

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:

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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