

Local Pensions Board

Wednesday, 16 December 2015 at 12:00

County Hall, County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

- 1 Introductions
- 2 Election of Chair
- 3 Apologies for Absence
- 4 Declarations of Interests by Members and Officers:- (see note below)
 - (a) Disclosable Pecuniary Interests
 - (b) Private Interests (pecuniary and non-pecuniary)
- 5 Membership of the Local Pension Board 3 - 6
- 6 Introduction to Nottinghamshire Local Pension Board 7 - 10
- 7 Nottinghamshire Pension Board Code of Practice 11 - 32
- 8 Training Needs Analysis 33 - 40
- 9 Work Programme 41 - 44

Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Paul Davies (Tel. 0115 977 3299) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

REPORT OF CORPORATE DIRECTOR, RESOURCES**MEMBERSHIP OF THE LOCAL PENSION BOARD****Purpose of the Report**

1. To inform the Board of its membership.

Information and Advice

2. The Local Pension Board's membership is as follows:

Employer representatives

Councillor David Kirkham	Nottinghamshire County Council
Councillor Sarah Piper	Nottingham City Council
James Lacey	Nottingham Trent University
David Smith	Autism East Midlands

Employee representatives

Tbc	Trade Unions
Tbc	Pension Scheme members x3

3. This membership complies with the requirements of the Public Service Pensions Act 2013, that there be an equal number of employer and member representatives, none of whom may be members of the Pension Committee or its sub-committees, and that the Board has at least four members.
4. Pension Scheme member representatives are in the process of appointment. The response to publicity in local papers and on the pension scheme website has been limited. Further efforts will be made by asking employers to publicise the role through their websites and other channels, and by a notice on the annual pay slip which pensioners will receive in March 2016.

5. It is understood that local pension boards elsewhere are also experiencing difficulty in recruiting employee representatives.
6. The latest position will be reported at the meeting.
7. In the longer term, if it is not possible to fill all three places for employee representatives, the County Council might consider reducing the size of the Board.

Other Options Considered

8. Not applicable.

Reason/s for Recommendation/s

9. To inform the Board of its membership.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the membership of the Board be noted.

Jayne Francis-Ward
Corporate Director, Resources

For any enquiries about this report please contact:
Paul Davies, Democratic Services tel 0115 977 3299

Constitutional Comments

11. As the report is for noting only, constitutional comments are not required.

Financial Comments (SRC 02/12/15)

12. There are no direct financial implications arising from this report. Any costs associated with the operation of the Pension Board would be a legitimate charge to the Fund in accordance with governing regulations.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Report to County Council on Local Government Pension Scheme Governance Regulations, 26 March 2015

Electoral Division(s) and Member(s) Affected

- All

16 December 2015

Agenda Item: 6

REPORT OF THE SERVICE DIRECTOR FINANCE, PROCUREMENT AND IMPROVEMENT AND SECTION 151 OFFICER

INTRODUCTION TO THE NOTTINGHAMSHIRE LOCAL PENSION BOARD

Purpose of the Report

1. To provide the Board with background information regarding the establishment of the Nottinghamshire Local Pension Board and its role.

Information and Advice

2. Nottinghamshire County Council is responsible for the administration of the Nottinghamshire Pension Fund, which is part of the Local Government Pension Scheme. Nottinghamshire Pension Fund functions are discharged through the Nottinghamshire Pension Fund Committee, the Pensions Investments Sub-Committee and the Pensions Sub-Committee.
3. In accordance with new legislative requirements Nottinghamshire County Council agreed to establish the Nottinghamshire Local Pension Board (the Board) in March 2015. The Board is responsible for assisting the County Council to secure compliance with pension legislation, and for ensuring the effective and efficient governance and administration of the Nottinghamshire Pension Fund.
4. The terms of reference of the Board are set out in the **Appendix** to the report.
5. The Board does not replace the existing Nottinghamshire pensions committees or make any decisions or carry out other duties which are the responsibility of those committees. Its first core function is to assist those committees in securing compliance with the relevant legislation relating to the governance and administration of the Pension Fund in Nottinghamshire. The second core function is to ensure the effective and efficient governance and administration of the Fund. The Board may determine which areas it wishes to consider and scrutinise in discharging these core functions; the starting point for this is consideration of the Board's work programme, which is reported separately to the meeting.
6. In support of its core functions the Board has authority to make a request for information with regard to any aspect of the administration of the pension fund. It may also make recommendations to relevant committees which should be considered and a response made to the Board. It also has authority to escalate serious concerns as necessary.

7. There is a requirement for all Board members to undertake sufficient training to enable them to contribute effectively. Training requirements are reported separately to the meeting.
8. The Board will require independent professional advisory support in respect of the preparation of reports and the provision of advice. John Raisin Financial Services Limited has been appointed as external advisor.

Other Options Considered

9. None, this report is for noting only.

Reason/s for Recommendation/s

10. None, this report is for noting only.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) To note the statutory requirement for the establishment of the Nottinghamshire Local Pension Board, its core functions and its terms of reference.

Nigel Stevenson

Service Director Finance, Procurement and Improvement and Section 151 Officer

For any enquiries about this report please contact:

Sue Bearman, Senior Solicitor

Susan.Bearman@nottscc.gov.uk

0115 9773378

Constitutional Comments

12. This report is for noting only therefore constitutional comments are not required.

Financial Comments (SRC 02/12/15)

13. There are no direct financial implications arising from this report. Any costs associated with the operation of the Pension Board would be a legitimate charge to the Fund in accordance with governing regulations.

Appendix

The Nottinghamshire Local Pension Board – Terms of Reference

1. The exercise of the powers and functions set out below are delegated by the Full Council to the Local Pension Board: -
 - a. Responsibility for assisting the Nottinghamshire Pension Fund Committee and its sub-committees:
 - To secure compliance with all legislation relating to the governance and administration of the Local Government Pension Scheme in Nottinghamshire and the requirements imposed by the Pensions Regulator, and
 - To ensure the effective and efficient governance and administration of the Local Government Pension Scheme in Nottinghamshire
 - b. Authority to request information with regard to any aspect of the Council's function as Administering Authority of the Local Government Pension Scheme in Nottinghamshire, any such request to be reasonably complied with.
 - c. Authority to make recommendations to County Council or the relevant committee, any such recommendations being considered and a response made within a reasonable period of time.
 - d. Authority to escalate serious concerns [relating to potential fundamental breach of legislation or governance failure] to the relevant body.

NOTE: -

- The Board and all Board Members are required to comply with the Nottinghamshire Local Pension Board Code of Practice.

16 December 2015

Agenda Item: 7

REPORT OF THE CORPORATE DIRECTOR RESOURCES AND MONITORING OFFICER

NOTTINGHAMSHIRE LOCAL PENSION BOARD CODE OF PRACTICE

Purpose of the Report

1. To request that the Board adopts the Nottinghamshire Local Pension Board Code of Practice.

Information and Advice

2. On 26 March 2015 Nottinghamshire County Council established the Nottinghamshire Local Pension Board (the Board) and authorised the Council's Monitoring Officer to finalise a Code of Practice for the Board, together with any other necessary constitutional documents required to bring the Board into effect in accordance with the legislative requirements.
3. The draft Code of Practice is attached at **Appendix 1**. The Board is asked to formally adopt the Code. Provisions that may be of particular interest to members of the Board are explained in more detail below.
4. Paragraph 7 and 11 of the Code of Practice stipulate that it will not be possible for Board members to appoint substitutes in their absence. The rationale for this is that all Board members are required to undertake specialist training and it would be impractical for non-members to meet this requirement.
5. Paragraphs 18 to 20 of the Code of Practice set out requirements in relation to conflicts of interest. To supplement the requirements regarding conflicts of interest all Board members are required to sign the County Council's Code of Conduct for Councillors and Co-opted Members. The Code of Conduct is reproduced at **Appendix 2**. This provision does not apply to any City Councillor who is a Board member as they have already confirmed to abide by their own authority's Code of Conduct.
6. Paragraph 27 of the Code of Practice stipulates that a meeting is only quorate when at least 3 voting members are present, including at least one member representative and one employer representative.
7. In light of the statutory requirement for equal representation paragraph 28 of the code of Practice stipulates that where an equal number of votes are cast there will be no casting vote.

8. The County Council's committee meeting procedure rules will apply to the Board, subject to variations set out in the Code of Practice. The meeting procedure rules are reproduced at **Appendix 3**.

Other Options Considered

9. The rationale for the recommendations in relation to substitutes and voting are set out in the report.

Reason/s for Recommendation/s

10. To meet the requirements of the Local Government Pension Scheme Guidance on the creation and operation of Local Pension Boards in England and Wales.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the Board adopts the Nottinghamshire Local Pension Board Code of Practice.

Jayne Francis-Ward
Corporate Director Resources and Monitoring Officer

For any enquiries about this report please contact:

Sue Bearman, Senior Solicitor
Susan.Bearman@nottscc.gov.uk
0115 9773378

Constitutional Comments (SMG 04/12/2015)

12. The proposals set out in this report fall within the remit of this Board.

Financial Comments (SRC 02/12/2015)

13. There are no direct financial implications arising from this report. Any costs associated with the operation of the Pension Board would be a legitimate charge to the Fund in accordance with governing regulations.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- The Local Government Pension Scheme Guidance on the creation and operation of Local Pension Boards in England and Wales is published

Electoral Division(s) and Member(s) Affected

- All

APPENDIX 1

NOTTINGHAMSHIRE LOCAL PENSION BOARD

CODE OF PRACTICE

Introduction

1. This Code of Practice for Nottinghamshire Local Pension Board was approved by The Nottinghamshire Local Pension Board on [insert date].

Membership

2. The Board shall consist of 8 voting members, as follows:
 - 4 Member Representatives
 - 4 Employer Representatives
3. There shall be an equal number of Member and Employer Representatives.
4. The Board is established under the Public Service Pensions Act 2013 (the Act); the rules of political proportionality relating to bodies established under the Local Government Act 1972 are not applicable.

Member representatives

5. Member representatives shall either be scheme members or have capacity to represent scheme members of the Nottinghamshire Pension Fund (the Fund).
6. Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
7. Substitutes shall not be appointed.
8. A total of 4 member representatives shall be appointed from the following sources:
 - a) The recognised trade unions representing employees who are scheme members of the Fund.
 - b) Staff groups following a transparent selection process which should be open to all Fund members.
 - c) Scheme Pensioners following a transparent selection process which should be open to all Fund members.

- d) Other scheme members following a transparent selection process which should be open to all Fund members.

Employer representatives

- 9. Employer representatives shall be office holders or senior employees of employers of the Fund or have experience of representing scheme employers in a similar capacity. No officer or elected member of Nottinghamshire County Council who is responsible for the discharge of Nottinghamshire Pensions Committee and its Sub-Committees may serve as a member of the Board.
- 10. Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
- 11. Substitutes shall not be appointed.
- 12. A total of 4 employer representatives shall be appointed to the Board from any of the following sources:
 - a) 1 employer representatives shall be appointed by Nottinghamshire County Council.
 - b) 1 employer representatives shall be appointed by Nottingham City Council.
 - c) 1 large employer representative shall be appointed where all employers will have been asked to submit their interest in undertaking the role of employer representative on the Board.
 - d) 1 small employer representative shall be appointed where all employers will have been asked to submit their interest in undertaking the role of employer representative on the Board.

Appointment of chair

- 13. A chair shall be appointed for the Board by the employer and member representatives of the Board from amongst their own number.

Terms of Office

- 14. The term of office for Board members is 4 years.
- 15. Extensions to terms of office may be made by Nottinghamshire County Council with the agreement of the Board.
- 16. A Board member may be appointed for further terms of office using the methods set out in paragraphs 8 and 12 above.

17. Board membership may be terminated prior to the end of the term of office due to:

- (a) A member representative appointed on the basis of their membership of the scheme no longer being a scheme member in the Fund.
- (b) A member representative no longer being a scheme member or a representative of the body on which their appointment relied.
- (c) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied.
- (d) A Board member no longer being able to demonstrate to Nottinghamshire County Council their capacity to attend and prepare for meetings or to participate in required training.
- (e) The representative being withdrawn by the nominating body and a replacement identified.
- (f) A Board member has a conflict of interest which cannot be managed.
- (g) A Board member who is an elected member becomes a member of Nottinghamshire County Council's Pensions Committee or its Sub-Committees.
- (h) A Board member who is an officer of the Administering Authority becomes responsible for the discharge of any function of the Administering Authority under the Regulations.

Conflicts of interest

- 18. All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.
- 19. A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the Nottinghamshire Pension Scheme (the Scheme).
- 20. On appointment to the Board and following any subsequent declaration of potential conflict by a Board member, the Administering Authority shall ensure that any potential conflict is effectively managed in line with the requirements of Nottinghamshire County Council's Code of Conduct for Councillors and Co-opted Members.

Knowledge and understanding (including Training)

- 21. Knowledge and understanding must be considered in light of the role of the Board to assist the Administering Authority. The Board shall establish and maintain a knowledge and understanding framework to address the knowledge and understanding requirements that apply to Board members under the Act. That framework shall set out the degree of knowledge and understanding required as well as how knowledge and understanding is acquired, reviewed and updated.
- 22. Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding framework.
- 23. Board members shall participate in such personal training needs analysis or other processes that are put in place in order to ensure that they maintain the required level of knowledge and understanding to carry out their role on the Board.

Meetings

- 24. The Board shall as a minimum meet two times each year.
- 25. Meetings shall normally take place between the hours of 10am and 4pm at County Hall.
- 26. The chair of the Board with the consent of the Board membership may call additional meetings. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board including telephone conferencing and e-mails.

Quorum

- 27. A meeting is only quorate when at least 3 voting members are present, including at least one member representative and one employer representative.
- 28. A meeting that becomes inquorate may continue but any decisions will be non-binding.

Voting

- 29. Where there is an equal number of votes for and against a motion there will be no casting vote; the motion will be considered defeated.

Public access to Board meetings and information

- 30. County Councillors and the general public will have rights of access to meetings under the Council's meeting procedure rules.
- 31. The following will be entitled to attend Board meetings in an observer capacity:
 - (a) Co-Opted Members of the Pensions Sub-Committee and Pensions Investment Sub-Committee,
 - (b) Any person requested to attend by the Board.

Any such attendees will be permitted to speak at the discretion of the Chair.

Expenses and allowances

- 32. The Administering Authority will meet the expenses of Board members in line with the Administering Authority's policy on expenses as set out in the Councillor's Allowances Scheme.

Budget

- 33. The Board is to be provided with adequate resources to fulfil its role. In doing so the budget for the Board will be met from the Fund. The County Council will allocate an annual budget which is managed by and at the discretion of the Board.

APPENDIX 2

CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS

INTRODUCTION

1. The public is entitled to expect the highest standards of conduct from all Councillors and co-opted members of the County Council.
2. The Code sets out the standards of service that are expected from Councillors and co-opted members of the Council. In particular, Councillors and co-opted members should act in an open and transparent manner and should not do anything which would prejudice the reputation of the Council.
3. It is important Councillors and co-opted members understand their position as regards standards of conduct, and if in any doubt should seek guidance. This is because in some circumstances a breach of the Code could be a criminal offence and because any person could make a complaint to the Council if they believe a Councillor or co-opted member has breached the Code.
4. This Code is adopted in accordance with Section 27(2) of the Localism Act 2011.

UNDERLYING PRINCIPLES

5. As a Councillor or co-opted member of the Council you must have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

GENERAL CONDUCT

6. Accordingly, when acting in your capacity as a Councillor or co-opted member:
 - a. You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate;
 - b. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties;
 - c. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit;
 - d. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office;

- e. You must be as open as possible about your decisions and actions and the decisions and actions of the Council and should be prepared to give reasons for those decisions and actions;
- f. You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below;
- g. You must, when using or authorising the use by others of the resources of the Council, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986;
- h. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example

REGISTERING AND DECLARING PECUNIARY AND NON-PECUNIARY INTERESTS

- 7. You must, within 28 days of taking office as a Councillor or co-opted member, notify the Council's Monitoring Officer of any Disclosable Pecuniary Interest (we have set out the definition of a Disclosable Pecuniary Interest in the Appendix to this Code), where the pecuniary interest is yours, or that of your spouse, civil partner, or a person you are cohabiting with.
- 8. You must declare any Disclosable Pecuniary Interests and private interests, both pecuniary and non-pecuniary, to any meeting of the Council at which you are present and have an interest in any matter being considered.
- 9. If the interest being declared is a "sensitive interest" you only have to disclose the fact you have an interest but do not need to disclose the nature of the interest.
- 10. Following any disclosure of a Disclosable Pecuniary Interest not on the Council's register, you must notify the Monitoring Officer of the interest within 28 days of the date of disclosure.
- 11. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a Disclosable Pecuniary Interest.
- 12. Additionally, you are required to leave the room in which the meeting is being held whilst the matter is under consideration in accordance with the Council and Committee procedure rules, paragraphs 17 and 12 respectively.

SENSITIVE INTEREST

13. Where you are concerned that the disclosure of an interest would lead to you or a person connected with you being subject to violence or intimidation, you may request the Monitoring Officer to agree that the interest is a “sensitive interest”.
14. If the Monitoring Officer agrees, then you merely have to disclose the existence of the interest rather than the detail of it, at a meeting, and the Monitoring Officer can exclude the detail of the interest from the Council's publicly available version of the register.
15. You must, within 28 days of becoming aware of any change of circumstances which means that information excluded is no longer a “sensitive interest”, notify the Council's Monitoring Officer in writing.

APPENDIX

DISCLOSABLE PECUNIARY INTERESTS

Interest	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged</p>
Land	<p>Any beneficial interest in land which is within the Council's area.</p> <p>For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.</p>
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	<p>Any tenancy where (to your knowledge)</p> <p>—</p> <p>(a) the landlord is the Council; and</p>

	<p>(b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest</p>
Securities	<p>Any beneficial interest in securities of a body where –</p> <p>(a) that body (to your knowledge) has a place of business or land in the Council's area; and</p> <p>(b) either –</p> <ul style="list-style-type: none"> i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class. <p>For this purpose, "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.</p>

APPENDIX 3

PART B – PROCEDURE RULES FOR COMMITTEE AND SUB-COMMITTEE MEETINGS

INTRODUCTION

1. These rules are designed to ensure meetings run smoothly and are conducted properly.
2. So far as the law allows any of these rules may be suspended at any meeting, either for the whole meeting or for a particular item on the agenda. In order to achieve this, a motion must be moved and seconded and a vote carried.

ARRANGEMENTS FOR MEETINGS

3. The agenda and papers for meetings must be available at least five clear working days before the meeting.
4. A special meeting is arranged if the chairman or vice-chairman of the relevant committee, or any 4 of its members request such a meeting.
5. If any issues arise at a meeting in relation to interpretation of the procedure rules, the Chairman's decision will be final.

MINIMUM ATTENDANCE (QUORUM)

6. The following number of committee members must be present for the meeting to proceed or continue:
 - a. Less than 15 voting members 3
 - b. 15 to 25 voting members 4
 - c. More than 25 voting members 5
7. If there is an insufficient number of committee members present, the meeting will not proceed.

ORDER OF BUSINESS

8. The order of business will usually be:
 - a. at the first meeting after the annual Council meeting, appointing or noting the appointment of the Chairman and Vice-Chairman of the committee
 - b. the choice of a person to preside if the Chairman and Vice-Chairman are absent
 - c. confirmation of the minutes of the last meeting of the committee

- d. apologies for absence, including reasons
- e. declarations of interest
- f. business outstanding from the last meeting
- g. reports for decision by committee
- h. reports for information
- i. work programme (if applicable)

OTHER POINTS REGARDING THE ORDER OF BUSINESS

- 9. At any time during the meeting the Chairman can adjourn the meeting.
- 10. The order of business can be varied at the discretion of the Chairman.
- 11. The minutes of ordinary meetings will not normally be confirmed at special meetings.

DECLARATIONS OF INTEREST

- 12. Where any Councillor has an interest in any matter to be discussed or decided, they will, in accordance with the Code of Conduct for Councillors and Co-opted Members, declare the existence and nature of that interest and whether the interest is Disclosable Pecuniary Interest. Any declaration of interest will be recorded in the minutes of the meeting.
- 13. Where any Councillor has declared a Disclosable Pecuniary Interest in any matter, they will leave the room in which the meeting is being held while the matter is under consideration unless:
 - a. The Chief Executive has granted them a dispensation; or
 - b. the matter is only under consideration by the meeting as part of a report of the Minutes of a committee or sub-committee and is not itself the subject of debate.
- 14. If the Councillor has chosen to remain within easy reach, that Councillor will be recalled by an appropriate officer before any further business is started.
- 15. Subject to paragraph 16, any person or officer of the authority who is appointed to do anything in connection with the County Council which enables them to speak at meetings, will make the same disclosures of interests and will withdraw from the room in which the meeting is being held on the same occasions as they would have to do if they were a County Councillor.
- 16. Paragraph 15 above does not apply to members of the public who are entitled to speak at Planning and Licensing Committee.

CONSIDERATION OF RECOMMENDATIONS IN REPORTS

17. The report recommendation should be 'moved' by one committee member and 'seconded' by another committee member. It then becomes a 'motion' which may be debated before a vote is taken.
18. Motions relating to the following may be moved and seconded without notice but must be provided in writing to the Chairman when being moved:
 - a. an alternative to a recommendation in the report
 - b. amendments to motions

MOTIONS NOT REQUIRING PRIOR WRITTEN NOTICE

19. The following motions can be moved and seconded orally to ensure meetings run smoothly and are conducted properly:
 - a. appointment of a Chairman for the meeting in the absence of the Chairman and Vice-Chairman
 - b. request to withdraw a motion
 - c. that the matter be put to a vote
 - d. that the meeting be adjourned
 - e. variation of the order of business
 - f. suspension of the procedure rules
 - g. exclusion of the public
 - h. that a named committee member should not be heard further

THE RULES OF DEBATE

20. If a committee member wishes to speak they should indicate their intention by raising their hand.
21. The Chairman will decide the order in which speakers will be heard. Any committee member who wishes to speak will be given the opportunity to do so unless any of the exceptions contained in these rules of debate apply.
22. Committee members can speak for a maximum of 10 minutes, subject to any exceptions set out below.
23. Committee members when speaking must address the Chairman.
24. Councillors must speak strictly to the subject under discussion.

25. Whenever the Chairman stands during a debate the committee must be silent.
26. Any committee member may at any time during a meeting request that the meeting be adjourned for up to one hour. The Chairman of the meeting has discretion to decide whether to agree the request and, if agreed, to determine the length of any such adjournment.
27. If the motion has been amended since the committee member last spoke, that member may move a further amendment to the motion.
28. The committee member who moved the original motion has a right of reply at the close of the debate on that motion or any agreed amendment.
29. If an amendment to a motion has been moved and seconded, the mover of the original motion has the right of reply at the close of the debate on the amendment following the mover of the amendment's closing remarks.
30. A motion may be altered with the consent of the mover and seconder.

POINTS OF ORDER AND PERSONAL EXPLANATIONS

31. With the consent of the Chairman any committee member may make a brief comment, ask a question designed to clarify a matter which has been raised, or indicate where they feel the procedure rules have not been followed. They may not introduce new material or make a speech on this.
32. The Chairman's ruling on this will be final and they may limit such exchanges to maintain the flow of debate.

AMENDMENTS TO RECOMMENDATIONS AND MOTIONS

33. Amendments to a motion can be moved or seconded by any committee member to leave out words, to add words or both provided that such changes must not have the effect of fundamentally altering the spirit or intention of, or directly reversing the spirit or intention of, the original proposal (for example to recommend approval instead of refusal) and must be relevant to the original motion.
34. The motion will remain in the name of the original mover if they propose or accept the amendment.
35. Amendments must be dealt with and voted on one at a time, subject to the exceptions set out in the Rules of Debate.
36. If a motion to move an amendment is rejected following a vote then alternative amendments can be moved.
37. If an amendment is not accepted by the mover of the original motion, the following procedure will apply:-

- a. the amendment will be debated
- b. a vote will then be taken on whether the amendment should become the substantive motion
- c. if the amendment is carried, then the new substantive motion will be in the name of the committee member who moved the successful amendment
- d. debate will continue and further amendments may be moved
- e. after all amendments have been dealt with using the procedure stated above then a vote will be taken on the final substantive motion

BRINGING DEBATE TO EARLY CLOSURE

- 38. A committee member who has not already spoken on the matter may orally move a motion that a vote should be taken immediately. This must be seconded.
- 39. If the Chairman feels there has been sufficient discussion of the issue he may put the oral motion to the vote.
- 40. If the vote is carried the motion or amendment will be put to the vote following closing remarks by the proposer of the motion or amendment.

VOTING

- 41. Votes in committee are to be determined by a show of hands.
- 42. Where there is an equal number of votes for and against a motion the Chairman can exercise a second or casting vote.
- 43. A recorded vote will be taken if 2 or more committee members request it. The process will be as follows:
 - a. The names of all committee members will be called and the vote of each member recorded.
 - b. The Chairman will announce the result.
 - c. The minutes will record how each committee member voted.
- 44. Any committee member can require that the minutes of the meeting record how they voted on any decision taken.

REVERSING DECISIONS

45. Committee decisions are final and should normally not be altered or amended for 6 months. However, where a decision proves to be unworkable for whatever reason a further report on the issue will be brought back to the original decision-making meeting for further consideration on a request from the Committee's Chairman and Vice Chairman.

DISORDERLY CONDUCT

46. If, at any meeting, any committee member in the opinion of the Chairman of the meeting misbehaves by persistently disregarding their ruling, or by behaving improperly or offensively, or by obstructing the business of the meeting, the Chairman may move "that [the member named] should not be further heard" and the motion, if seconded, will be voted on without discussion.
47. If any committee member named continues the misconduct after a "should not be further heard" motion has been carried, the Chairman:
- a. may request the member to leave the meeting; or
 - b. may adjourn the meeting for any period considered necessary
48. In the event of a general disturbance which in the opinion of the Chairman makes business impossible, the Chairman, may adjourn the meeting for any period considered necessary and/or order that the public or a specific individual/s leave. "General disturbance" may include any action or activity by the public relating to the recording of the meeting which disrupts the conduct of the meeting or impedes other members of the public.

ATTENDANCE OF OTHER COUNTY COUNCILLORS

49. Any County Councillor who wishes to attend a meeting of a committee or sub-committee of which they are not a member will be entitled to do so. With the consent of the Chairman they will be entitled to speak once and for a maximum of 20 minutes on any matter that is of primary importance to their electoral division or its inhabitants rather than a general matter, but not to vote.
50. A County Councillor who attends a meeting in this capacity will be entitled to remain in the meeting when a resolution excluding the public is in force.
51. These provisions apply to Planning and Licensing Committee but not to any other committee or sub-committee that is exercising a function which is judicial in nature.

APPOINTMENTS TO COMMITTEES

52. Any changes in a committee's membership must be notified to Democratic Services no later than 4pm on the working day before the relevant meeting. (For the Health and Wellbeing Board, see paragraph 55 below)

53. Democratic Services will ensure that all appointments to committees are reported to the next meeting of the appropriate committee.

POLICY COMMITTEE AND COMMUNITY SAFETY COMMITTEE

54. When exercising scrutiny functions, the Committees may invite people to discuss issues of local concern and/or answer questions. They may for example wish to hear from residents and representatives of other organisations.

HEALTH AND WELLBEING BOARD

55. Substitute members can be appointed for the non-County Council representatives. Substitute members will have all the powers and duties of any ordinary member on the Board but will not be able to exercise any special powers or duties exercisable by the person they are substituting. Substitute members may attend meetings in this capacity only:-

- a. To take the place of the ordinary member for whom they are substituting where the ordinary member will be absent for whole of the meeting
- b. After the Proper Officer has been officially notified

PLANNING AND LICENSING COMMITTEE

56. The Committee will comply with its Code of Best Practice

57. The Committee's Code of Best Practice sets out who is entitled to speak at meetings of Planning and Licensing Committee.

PERSONNEL COMMITTEE

58. That Trade Union representatives be entitled to speak but not to vote at meetings of Personnel Committee.

CONDUCT COMMITTEE

59. Committee will elect a Chair at each meeting.

60. The Council's Procedure for Dealing with Conduct Allegations sets out who is entitled to speak at meetings of Conduct Committee.

OTHER

61. Placards, banners, advertising materials and similar items are not permitted in any committee meeting.

62. Members of the public may record proceedings and report all public meetings, although oral commentary during meetings is not permitted as this would be disruptive to the good order of the meeting.

63. Mobile phones must be switched to silent.

16 December 2015

Agenda Item: 8

REPORT OF SERVICE DIRECTOR – FINANCE, PROCUREMENT & IMPROVEMENT

TRAINING NEEDS ANALYSIS

Purpose of the Report

1. To present a proposed training needs analysis to be undertaken by members of the Pension Board.

Information and Advice

2. The Pensions Act 2004, as amended by the Public Service Pensions Act 2013, requires that every individual who is a member of the pension board of a public service pension scheme must :
 - (a) be conversant with the rules of the scheme and any document recording policy about the administration of the scheme which is for the time being adopted in relation to the scheme.
 - (b) have knowledge and understanding of the law relating to pensions and such other matters as may be prescribed.
3. The Pensions Regulator's Code of Practice No 14 states that scheme managers should 'establish and maintain policies and arrangements for acquiring and retaining knowledge and understanding to support their pension board members'. To assist with this, CIPFA has developed a *Technical Knowledge and Skills Framework* for local pension boards. The framework is intended to have two primary uses:
 - as a tool for scheme managers in meeting the Pensions Regulator's Code of Practice
 - as an assessment tool for individuals to measure their progress and plan their development
4. In total there are eight areas of knowledge and skills that have been identified as the core technical requirements for those working in public sector pensions. They are:
 - pensions legislation
 - public sector pensions governance
 - pensions administration
 - pensions accounting and auditing standards
 - financial services procurement and relationship management
 - investment performance and risk management
 - financial markets and product knowledge
 - actuarial methods, standards and practices.

5. As the first stage in establishing arrangements regarding knowledge and skills, members of the Board are asked to complete the attached training needs analysis (TNA). This asks members to indicate which forms of training and development are most effective for them and to score their current knowledge of the core areas using the following scale:
- 0 = Not relevant to your role
 - 1 = Poor, Not effective, No Understanding
 - 2 = Satisfactory, Quite Effective, Limited Understanding
 - 3 = Good, Effective, Some understanding
 - 4 = Very Good, Very effective, Full Understanding
6. Members are asked to return the TNA by the date specified on the form. The responses will help to determine a training plan for the Board and what type of training will be offered to members.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATIONS

- 1) That the report be noted

Report Author:

Simon Cunnington, Senior Accountant – Pensions & Treasury Management

For any enquiries about this report please contact: Simon Cunnington

Constitutional Comments

8. Because this report is for noting only, no Constitutional Comments are required.

Financial Comments (SRC 02/12/15)

9. There are no direct financial implications arising from this report. Any costs associated with the operation of the Pension Board would be a legitimate charge to the Fund in accordance with governing regulations.

Background Papers

None

December 2015

1. According to the Pensions Regulator's Code of Practice No 14, scheme managers should 'establish and maintain policies and arrangements for acquiring and retaining knowledge and understanding to support their pension board members'.
2. This training needs analysis (TNA) is being undertaken to assess current knowledge and skills within the Pension Board and to direct future training. In total there are eight areas of knowledge and skills that have been identified as the core technical requirements for those working in public sector pensions. They are:
 - pensions legislation
 - public sector pensions governance
 - pensions administration
 - pensions accounting and auditing standards
 - financial services procurement and relationship management
 - investment performance and risk management
 - financial markets and product knowledge
 - actuarial methods, standards and practices.
3. The TNA asks members to score their current knowledge of these areas using the following scale:
 - 0 = Not relevant to your role
 - 1 = Poor, Not effective, No Understanding
 - 2 = Satisfactory, Quite Effective, Limited Understanding
 - 3 = Good, Effective, Some understanding
 - 4 = Very Good, Very effective, Full Understanding
4. Please return completed forms by 22/01/2016 to Bev Chapman at:
 - beverley.chapman@nottscc.gov.uk
 - or 4th Floor, County Hall, West Bridgford, Nottingham NG2 7QP

Name:	
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Please score each item according to the following scale:

- 0 = Not relevant to your role
- 1 = Poor, Not effective, No Understanding
- 2 = Satisfactory, Quite Effective, Limited Understanding
- 3 = Good, Effective, Some understanding
- 4 = Very Good, Very effective, Full Understanding

Pensions legislation	Score
A general understanding of the pensions legislative framework in the UK.	
An overall understanding of the legislation and statutory guidance specific to the scheme and the main features relating to benefits, administration and investment.	
An appreciation of LGPS discretions and how the formulation of the discretionary policies impacts on the pension fund, employers and local taxpayers.	
A regularly updated appreciation of the latest changes to the scheme rules.	

Pensions governance	Score
Knowledge of the role of the administering authority in relation to the LGPS.	
An understanding of how the roles and powers of the DCLG, the Pensions Regulator, the Pensions Advisory Service and the Pensions Ombudsman relate to the workings of the scheme.	
Knowledge of the role of the Scheme Advisory Board and how it interacts with other bodies in the governance structure.	
Broad understanding of the role of pension fund committees in relation to the fund, administering authority, employing authorities, scheme members and taxpayers.	
Awareness of the role and statutory responsibilities of the treasurer and monitoring officer.	
A detailed knowledge of the duties and responsibilities of pension board members.	
Knowledge of: <ul style="list-style-type: none"> the Myners principles and associated CIPFA and SOLACE guidance. the stakeholders of the pension fund and the nature of their interests. consultation, communication and involvement options relevant to the stakeholders. how pension fund management risk is monitored and managed. 	74182
Understanding of how conflicts of interest are identified and managed.	
Understanding of how breaches in law are reported.	

Pensions administration	Score
An understanding of best practice in pensions administration, eg performance and cost measures.	
Understanding of the required and adopted scheme policies and procedures relating to: <ul style="list-style-type: none"> • member data maintenance and record-keeping processes • internal dispute resolution • contributions collection • scheme communications and materials. 	
Knowledge of how discretionary powers operate.	
Knowledge of the pensions administration strategy and delivery (including, where applicable, the use of third party suppliers, their selection, performance management and assurance processes).	
An understanding of how the pension fund interacts with the taxation system in the UK and overseas in relation to benefits administration.	
An understanding of what additional voluntary contribution arrangements exist and the principles relating to the operation of those arrangements, the choice of investments to be offered to members, the provider's investment and fund performance report and the payment schedule for such arrangements.	

Pensions accounting and auditing standards	Score
Understanding of the Accounts and Audit Regulations and legislative requirements relating to internal controls and proper accounting practice.	
Understanding of the role of both internal and external audit in the governance and assurance process.	
An understanding of the role played by third party assurance providers.	

Pensions services procurement and relationship management	Score
Understanding of the background to current public procurement policy and procedures, and of the values and scope of public procurement and the roles of key decision makers and organisations.	
A general understanding of the main public procurement requirements of UK and EU legislation.	
Understanding of the nature and scope of risks for the pension fund and of the importance of considering risk factors when selecting third parties.	
An understanding of how the pension fund monitors and manages the performance of their outsourced providers.	

Investment performance and risk management	Score
Understanding of the importance of monitoring asset returns relative to the liabilities and a broad understanding of ways of assessing long-term risks.	
Awareness of the Myners principles of performance management and the	

approach adopted by the administering authority.	
Awareness of the range of support services, who supplies them and the nature of the performance monitoring regime.	

Financial markets and products knowledge	Score
Understanding of the risk and return characteristics of the main asset classes (equities, bonds, property).	
Understanding of the role of these asset classes in long-term pension fund investing.	
Understanding of the primary importance of the investment strategy decision.	
A broad understanding of the workings of the financial markets and of the investment vehicles available to the pension fund and the nature of the associated risks.	
An understanding of the limits placed by regulation on the investment activities of local government pension funds.	
An understanding of how the pension fund interacts with the taxation system in the UK and overseas in relation to investments.	

Actuarial methods, standards and practices	Score
A general understanding of the role of the fund actuary.	
Knowledge of the valuation process, including developing the funding strategy in conjunction with the fund actuary, and inter-valuation monitoring.	
Awareness of the importance of monitoring early and ill health retirement strain costs.	
A broad understanding of the implications of including new employers into the fund and of the cessation of existing employers.	
A general understanding of the relevant considerations in relation to outsourcings and bulk transfers.	
A general understanding of the importance of the employer covenant and the relative strengths of the covenant across the fund employers.	

Please also indicate below the most relevant learning methods that may be applicable to you.
Please suggest other approaches that may be suitable.

Information	Yes	No	Not sure
In-house training			
E-learning			
External training			
Books, journals, guidance			
Conferences			
Other – please specify:			

REPORT OF CORPORATE DIRECTOR, RESOURCES

WORK PROGRAMME

Purpose of the Report

1. To invite the Board to consider its work programme.

Information and Advice

2. When establishing the Board in March 2015, the County Council considered that the Board would meet formally twice per year. It is suggested that the next meetings be held in April and September 2016.
3. At the next meeting, the Board members could be briefed on the Code of Conduct and declarations of interest and requirements to comply with the Pensions Regulator's Code of Practice, and be introduced to the work of the pensions administration and pensions investment teams.
4. Board members are also invited to consider priorities for inclusion in the work programme. The Local Government Pension Scheme (LGPS) Guidance provides a list of potential topics for the Board, shown in **Appendix 1**. The Guidance recognises that there may be other topics which the Board wishes to prioritise.

Other Options Considered

5. Not applicable.

Reason/s for Recommendation/s

6. To assist the Board in preparation of its work programme.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That consideration be given to the Board's work programme, and a timetabled work programme be presented at the next meeting of the Board.

Jayne Francis-Ward
Corporate Director, Resources

For any enquiries about this report please contact:

Constitutional Comments (KK 04/12/15)

8. The proposal in this report is within the remit of the Nottinghamshire Local Pension Board.

Financial Comments (SRC 02/12/15)

9. There are no direct financial implications arising from this report. Any costs associated with the operation of the Pension Board would be a legitimate charge to the Fund in accordance with governing regulations.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Local Government Pension Scheme Guidance on the Creation and Operation of Local Pension Boards in England and Wales, February 2015

Report to County Council on Local Government Pension Scheme Governance Regulations, 26 March 2015

Electoral Division(s) and Member(s) Affected

- All

Possible Topics for Local Pension Board Work Programme

(A) To assist the Administering Authority in securing compliance with the Regulations, legislation and Pension Regulator's requirements

1. Review regular compliance monitoring reports which shall include reports to and decisions made under the Regulations by the Committee.
2. Review management, administrative and governance processes and procedures in order to ensure they remain compliant with the Regulations, relevant legislation and in particular the Code.
3. Review the compliance of scheme employers with their duties under the Regulations and relevant legislation.
4. Assist with the development of and continually review such documentation as is required by the Regulations including Governance Compliance Statement, Funding Strategy Statement and Statement of Investment Principles.
5. Assist with the development of and continually review scheme member and employer communications as required by the Regulations and relevant legislation.
6. Monitor complaints and performance on the administration and governance of the scheme.
7. Assist with the application of the Internal Dispute Resolution Process.
8. Review the complete and proper exercise of Pensions Ombudsman cases.
9. Review the implementation of revised policies and procedures following changes to the Scheme.
10. Review the arrangements for the training of Board members and those elected members and officers with delegated responsibilities for the management and administration of the Scheme.
11. Review the complete and proper exercise of employer and administering authority discretions.
12. Review the outcome of internal and external audit reports.
13. Review draft accounts and Fund annual report.
14. Review the compliance of particular cases, projects or process on request of the Committee.
15. Any other area within the statement of purpose (i.e. assisting the Administering Authority) the Board deems appropriate.

(B) To ensure the efficient and effective governance of the Scheme

1. Assist with the development of improved customer services.
2. Monitor performance of administration, governance and investments against key performance targets and indicators.
3. Review the effectiveness of processes for the appointment of advisors and suppliers to the Administering Authority.
4. Monitor investment costs including custodian and transaction costs.
5. Monitor internal and external audit reports.
6. Review the risk register as it relates to the scheme manager function of the authority.

7. Assist with the development of improved management, administration and governance structures and policies.
8. Review the outcome of actuarial reporting and valuations.
9. Assist in the development and monitoring of process improvements on request of Committee.
10. Assist in the development of asset voting and engagement processes and compliance with the UK Stewardship Code.
11. Any other area within the statement of purpose (i.e. ensuring effective and efficient governance of the scheme) the Board deems appropriate.