**Teachers’ Pension Scheme Pension Board (TPSPB)**

**Service Delivery and Maintenance of Data Sub-Committee**

**21 September 2022 – Lingfield Point, Darlington**

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| **Present:** |  |  |
| Jackie Wood | Employer Representative - Chair | JW |
| Simon Lowe  | Employer Representative  | SL |
| Peter Strike | Member Representative | PS |
| Heather McKenzie | Member Representative | HM |
| Susan Anyan | Independent Pension Specialist (Observer) | SA |
| Lisa Sproats | Employer Representative (Observer) | LS |
| Maria Chondrogianni | Member Representative (Observer) | MC |
| Amy Gibbs | TP Head of Governance and Risk | AG |
| Danielle Barker | TP Head of Operations | DBa |
| Anna Alderson | DfE Senior Contract Manager  | AA |
| Zaheer Patel | DfE Contract Manager | ZP |
| Mel Phillip | DfE Casework & Correspondence & TPSPB  | MP |
| Kelly Elliott | DfE Secretariat | KE |
| Helen Cowan | DfE Secretariat Manager | HC |
| Anna Leonard | DfE Head of Supplier Management (Observer) | AL |

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|  | **Item** | **Action** |
| Agenda Item 1 | **Welcome and Apologies:*** JW welcomed those in attendance including new Board members LS and MC and DfE observer AL.
* The minutes from 23 March 2022 were ratified.
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| Agenda Item 2 | **Actions from the previous meeting:*** ZP noted one outstanding action regarding an issue that had been escalated to the sub-committee from the Teachers’ Pensions Administration Review Group (TPARG). The issue related to several complaints received from members who had received payments without an explanation. On investigation, this related to the Goodwin rectification exercise whereby payments had been sent to members but the corresponding letters had not yet reached those members. ZP advised that at the TPARG meeting in August, it had been confirmed that there had been no recurrence of this issue and no trends had been identified, therefore, no follow-up action was required.
* JW noted all other items had been closed.
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| Agenda Item 3 | **Transitional Protection:**AA drew attention to paragraphs 69-72 on page 14 of the Quarterly Report. She confirmed that the Department was currently in negotiations regarding the commercial cover for the rectification of cases relating to members affected by the Transitional Protection judgement. There were still some outstanding queries to finalise, but preparation work had been conducted for the immediate detriment cases and those that could be actioned from October 2023. Progress was positive and rectification work was on target to be actioned once primary legislation was in place and the Teachers’ Pensions Regulations were updated. Details would continue to be provided within the Quarterly report. |  |
| Agenda Item 4 | **Employer Portal member search:*** AG explained that the Employer Portal was first implemented in 2009, in adherence to the security standards of the time. The purpose of the Portal was to enable information regarding members and employers to be shared securely. However, since implementation, the landscapes surrounding the Portal had significantly changed. For example, the General Data Protection Regulations (GDPR) had changed privacy law and the volume of employers utilising the service had grown. There were now 31,000 employers across 12,000 data centres. Monthly Data Collection (MDC) and Monthly Contributions Reconciliation (MCR) had also been introduced.
* Further restrictions to the Portal were required as a result of these changes to ensure the security of the data being held. The new restrictions required careful consideration and management. It was important to understand why employers were using the Portal and what level of access they required. The member data had previously been utilised for broader purposes than intended so further investigation had been conducted, including employer workshops, to better understand employer needs and processes and to create an effective solution. It was important to ensure employer access was appropriate, but that employer and member needs were still met.
* Changes were implemented that restricted access for existing and past employers. They would no longer have access to historic information that they did not need, and access was made read-only where appropriate. The delegation process was also amended to ensure only one primary contact per establishment had the authority to request access for new users.
* TP had explained the changes to employers and the rationale behind them. Subsequently, positive feedback had been received, suggesting employers understood why the changes were necessary and they were content they could still access required information.
* JW commented that this was a significant change for employers and agreed that the Portal had previously been utilised for wider purposes than originally intended. She noted that employers understood the need for the security updates, and TP were readily available with support if an employer required access to data that had been subsequently restricted.
* She questioned how access to information within the Portal was affected by a school closure.
* AG advised that the employer would no longer have access to the Portal, but the members could still view their information through their My Pensions Online (MPO) accounts.
* She added that if the members moved to a completely new establishment, the new employer would not have access to the closed establishment’s records. There were checks in place when a school notified of their intent to close to make sure member records were up to date before closure. TP also issued correspondence to members advising them to check their records.
* If an establishment did not close but changed in some other way, for example, a change of name; the establishment number could be amended within the Portal, so the employer still had relevant access.
* SA asked if TP were reliant on employers to advise them when a person with employer access left an establishment.
* AG replied that this was the case. The primary contact at an establishment was required to inform TP of new starters and leavers. The terms and conditions of the Portal instructed employers to submit up to date information to TP regarding any changes.
* DBa added that most Portal login details were linked to work email addresses, so an address would become invalid when a user left an establishment. Therefore, if TP were not informed of a change, Portal access would most likely have been revoked by the withdrawal of the email address.
* JW noted that Portal was now a good and rigorous system but added that local authorities had found some of the changes challenging.
* HM noted there had been complaints from members regarding employers failing to notify TP of member movement from one establishment to another. She advised that confirming information with the members would be a good secondary check.
* AG responded that such checks were in place and DBa added that any missing service would usually be flagged through the system. Employers were required to submit withdrawal indicators to the Portal when an employee left service, and the system would flag a missing indicator.
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| Agenda Item 5 | **Ill-Health Contract Update:*** MP explained that on 1 April 2022 the Department transitioned from Optima Health to Health Management (HMan) for the provision of the ill-health contract.
* She advised that HMan had experienced difficulties using TP systems, which had impacted the timeliness of processing cases. 160 cases had been created as a backlog between 1 April and 31 July.
* A remediation plan was implemented to address the issue. The plan commenced on 8 August, which was shortly after the Board was made aware of the problem.
* HMan have since indicated that the outstanding 160 cases had been assessed and returned to TP.
* The issue arose because HMan experienced difficulties using the TP system Hartlink. The system differed greatly from their own system that they utilised as part of their other contracts. HMan had expected to be able to clear cases with the same efficiency as using their own system but could not.
* TP offered training to HMan, but they were still struggling to utilise the system at pace. The burn down of cases was therefore not at the level the Department expected.
* The temporary solution worked by cases being sent through to HMan via Hartlink and then transferred to HMan’s own system. The supporting documents were being sent over to HMan via a secure portal. Using a more familiar system enabled cases to be worked through more efficiently, than using Hartlink on its own (as originally intended). The security clearance for this solution was temporary.
* Although the majority of the April-July backlog had been cleared, a new, smaller backlog had been generated from August onwards. This totalled 74 cases.
* It has been noted that there are some limitations to this temporary solution, as there is a limit of the size of files that can be transferred over via the secure portal. Therefore, HMan, TP and the Department are currently working to put into place a more effective solution on a longer-term basis.
* The Department and HMan are aware of the Transitional Protection cases that would be added to the ill-health caseload from October, and the team had planned accordingly.
* JW questioned if HMan would be able to deliver as per their contractual agreement and MP confirmed they would.
* SA noted medical contracts were regularly reviewed and it was important to learn from this experience.
* MP commented that there was not a large market for Medical Advisory services, and she agreed that this was an issue that could reoccur with a future provider if investigation of the underlying problem was not thoroughly conducted and learned from.
* PS felt that this issue should have been considered as part of the procurement process.
* SA commented that the provider was probably overly optimistic regarding their ability to deliver and agreed that Departmental choice was limited due to the narrow market of providers available. However, she also agreed that the issue between systems should have been identified before the contract began.
* DBa advised that prior to the start of the contract TP had worked closely with HMan and DfE. A lot of training had been provided, but access to Hartlink could not be given until the contract commenced on 1 April.
* SA raised that it could be that the provider had not conducted appropriate due diligence. She asked what the commercial consequence would be for HMan. She assumed the remediation plan had created a greater cost than originally anticipated and questioned if there was any recourse for the provider to assist with this expense.
* AG commented that the security approvals and commercial conversations were still taking place, but the issue and subsequent longer-term solutions would produce an extra cost for TP, though they were not sure of the final, total expense.
* DBa added that the method of processing cases had not yet been agreed; namely, whether TP would issue cases differently or if HMan would create a team who could download cases effectively from current system. The result of this discussion would also impact cost.
* She also advised that an escalation and chaser process had been introduced. TP could now communicate with members and explain the reason for the delays and current case progress. She made clear that serious ill-health cases were still being prioritised by TP and HMan.
* JW noted that the Transitional Protection judgement would create additional cases for HMan. She asked if this had been factored into the contract and MP confirmed it had. MP advised that HMan had onboarded additional staff due to the backlog, so they would be appropriately resourced to action the Transitional Protection cases.
* HM raised concerns regarding the effect of the delays on members. She noted there would be members under stricter time limits due to their health. She questioned if communications with HMan had resulted in a commitment to the situation being better managed and extra resource being applied. MP confirmed that was the case.
* SA noted that a backlog would continue until the commercials were agreed.
* MP acknowledged this and advised that there was currently no deadline for the commercials to be agreed, but conversations were ongoing.
* ZP stated that an agreement needed to be reached regarding which party would take responsibility for the method of processing cases going forward (HMan or TP).
* AA added that the commercials were being prioritised with the data security groups to enable the temporary solution to become a permanent measure.
* SL noted that the new backlog was growing at the same rate as the first backlog.
* PS wondered if the ill-health contract had not received the same scrutiny as other, bigger contracts.
* SA agreed that the due diligence surrounding the contract could have been better. However, she acknowledged that it was difficult to identify such issues ahead of time. She was concerned that HMan would give notice if the difficulties continued and asked what the notice provisions were.
* AA stated that the contract did not allow for the provider to give notice and leave the contract.
* SA then questioned if the Department was HMan’s biggest customer, as she was concerned that the provider may liquidate if they continued to fail to meet the terms of the contract.
* AA advised that the Department had considered such potential issues and confirmed that HMan was also in contract with a larger public sector customer.
* JW asked if HMan were a large provider and AA confirmed that they fell under a larger umbrella company.
* PS noted that the provider could simply fail to meet the terms of the contract and subsequently SA questioned what the consequences of that would be for HMan, and what incentive there was for improvement.
* AA advised that a commercial agreement needed to be implemented that was effective for all parties and that the issue would continue to be reported within the Quarterly Report until resolved.
* SA was reassured that HMan could not give notice or take other action easily.
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| Agenda Item 6 | **Any issues raised from TPARG (18 August):*** ZP advised that one issue from TPARG had been escalated to the sub-committee regarding MCR. TP continued to provide support to employers and subsequently working groups had been created and MCR surgeries began in July. Feedback had been positive; however, concerns had been raised because payroll software used by providers required significant manual intervention which increased the work of local authorities excessively. It had been agreed at TPARG that this matter would be raised at the Employer Portfolio Steering Board.
* There is no live testing available with MCR (unlike MDC). Therefore there is some concern in respect of the three-month deadline in respect of correcting errors before the MCR file is submitted. TP are encouraging employers to make use of the template provided to identify errors before submission.
* There was further concern noted at TPARG that once the local authorities had been onboarded, TP would not have the resource available to continue to provide them with support. The commercial proposal regarding additional resources is currently being considered by the Department.
* JW confirmed that LAs were experiencing difficulties when live on MCR. LAs were complicated organisations which meant the MCR template was less straight forward than for the smaller establishments. She was pleased to learn these issues had been raised with DfE.
* SA advised that the issues had also been raised at the Managing Risk and Internal Communications (MR&IC) sub-committee. In that meeting it was explained that 10% of establishments were currently onboarded, with an aim for 100% to be onboarded by April 2024. The question was raised regarding how this would be achieved, and the MR&IC committee were expecting to receive further information regarding the issue.
* AL added that TP had organised the data by cohort.
* SA asked if the data could also be shared with the Service Delivery and Maintenance of Date (SD&MoD) sub-committee when it was available, and AL confirmed it would be once finalised.
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| Agenda Item 7 | **Review Dashboard and supporting papers:****Quarterly Report*** AA drew attention to the narrative on page 2 regarding the summer retirement exercise. This was an annual exercise that involved 12,000 cases this year, which was a 13% increase compared to previous years. However, the increase had been anticipated due to the lower retirement figures during the Coronavirus pandemic. The planning and organisation conducted by TP had successfully delivered the summer retirement exercise ahead of deadline.
* AA then drew attention to paragraph 3 and the revision of SLA 3. She confirmed that TP had, as advised at the June sub-committee and with the agreement of the Department, separated SLA 3 (Change of Entitlement cases), across three main areas: re-employment, revisions, and payroll cases. She advised that the anticipated positive outcome had been achieved.
* She noted KPI 5, which had also been split into three categories (affected re-employment, revisions, and payroll cases), had also achieved positive results and the member and employer experience had subsequently been enhanced.
* JW noted that SLA 3a was highlighted red within the Dashboard.
* DBa advised that this was due to teething issues with the new revisions, and therefore the set target was not currently being achieved. TP had experienced challenges due to an increase in the volume of revisions and re-employment cases. However, they expected service performance to continue to improve and to achieve a 100% target.
* AA commented on SLA 4b. She advised that there had been a slight decrease in performance regarding bereavement cases over the last quarter. This was due to a delay receiving death certificates from the coroner. Controls were promptly implemented to mitigate further impacts and failed casework was contained and progressed in-month. TP and the Department expected performance to increase to target levels in the next quarter.
* SA asked if the problem with the coroner’s office had been resolved. DBa confirmed that it had, and TP were now on target to achieve the SLA at 100%.
* AA stated that the outcome measures for members on page 7 were still being challenged against targets but added that TP were still not receiving feedback from satisfied members, which influenced the figures. A minimal number of members were dissatisfied and did provide feedback.
* AA advised that a lot of work had been carried out regarding increasing feedback volumes, but responses were still less than would be preferred. TP were in discussions with the Department regarding simplifying the process and questions to increase feedback volumes.
* DBa noted that out of 5,000 communications issued, only 37 survey responses were received in September.
* AA added that negative feedback volumes were not increasing, but positive feedback was not being received.
* PS wondered if feedback could be calculated differently, or if the baseline of the calculation could be altered.
* SA commented that incentivised feedback would be more likely to garner a response. AA responded that although feedback was important, incentivisation of the process could create privacy issues.
* AA advised that paragraph 65 of page 13 addressed an action raised at the June sub-committee, in which the Board questioned if any of the complaints received by TP were from repeat correspondents. AA confirmed that there were no serial correspondents, and no specific areas were identified as causing issue.
* AA stated that, as per the narrative on page 15, rectification work on Goodwin cases was proceeding as forecast and would be completed as per the agreed timeline.
* She then offered reassurance regarding the historic calculation correction cases mentioned on page 16. She advised that the majority of cases were not of material consequence to the scheme.
* AA noted that MCR had been discussed earlier in the meeting but added that the Department were working through the commercial proposal from TP and considering the resource pool available to support the employer network. It had been noted that some employers would require more one on one support, so this was being considered. A further update would be provided in next Quarterly Report.
* As part of the Continuous Improvement Programme, TP were currently working through several website improvements to move existing processes online to improve the user journey. This included the processes for notification of death, pensions on divorce, election to join and scheme pays, which were all now live. The application for death benefits process was due to go live in October and the transfers out process was scheduled to go live at the end of the year.
* SL noted that paragraph 77 advised that the team within TP responsible for the rectification of Goodwin cases had experienced some attrition. He asked how this had impacted the team.
* DBa responded that the controls in place to monitor attrition had been effective. She advised that the project was a ring fenced, temporary requirement and it was assumed there would be high levels of attrition, due to employees seeking permanent contracts. However, the resources were flexible and could be utilised elsewhere on a more permanent basis.
* AA added that many employees within similar projects moved internally to more permanent operations, therefore, skillsets were not lost. Employees were creating a career-path within TP.
* SA noted that paragraph 77 suggested there was still much work to be conducted on Goodwin cases and therefore challenged if the December deadline would be met.
* DBa acknowledged that some cases were more complex than originally anticipated and additional training had been required, but she was confident the team could deliver against the revised forecast.
* PS commented that it was important for the new administrative contract to begin without outstanding rectification work.

**Dashboard*** JW noted that most Dashboard content had been covered within the Quarterly Report discussions. She added that the figures for the number of cases processed against the number of cases received was reassuring.

**Complaints Dashboard*** JW commented that the data was reasonably consistent with last quarter. She noted that at the June sub-committee, DBa had warned that there may be an increase in complaints, but that hadn’t occurred.
* DBa explained that she had not been sure if the decrease within the previous quarter had been circumstantial, so was concerned an increase might have subsequently occurred within the more recent quarter. She was pleased to note that the new processes for acknowledging correspondence and offering frequent updates regarding case progress was increasing member satisfaction.
* JW thanked everyone for their contributions to the meeting.
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| Agenda Item 8 | **Agree Key Issues from the Meeting / Report to highlight at the next TPSPB meeting:** * Ill-Health update
* MCR
* Employer Portal and Web forms delivery
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| Agenda Item 9 | **Agree whether any individual papers or presentation should be shared with remaining Board members:*** None.
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| Agenda Item 10 | **AOB** * None.
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| Next meeting | 14 December 2022 via Teams |  |

Minutes agreed by Chair: Jackie Wood Date: 3 October 2022

Confirmed by circulation to sub-committee members on: 3 October 2022

To be ratified at sub-committee meeting on 14 December 2022