

STPS Scheme Advisory Board

Date	21 February 2022
Location	Virtual meeting via Microsoft Teams
Chair	Simon Cameron (COSLA)
Attendees	Andy Witty (Colleges Scotland) Archie MacIver (UWS) Councillor Alastair Forsyth (COSLA) Dave Wilkinson (NASUWT) Des Morris (EIS) Euan Duncan (SSTA) Fiona Dalziel (SSTA) Greg Dempster (AHDS) John Edward (SCIS) Mary Senior (UCU) Mike Dolan (EIS) Phil Doggart (COSLA) Stephen Stewart (EIS)
SPPA / SG	Finn MacKenzie (SPPA) Greg Walker (SPPA) Iain Coltman (SPPA) Murray Kellock (SPPA)
GAD	Anne-Marie Pettie (GAD) George Russell (GAD) Greg Donaldson (GAD)
Secretariat	Paul Gibson (SPPA)
Apologies	Councillor David Parker (COSLA) Councillor Jim Goodfellow (COSLA) Louise Wilson (EIS) Neil Shaw (SLS) Stephanie Walsh (SG) Stuart MacArthur (SPPA) Stuart Robb (SG)

1. Welcome and Apologies

1.1 The Chair welcomed attendees, noted that Brenda Callow was on secondment to SG for 6 months and welcomed Murray Kellock in her stead.

1.2 The Chair noted the apologies and extended a note of thanks to Councillor Goodfellow in his absence through illness. The Chair noted Councillor Goodfellow was due to step down at the upcoming local Government elections and suggested sending a letter of thanks

2. Conflicts of Interest

2.1 No conflicts of interest were declared

3. Minutes of previous meeting, action points and matters arising

3.1 The minutes of the meeting held 7 October 2021 were approved. NASUWT queried the timing of life expectancy data noted in action point 112(a) on page 3 and requested data be provided as soon as possible. The Chair confirmed that it would be noted

3.2 Action Point 78 – SPPA discussed the action point and noted that there was no further action required. The action point was closed with no Board objections.

3.3 Action Point 86 – SPPA proposed merging this point with Action Point 107. The Chair approved of the merger of these points and noted a call that had taken place with the SG and SPPA on this area, the Chair confirmed that an update would be provided by COSLA following the meeting.

3.4 Action Point 102 – SPPA suggested closing the action point as it was a substantive agenda item which superseded the action point. A discussion took place among the Board relating to the Consultation paper amid concerns of moving directly to consultation. AHDS noted they had no problems with the consultation itself, was concerned that moving straight consultation could lead to Board being bypassed. SPPA acknowledged the points and advised that it was the view of Ministers following a direct question on the matter that it be consulted upon and was not the intention to undermine the purpose of the SAB. The action point would be discussed as part of the substantive agenda item and views of schools will be gathered via the consultation. Action point closed.

3.5 Action Point 110 – SPPA confirmed that HMT did not publish an EQIA alongside the most recent consultation on the NMPA. It was noted that the most recent consultation was only on how to implement changes to the NMPA and the protection regime. The actual policy to change the NMPA from 55 to 57 was consulted on and announced by the coalition government in 2014. Changes to the NMPA are being introduced in the Finance Act 2022 which received Royal Assent on 24 February 2022. Action point closed.

3.6 Action Point 111 – SPPA confirmed that no response had been received from HMT and the point was closed.

3.7 Action Point 112a – GAD noted that they were working with SPPA to resolve valuation data issues and were aware of time pressures. GAD confirmed that progress will continue as soon as possible and the point will be carried forward.

3.8 Action Point 112b – SPPA confirmed that assessment on data collection was ongoing and the action point will be carried forward.

3.9 Action Points 113 and 114 were noted as due to be discussed as substantive agenda items. However, for action point 114, SPPA updated the Board that SPPA had received one ill health application to date citing covid.

3.10 Action Point 115 was considered to have been completed and could now be closed.

Action Point 115 to remain open to check that link to McCloud communications on website had been shared with SAB.

3.11 NASUWT thanked SPPA for the update and praised the information available on the SPPA website adding that NASUWT had referred own members to SPPA website.

3.12 Action Point 116 was closed as complete

3.13 Action Point 117 – SPPA confirmed that a letter had been sent to HM Treasury and the action point was closed.

4. Independent Schools Phased Withdrawal

4.1 SPPA introduced and presented the STPS Phased Withdrawal of Independent Schools Consultation paper and explained the key points of the paper and the questions before opening to the Board for discussion.

4.2 AHDS repeated that no objection was held with the consultation or the questions and raises concerns that the issue was not discussed with the Board before going to consultation.

4.3 SPPA explained that if information was provided timeously it would be considered but the feeling was despite two discussions at SAB meetings, there was no unanimous advice forthcoming from the Board

4.4 NASUWT noted that it was worth considering against size of issue in England and Wales with one-fifth of Independent Schools leaving the scheme and noted that DfE considered idea of phased withdrawal to slow number of schools leaving.

4.5 NASUWT approved of the consultation document and felt that although it touched on equality issues, and E&W consultation did not, a number of issues remained to be addressed before the consultation should be launched. NASUWT raised concerns of Unions that individuals could be

induced opt-out of scheme and highlighted that they were aware of examples where this has happened.

4.6 SCIS advised that the issue was first raised following member concerns and not through enthusiasm within SCIS. SCIS referred to 22 schools in England opting for phased withdrawal with a further 300 schools leaving the scheme. SCIS highlighted increased rates due in 2022 and noted some school fears that as non-profit charities they could break the covenant and considered phased withdrawal as undesirable but a better option than leaving the scheme.

4.7 Further discussion took place surrounding moving directly to consultation with a suggestion from EIS that the consultation be delayed to gather necessary information. The Chair noted the concerns and hoped that the information and consultation could provide full picture on area.

4.8 A discussion began about increased rates facing employers with NASUWT questioning if HMT could provide a result on recent uncertainty surrounding the SCAPE rate. SPPA confirmed that HMT were aware of SPPA's interest in the outcome of the SCAPE discussions.

4.9 NASUWT committed to provide information to SPPA relevant to subject and asked if SPPA could redact as necessary and distribute to the board.

Action Point 118: NASUWT committed to provide information and examples of inducement to SPPA which SPPA will redact before sharing with the SAB for consideration

4.10 The Chair noted that the SAB were happy with the content of the consultation documents. SPPA confirmed that they would await information and views from the SAB before circulating the consultation.

Action Point 119: SPPA to seek the views of the SAB by email before publishing the consultation

5. STPS and Long Covid

5.1 SPPA presented the Fixed Term Incapacity Approach paper on Long Covid and Ill Health retirement and noted the complexity in gathering the relevant information. SPPA advised that information had been provided from the scheme medical adviser which showed no evidence that long covid was a significant factor in ill health applications and noted one case within the STPS and one in NHS. SPPA considered that based on this, there was no evidence to necessitate a new approach.

5.2 NASUWT welcomed the information and voiced preference that teachers with long covid remain employed with reasonable adaptations to

job. NASUWT felt that an annual review of the data would be acceptable. Action point 113 and 114 can therefore be closed.

5.3 The Chair agreed with the view of NASUWT and concluded the discussion.

Action Point 120: SPPA to provide the SAB with an annual review of ill health retirement / long covid data. To be provided at the first SAB meeting of the year

6. Participation Rates

6.1 SPPA presented a paper on Contribution / Opt Out rates for Quarter 1 2021/22

6.2 AHDS said that it was useful to receive the information but felt it would be better to receive data after changes to the scheme. A brief discussion took place about alteration to the reporting periods for data.

6.3 The Chair posited moving the reporting to a biannual or annual reporting period. NASUWT supported this proposition but noted the importance of 1 April 2022 when people would move to new scheme. Following the discussion it was felt that there was a general acceptance from the board to move to an annual / biannual reporting window.

Action Point 121: SPPA to provide Q4 2021/22 and Q1 2022/23 data to the Board when available. Consideration of moving to annual / biannual reporting to be considered after requested data is provided

7. McCloud Remedy Update

7.1 SPPA provided an update on the McCloud Remedy and noted that a full response to the consultation would be issued in March 2022.

7.2 SPPA noted that the Bill was currently at reporting stage in Parliament for discussion on 22/02/2022; it was expected that the Bill would move from reporting to third reading stage imminently. SPPA noted that intended enforcement of the new legislation was 1 April 2022.

7.3 SPPA advised that circa 40,000 letters had been issued to 'in scope' members to provide information and assurance over frequently raised concerns; SPPA noted that letters to not-in-scope members were scheduled to be sent in March 2022. SPPA confirmed that recruitment of a new communications lead had concluded and work was being undertaken to assess and update the communications strategy surrounding McCloud.

7.4 SPPA confirmed that the SPPA website had been updated with latest information and pointed to scheme specific page for STSS information which included an information video for members.

7.5 SPPA provided an update on policy provision documents and system updates and asked for the SAB appetite for continuing with the previous subgroup / working group.

7.6 EIS thanked SPPA for the update and asked if copies of the letters had been provided to the Board. The Chair noted that the letters had been provided but asked SPPA to provide a copy of the letters to the Board if not already done.

Action Point 122: SPPA to check if McCloud remedy letters have been sent to board and provide copy if not.

7.7 EIS asked if the 6-month window for members to buy into a 'soft landing' for contributions and member options, etc. and if this period would be re-established in light of the latest information.

7.8 SPPA advised that the option for this was available to members first joining the CARE scheme but would consider if the regulations held provision for members re-joining the scheme.

Action Point 123: SPPA to consider if regulations contain provision for members re-joining the scheme.

7.9 UCU asked if contingency plans were in place. SPPA confirmed that contingency plans were in place if needed depending on the outcome of the Bill. The Chair asked to be updated on the progress of the Bill.

Action Point 124: SPPA to provide update on progress of the McCloud Bill

8. Date of next meeting

8.1 The Chair addressed the issue of the next meeting coinciding with local government elections and the prospect of several members stepping down and limitations on COSLA to call members or providing a Chair in this period.

8.2 Following a brief discussion, SPPA confirmed that dates for the next three meetings were being considered and noted that cover for the Chair would be required for the meeting in May.

8.3 EIS asked about the annual rotation of the Chair and when it would rotate back to the member side, the Chair felt that it may rotate back in September 2022 and noted that he would continue with approval of employer groups.

Action Point 125: SPPA Secretariat to issue Doodle Polls to seek availability for meetings in May, August and November 2022

9. Any other business.

9.1 With no further business raised, the Chair thanked everyone for attending and concluded the meeting.

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Action Ref.	Action	Action Owner	Latest position	Action status
125	SPPA Secretariat to issue Doodle Polls to seek availability for meetings in May, Aug and Nov 2022	SPPA		Open
124	SPPA to provide update on progress of the McCloud Bill	SPPA		Open
123	McCloud Remedy: SPPA to consider if regulations contain provision for members re-joining the scheme.	SPPA		Open
122	SPPA to check copies of McCloud remedy letters have been sent to board and provide copy if not.	SPPA		Open

121	Participation Rates: SPPA to provide Q4 2021/22 and Q1 2022/23 data to the Board when available. Consideration of moving to annual / biannual reporting to be considered after requested data is provided	SPPA		Open
120	SPPA to provide the SAB with an annual review of ill health retirement / long covid data. To be provided at the first SAB meeting of the year	SPPA		Open
119	Independent Schools Phased Withdrawal: SPPA to seek the views of the SAB by email before publishing the consultation	SPPA		Open

118	Independent Schools Phased Withdrawal: NASUWT to provide information and examples of opt out inducement to SPPA and SPPA will redact before sharing with the SAB for consideration	NASUWT/SPPA		Open
117	<i>SAB to draft letter with opinion on CCM changes proposed by UK government</i>	SAB		<i>Closed</i>
116	<i>Secretariat to arrange a doodle poll to schedule next meeting for January 2022.</i>	SAB Secretariat		<i>Closed</i>
115	SPPA to provide SAB with link to opt out form and share McCloud communications with SAB when available.	SPPA		Open

114	<i>SPPA to gather and circulate number of ill health applications which have been received citing covid.</i>	<i>SPPA</i>		<i>Closed</i>
113	<i>SPPA to consider an approach to provision of ill health benefits to deal with emerging conditions like long covid.</i>	<i>SPPA</i>		<i>Closed</i>
112(b)	Reduction in pension entitlement period: SPPA to consider what would be possible in terms of providing data on deaths in service between 60 and SPA and also number of ill health retirements in that period	SPPA	Carried forward 21 Feb 2022: SPPA assessment of data collection ongoing	Open

112(a)	Reduction in pension entitlement period: GAD to liaise with SPPA to provide summary report of current life expectancy data, including teacher-specific life expectancy data, late 2022.	GAD	Carried forward 21 Feb 2022: GAD noted that they were working with SPPA to resolve valuation data issues and will provide asap	Open
111	<i>SPPA to confirm if HMT replied to SAB's response to NMPA consultation.</i>	<i>SPPA</i>		<i>Closed</i>
110	<i>SPPA to confirm if EQIA assessment has been completed re. changes to NMPA</i>	<i>SPPA</i>		<i>Closed</i>
107	<i>Following query on Pay & Leave specification, COSLA to share update regarding information held by Councils</i>	<i>COSLA</i>		<i>Closed – Merged with AP 86 as agreed by SAB</i>

102	SCIS will gather the views of any schools that see withdrawal of their participation (employer and employee contributions) as their remaining alternative.	SCIS	Carried forward 7 October 2021: <ul style="list-style-type: none"> await evidence from England & Wales. 	<i>Closed</i>
86	COSLA to update SAB on SNCT Terms & Conditions (including rescheduled meetings with Payroll Managers) at next meeting	COSLA	Carried forward 21 Feb 2022: <ul style="list-style-type: none"> To be discussed at SPPA/Employer TWG on 21/02/2022 	Open
78	<i>Scheme Comparison Paper - Chair confirmed SAB members should go back to member organisations for further consideration</i>	<i>SAB Members</i>	<i>Ongoing</i>	<i>Closed</i>
8	Secretariat to ensure approved agendas, minutes, and work plan are shared with the Pension Board and published on the SPPA website as appropriate	SPPA 18/06/2015 Secretariat	C/F to action when minutes approved	Remains open, no action necessary