



NOT PROTECTIVELY MARKED

Contents may be seen by : General public

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| Author: D Wilne | Organisation: Staffordshire Police |
| Date created: 1 April 2015 | Date approved: 24 April 2015 |

Introduction

1. The purpose of this document is to set out the Terms of Reference for the Police Pensions Board for Staffordshire Police (the “Board”). The board is established by Chief Constable Jane Sawyers as Chief Constable of Staffordshire Police (the “Scheme Manager”) under the powers of section 5 of the PSPA and Regulation 10 of the Regulations on 1 April 2015.

Powers of the Police Pensions Board

2. The Board will exercise all its powers and duties in accordance with the law and this Terms of Reference

Functions of the Board

3. The role of the Pension Board is defined by Regulation 10(1) of the Regulations as to assist the Scheme Manager:
 - to secure compliance with The Regulations
 - to secure compliance with any other legislation relating to the governance and administration of the scheme (and any statutory pension scheme that is connected with it)
 - to secure compliance with any requirements imposed by the Pensions Regulator in relation to the Scheme (and any statutory pension scheme that is connected with it)
 - in the performance of the Scheme Manager’s function under the Regulations
4. The Scheme Manager considers that ‘assisting’ the Scheme Manager should be interpreted as helping the Scheme Manager in relation to such aspects of governance and administration of the Scheme as the Scheme Manager determines.
5. The Scheme Manager may wish to consider seeking assisting from the Board to:
 - set the scope and direction of the administration and any new strategic approach
 - ensure compliance with scheme regulations
 - respond to any requests / directions made by the pensions regulator
 - develop communication links with the Scheme Advisory Board (Police Advisory Board for England and Wales)
 - scrutinise the level and quality of service
 - develop and manage a risk management framework
 - improve pension data quality

- challenge the performance of the service providers
- oversee the procurement of administration services
- commission additional services from the administrator where appropriate
- approve and monitor audit delivery plans
- monitor complaints / disputes

Composition of the Board

6. The Board shall consist of 6 voting members - 3 voting Employer Representatives and 3 Member representatives.
7. There shall be an equal number of Employer and Member Representative
8. There shall also be a Chair and Deputy Chair who also have the power to vote (the chair has the casting vote in the event of tied vote).

Appointment and Removal of Chair and Deputy Chair

9. The Scheme Manager will appoint the Chair and Deputy Chair of the Board when the Board is first constituted for a term of 18 months
10. Where the Scheme Manager does not appoint an independent Chair the office of Chair must be filled alternatively by an Employer Representative and a Member Representative; and where the Chair is an Employer Representative, the Deputy Chair must be a Member Representative, and vice versa.
11. If the Chair or the Deputy Chair's term of office terminates by natural expiry under point 9 above the Scheme Manager may re-appoint the Chair or the Deputy Chair for a further term as set out in that paragraph. If the Chair or the Deputy Chair's term of office terminates for any other reason, the Scheme Manager will appoint another person to replace the outgoing party externally or from the existing membership of the Board.
12. The Chair will ensure that meetings are properly conducted and the decision of the Chair on all points of procedure and order shall be final.
13. The role of the Deputy Chair is to assist the Chair in carrying out their functions and to carry out those functions if the Chair is not present.
14. The Chair or Deputy Chair may delegate any of their functions apart from the responsibility to appoint Board Members

Appointment and Removal of Board Members

15. The Chair of the Board shall appoint the Employer Representatives and Member Representatives, subject to the approval of the Scheme Manager.
16. The eligibility and selection criteria for selecting Board Members and details as to how Board Members are to be removed are set out in the Police Pension Board Member Appointment and Removal Rules at Annex B.

Decision Making and Administration

17. The Chair of the Board will prepare an agenda of the Board prior to each Board meeting. The agenda shall be approved by the Scheme Manager before it is circulated.
18. Notice of meetings should be provided to all Board Members 20 working days in advance of each meeting. If a Board Member decision is required as a matter of urgency, a shorter notice period will be used.
19. The agenda and any papers for the Board will be issued at least 10 working days (where practicable) in advance of the meeting except in the case of matters of urgency.
20. Minutes of each meeting including all actions and agreements will be recorded and circulated to all Board Members within 10 working days after the meeting. These minutes will be subject to formal agreement by the Chair taking consideration of comments by Board Members (which may be done electronically between meetings).
21. The minutes may, at the discretion of the Chair, be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as required under any relevant Data Protection and Information Security Policy.
22. The Board will meet 4 times in each calendar year (to be reviewed annually). The Chair may call, or agree to call, additional meetings in exceptional circumstances.

Quorum and Appointment of Proxies

23. A meeting of the board is a quorate when at least 4 members are present, which must include the Chair or Deputy and equal numbers of Employer and Member representatives (in the event of non- equal numbers of Employer and Member representatives, arrangements should be decided upon on a case by case basis).
24. All Members of the Board are expected to regularly attend meetings. Records of attendance of all Members will be maintained in a Record of Attendance Register and reported to the Scheme Manager on at least an annual basis.
25. If for any reason a Board Member cannot attend a Board meeting they are not permitted to send a proxy in their place to attend and vote at the meeting.

Voting and Decision-making

26. Where all the Board Members are present at the meeting, a decision will require approval of a majority of Board Members present at the meeting.
27. Where a majority of the Board Members are present at the meeting, unanimous approval of all Board Members present is required.
28. Each Employer and Member Representative on the Board will have an individual voting right. The Chair and Deputy Chair also have voting rights.

29. If there is a tied vote on any issue, the Chair has a casting vote.
30. The results of any voting outcomes will be reported in the Board Minutes.

Creation of Working Groups/Sub-Boards

31. The Board has the power to set up working groups or sub-boards on whatever terms that the Board determines.
32. If the Board decides to create a working group or sub-board then it will prepare terms of reference for each of these sub-committees.

Budget

33. The Board will have a budget for the following purposes:
- fees and expenses for Board Members
 - legal, technical and other professional advice
 - cost of secretarial support
 - accommodation and administrative support to conduct its meetings and other business accommodation costs
 - training for members
 - anything else that the Scheme Manager determines

Fees and Expenses

34. Fees will be paid to Member Representatives not currently paid by Staffordshire Police for attending meetings and training etc. at a rate as determined by the Scheme Manager.
35. The employer of Representatives on the Pension Board will allow their employee time off to allow the Representative to perform the role within their normal working day.
36. In addition, Employer and Member Representatives will be entitled to claim expenses as determined by the Scheme Manager.

Conflicts of Interest

37. The members of the Board shall always act within these Terms of Reference and in accordance with any Conflict of Interest Policy the Board may have.
38. Though members of the Board include representatives of specific categories of stakeholder (i.e. scheme members and employers) each Board Member is required to have due regard to the role of the Board as outlined in these Terms of Reference. Accordingly all members are expected to work jointly with the key purpose of oversight of the management of the Scheme, putting aside any individual views of any stakeholders. This should not prevent Board Members from sharing their knowledge on how matters might impact specific stakeholders of the Scheme.

39. The Chair of the Board must be satisfied that the Board is acting within:

- the conflicts of interest requirements of the PSPA and the Regulations;
- the spirit of the Code of Practice in relation to conflicts of interest;
- accordance with any existing Conflict of Interest Policy

40. Each member of the Board, or a person proposed to be appointed to the Board, (as well as attendees participating in the meeting) must provide the Scheme Manager with such information as he or she reasonably requires for the purposes of demonstrating that there is no conflict of interest.

Advice and Information

41. The Board may appoint professional advisers, or other advisors to advise the Board on such matters that the Board determines. This will be on a 'as required' basis. For the avoidance of doubt, any expert adviser is not a Board Member.

42. The process for their appointment and agreeing their fees shall be on terms as the Board determines.

43. The Board should request such information and documents from the Scheme Manager that it requires to carry out its functions. The Scheme Manager will be required to consider positively all reasonable requests in relation to the role of the Board whilst being mindful of value for money.

Knowledge and Skills

44. Under the requirements of the PSPA, a member of the Board must be conversant with:

- the rules of the Scheme
- any document recording policy about the administration of the Scheme which is for the time being adopted in relation to the Scheme

45. In addition, a member of the Board must have knowledge and understanding of:

- the law relating to pensions;
- any other matters which are prescribed in regulations

Standards of Conduct

46. A Code of Conduct shall apply in relation to the standards of conduct of Board Members. This shall be in accordance with the Nolan Principles of Public Life

Reporting on the Boards Activities

47. The Chair shall provide the approved minutes of each meeting to the Scheme Manager and an annual report on the boards activity.

Access to the Public and Publication of Pension Board Information

48. The following will be entitled to attend Board meetings in an observer capacity:

- Chief Constable's Chief Finance Officer, Head of Legal Services
- other officers or advisers of the Force or other employers involved with the management of the Scheme subject to approval in advance by the Chair, or on request by the Chair
- any other person requested to attend by the Chair
- any other person subject to approval in advance by the Chair

Review, Interpretation and publication of Terms of Reference

49. These Terms of Reference have been agreed by the Board. The Board will monitor and evaluate its operation and may review these Terms of Reference from time to time.

50. The Terms of Reference are only effective once the Scheme Manager has provided confirmation that they approve them.

51. Changes to these Terms of Reference will only be approved by the Board, with the Scheme Manager's approval.

Definitions and Interpretations

The following words apply to the Terms of Reference:

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| "Board Member" | means a member of the Board (this includes a reference to an Employer Representative or Member Representative) |
| "Chair" | means the appointed Chairperson of the Pension Board. |
| "Code of Conduct" | means the code of conduct adopted by the Board. |
| "Code of Practice" | means The Pensions Regulator's [draft] Code of Practice no. 14 entitled " <i>Governance and administration of public service pension schemes</i> ". |
| "Conflicts of Interest" | is as defined in the PSPA. |
| "Conflicts of Interest Policy" | means the policy on conflicts of interest as adopted by the Board. |
| "Deputy Chair" | means the appointed deputy chairperson of the Board. |
| "Employer Representative" | means a person appointed to the Board for the purpose of representing employers for the Scheme and any connected scheme. |
| "Member" | means a person appointed to the Board for the purpose of |

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| Representative” | representing members of the Scheme and any connected scheme. |
| Police Pension Board Member Appointment and Removal Rules” | the document adopted by the Board setting out the nomination and selection procedure and how Board Members are to be appointed and removed. |
| “PSPA” | the Public Service Pensions Act 2013 (as amended). |
| “Regulations” | [The Police Pensions Regulations 2015] (as amended). |
| “Reporting Procedure” | means the procedure adopted by the Board setting out the Board’s procedure for reporting breaches of law and other matters. |
| “Scheme Manager” | the Chief Constable. |
| “Scheme” | the Police Pension Scheme. |