. CJ noted the wider impact of increased contributions, in particular on the college and post-92 university sectors. NM and departmental colleagues will scope out what any future paper will cover.

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Scheme Dashboard (Paper 8 pages 12 and 13): Agenda item 7 Performance update (Tracker Dashboard and SLA graph): AG advised that the tracker dashboard and SLA graph had been updated to show the position as at 30 September and that TP is still keeping ahead on cases processed versus cases received. • She noted ongoing challenges regarding SLAs 3 and 4 and a decline in SLA 12c. This had come about due to a technical issue which delayed incoming emails and so impacted the tight 3day turnaround target. The emails were all addressed within a week, so there would be no impact on members. Performance figures should pick up again next month. AG noted that there had been an increase in bereavement cases during June and July and confirmed that five additional staff had been appointed to the bereavement team and were undergoing their three-month training course. This should start to positively impact figures once training is completed. She also highlighted an increase in revisions work, noting that this is typical for this time of year and so was anticipated. • NM reflected that this was generally a positive report, with little change since last month. However, the Board would hope to see some improvement in SLAs 3 and 4 and advised there would need to be further discussion if this were not the case. AG confirmed that TP was working hard to address the failed cases and already seeing improvement which would be reflected in October figures. Agenda Service Delivery & Maintenance of Data sub-committee update item 8 (Paper 9): JW provided an update from the Service Delivery & Data Management sub-committee meeting. Much of what was discussed at the meeting had been touched upon under other agenda items, so a brief update was provided. Bereavements – JW noted that in January 2020, there were 485 cases outstanding, and in September, 620 cases. This was despite TP receiving some 1500 more cases between March and July compared with the same period in 2019. Employer Support Line – JW was pleased to note that this was now fully active. Immediate Detriment - PF had provided an informative paper to the sub-committee about these cases. It was agreed that this would be a standing agenda item. Summer Retirements – JW noted the successful completion of the exercise. Managing Risk and Internal Controls sub-committee update Agenda item 9 (Paper 10): SA provided an update from the MR&IC subcommittee held on 23 September 2020. Risk Management Framework - SA highlighted Business Continuity and Risk Management and how this has helped through COVID-19. She noted that the risk management framework, including the additional measures and regular monitoring, gave assurance to the sub-committee that the

- framework is fit for purpose.
- The sub-committee had noted concern about a potential second wave of COVID-19 and the impact this may have on member volumes, TP staffing and service levels. TP would not be complacent and would continue to mitigate potential issues through the Risk Management process.
- Programmes and projects SA noted the presentation given by TP regarding preparedness for a period of significant change within Programmes and Projects. The sub-committee had acknowledged the volume of activity and noted how this is being managed through a sophisticated tool to identify pinch points. Senior leaders within TP regularly review resources to mitigate any risk to Business as Usual, and the sub-committee had requested sight of a list of projects and programmes with timelines for assurance purposes at the next meeting.
- NM commented that programmes and projects raised concerns as much of it is high profile and pose significant risks to BAU, so the Board was reassured knowing the sub-committee will continue to monitor closely. SA confirmed this will be standing agenda item for future sub-committee meetings.
- Scheme Accounts SA noted that the final scheme accounts had not been laid by the summer recess, but there is plenty of time before the statutory time limit of 31 January 2021. NM advised that the Annual Resource Accounts had been presented to the department's Audit and Risk Committee on 14 October and were on course to be laid by the end of October.
- PS advised that the accounts are currently with Capita Employee Benefits as an additional request from Deloitte for data extract is being completed. AG confirmed that this should be completed by the end of the week.
- SA updated the Board regarding a discussion held with department and TP sub-committee leads which looked at the way in which risks are recorded and to align how they are captured within the Risk Register, Quarterly Report and Dashboard.

Agenda item 10

Information to Members and Communications sub-committee update (Paper 11):

JH updated the Board on discussions from the Sub-Committee held on 23 September :-

- Webchat has been a very successful initiative. The conversation can also be sent as an email so that members have a written record of the discussion. The timeframe for introducing secure conversations has been delayed, primarily due to IT improvements that are required and other initiatives such as transitional protection and Goodwin are taking priority.
- Employer engagement the employer helpline has been reinstated. While the system was unavailable, employers were only able to get answers by email which led to them being less satisfied with TP's service. Consequently, outcome measures 9 and 10 relating to member satisfaction declined from a target of 85% to 57%. However, as the employer helpline re-opens and gets back to normal this percentage is expected to improve.
- Outcome measures 2 and 3 Members understanding the value of their pension - there is c98% positivity rate against a target of

92%. Members actively planning for their retirement - the performance rate is 87.3% against a target of 87% Both of these figures were taken from July's data and remain positive.

- NM commented that when he had seen webchat being used three years ago by TPAS (The Pensions Advisory Service), he had been very impressed by its potential and was pleased to see it being adopted by TP.
- SA queried data security. JH confirmed that members can ask general questions but cannot ask for specific personal information; they are signposted to use My Pension Online where contact is totally secure.
- RG indicated that there is demand for specific advice for the member, via secure conversation, and they are working to enhance the service through their continuous improvement programme.

Agenda item 11

TP Update:

- RG noted key achievements of one million members signing up to My Pension On-line (MPO), the successful completion of the summer retirement exercise and the successful completion of the Annual Allowance project – both ahead of schedule.
- The Monthly Data Collection (MDC) pilot is due to complete at the end of October; 350 employers have been participating and a review will follow ahead of the next phase of the project.
- The Current Added Years (CAY) project is underway. This identified 276 potential cases where members had received incorrectly calculated benefits. Of these 115 cases were for less that £5k, 14 were between £5-10k and 14 involved sums over £10k, and for the remainder, no overpayment had occurred. All members with overpayments over £10k had been contacted by a senior member of the team. Whilst there is a contractual obligation for TP to recover money within three months, there is flexibility regarding the repayment period to reflect personal circumstances and the length of time the debt has built up.
- RG highlighted recent press stories regarding missing service and confirmed that TP is proactive in identifying missing service with MDC playing an increasingly helpful role. He confirmed that all data is cleansed at retirement to identify service gaps, and TP work closely with employers to resolve issues. Of the five members quoted in the press recently, four of them have had their missing service issue resolved, with the other having a genuine gap due to withdrawal from the scheme.
- TP is improving their communications to encourage members to check their service history regularly and will run further campaigns on this to help improve the quality of the data. JH noted the IM&C's recent interest in missing service which had resulted in improved messaging on TP's website. However, the subcommittee will continue to monitor and review future campaigns which should aim to both encourage individuals to check records and provide reassurance to members.

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RG advised that the TPR no longer operates the one-to-one

	supervisory relationship with TP; TP now contact TPR through a generic e-mail box. There is no detriment to the scheme and arrangements are proving to be just as effective, the key difference being that there is no longer one named case handler for all TPS-related matters.	
	 RG confirmed TP's current focus is around identifying the resource implications for Goodwin and continuing with the Continuous Improvement Programme (CIP). 	
Agenda	Commercial sub-committee update:	
item 12	TP colleagues left the conference call.	
	The remainder of this section has been removed to ensure commercial sensitivities are maintained. A full set of minutes (and actions) will be produced from the sub-committee meeting, which took place on the morning of 21 October 2020 and will be shared with Board members. A full version of the minutes will be prepared and shared with Board members, and at the next TPSPB meeting.	
Agenda	AOB:	
item 13	Update on AccountsUpdated under agenda item 9.	
	Spaces and agenualien of	
	Update on the recruitment process for the TPSPB member rep	
	KS reminded the Board that the Minister had asked that the	
	advertisement be cast more widely to attract a wider pool of candidates. She advised that ministerial approval had been	
	received today regarding the proposed advertising process, which	
	would include using a number of departmental school bulletins	
	and internal communications alongside TP's website and via our usual stakeholder groups.	
	 Shortlisting and selection will include NM and will consider skills 	
	and experience. The hope is to have a newly appointed member representative in time for the January Board meeting.	
	Alteration to TPR oversight arrangement Updated under agenda item 11.	
	Neville concluded by thanking everyone for attending and for	
	contributing to an interesting and productive meeting. The next meeting will take place on Wednesday 20 January 2021.	

Minutes agreed: Date: 28 October 2020

Minutes circulated to Board members for review on 28 October 2020. No changes were made following Board member review.

Minutes ratified at subsequent TPSPB – 20 January 2021.

Final Signature: Date: 20 January 2021