

Constitution Part 2, Section 5 - 16

1. Terms of Reference of the Cumbria Local Pension Board

- 1.1. The Local Government Pension Scheme (Amendment) (Governance) Regulations 2015 requires that the Council, as administering authority of Cumbria Pension Fund, establishes a local pension board. The role of the Board is to assist the Administering Authority in ensuring the effective and efficient governance and administration of the Local Government Pension Scheme including, securing compliance with LGPS Regulations, other legislation and the requirements of the Pensions Regulator.

1.2. Composition

- 1.2.1. The membership of the Cumbria Local Pension Board will comprise three scheme member representatives; three scheme employer representatives; and one independent member (non-voting) who shall be appointed as Chair of the Pension Board.
- The three employer representatives will be allocated 1 to the Council; 1 to Cumberland Council; and 1 for all other employers in the Cumbria Pension Fund. The three scheme member representatives will be selected to ensure all membership groups within the Cumbria Pension Fund are considered.
- 1.2.2. All Employer and Scheme Member Representatives of the Local Pension Board will be entitled to vote.
- 1.2.3. The Vice Chair of the Board will be elected annually by the three scheme member representatives and the three scheme employer representatives.

1.3. Reserves

- 1.3.1. Named substitutes are permitted and will be sought for each of the scheme member and scheme employer representatives. The relevant knowledge and capacity requirements also apply to reserves.

1.4. Quorum

- 1.4.1. The Pensions Board shall have a quorum of 3 which will require the Independent Chair (or the Vice Chair in the absence of the Independent Chair), 1 employer representative and 1 scheme member representative to be present.

1.5. Frequency of meetings

- 1.5.1. The Board will meet as a minimum quarterly. Meetings will be held during normal working hours and as a general principle, meetings will be open to the public.

1.6. Competency

- 1.6.1. The Administering Authority must ensure that each person appointed to the Local Pension Board has the relevant knowledge and the capacity to represent the employers or members (as appropriate) of the Pensions Fund. To ensure compliance, a general level of attendance at meetings and training events is required.

1.7. Functions of the Cumbria Local Pension Board

- 1.7.1. The Cumbria Local Pension Board is responsible for assisting the Administering Authority of the Cumbria Local Government Pension Scheme:

a) to secure compliance with:

- (i) The Local Government Pension Scheme Regulations 2013 (as amended from time to time);
- (ii) Other legislation relating to the governance and administration of the Local Government Pension Scheme ('LGPS'); and
- (iii) The requirements imposed by the Pensions Regulator in relation to the LGPS.

And to

- b) Ensure the effective and efficient governance and administration of the LGPS.

- 1.7.2. The Board must have a policy and framework to meet the knowledge and understanding requirements of section 248A of the Pensions Act 2004.

- 1.7.3. In its role in assisting the Administering Authority as described above, the Local Pension Board shall report at least twice yearly to the Pensions Committee on matters reviewed and suggestions for their consideration.

- 1.7.4. Where the Board is concerned that due consideration has not been given to matters of non-compliance the Board may submit a report for consideration by the Audit Committee as the body designated by the Administering Authority with the capacity to investigate such matters on its behalf.

1.8. Other relevant terms:

- 1.8.1. The Board is constituted under the Public Service Pension Act 2013 and the Local Government Pension Scheme (Amendment) (Governance) Regulations 2014 and is therefore not subject to the requirements of s.101 of the Local Government Act 1972. The Board has no remit as a decision making body; but is established to assist the Administering Authority fulfil its functions, which

shall be deemed to cover all aspects of governance and administration of the Pension Fund.

1.8.2. Appointment of Board members:

- a. To ensure an open and transparent selection process and to ensure the Administering Authority meets its obligation to ensure appointed members have the capacity, the selection process will be through application, matching to a role profile and interview. The Appointment Panel will consist of the Section 151 Officer (or deputy), Monitoring Officer (or deputy) and a member of the Board.
- b. Appointments will be for four years and there will be no limit on the number of times a member of the board can seek to be reappointed.

1.8.3. Appointment of the independent member who shall be appointed as Chair of the Pension Board:

- a. The selection process will be through application, matching to a role profile and interview. The interview panel will consist of the Section 151 Officer (or deputy), the Monitoring Officer (or deputy) and a member of the Board and the appointment will be agreed by that panel.
- b. Appointments will be for four years and will be subject to a maximum of two terms (i.e. eight years).

1.8.4. Duties of the Chair: The Chair of the Board shall ensure that:

- the Board delivers its purpose as set out the Board's Terms of Reference;
- meetings are productive and effective, and
- opportunity is provided for the views of all members to be expressed and considered and will determine when consensus is met.

1.8.5. Board expenses: Reimbursement of reasonable expenses for attendance by Board members and reserves (i.e. named substitute Board members) at meetings and training sessions will be per the Council's agreed policies and rates for Elected Members. All such costs will be met directly by the Pension Fund.

1.8.6. Relevant knowledge capacity – the Administering Authority must ensure that each person appointed to the Board has the relevant knowledge and the capacity to represent the employers or members (as appropriate) of the Fund. Initially this will be done through selection by the Administering Authority but, following appointment, it is a member's individual responsibility to ensure they attend sufficient training etc. to enable them to continue to fulfil the knowledge and capacity requirements. Full training will be provided to voting members (including reserves), and all reasonable costs will be met by the Fund. To ensure compliance with the above a general level of attendance at meetings and training events is required.

- 1.8.7. Code of Conduct and Conflicts of Interest Policy: Prior to appointment to the Board all members will be required to sign up to the Board's Code of Conduct and Conflicts of Interest Policy. As a body representing the public interest the Code of Conduct and Conflicts of Interest Policy of members of the Local Pension Board will be aligned to those applicable to Members of the Pensions Committee and is available on the Council's Website.
- 1.8.8. Special meetings: Where required, a minimum of 2 Board members (one from the Fund member representatives and one from the Fund employer representatives) or the Administering Authority can request a special meeting be convened. Notice of ten working days must be given.
- 1.8.9. Creation of Working Parties / Sub Group: As a non-decision-making body the Board have no authority to establish Working Parties / Sub Groups.
- 1.8.10. Commissioning of Service Providers and Advisors All Board members have the right to access the support of the experienced Local Government Pension Scheme Independent Advisors, however due regard has to be taken of securing value for money and as such whether in the first instance Officers could provide the assistance required. All such items of expenditure by the Board must have prior approval from the Director of Finance (S151 Officer).
- 1.8.11. Role of Officers: Reasonable secretarial and professional support will be provided by Officers of the Administering Authority. Costs associated with this will be directly charged to the Fund.
- 1.8.12. Publication and Data Protection:
- As a general principle, meetings will be open to the public.
 - Paper or electronic versions (as requested) of all agendas and papers will be provided to all members of the Board prior to a meeting. The Chair can accept that items be tabled on the day should such a need arise.
 - As a matter of policy, the Pension Fund has adopted the principles of paperless working, therefore as a matter of course public access to all agendas, public papers and minutes etc. will be available on the Council's website. On request alternative media versions are available.
 - Westmorland & Furness Council ("the Council") as the Administering Authority is the registered data controller of the Cumbria LGPS, and as such all policies and practices in this regard applicable within the Council are directly applicable to the Board.
- 1.8.13. Substitution / Reserves:
- Each substitute will be appointed for a four year term (or, in the case of elected members for the remainder of their current term of office) and there is no limit on the number of times the substitute can seek to be reappointed.