

REPORT REFERENCE NO.	DSFRA/24/41
MEETING	DEVON & SOMERSET FIRE & RESUCE AUTHORITY
DATE OF MEETING	19 DECEMBER 2024
SUBJECT OF REPORT	LOCAL PENSION BOARD – AMENDMENT TO TERMS OF REFERENCE
LEAD OFFICER	Clerk to the Authority (& Monitoring Officer)
RECOMMENDATIONS	<i>That the amendment to the Terms of Reference of the Local Pension Board set out at Appendix A of this report be approved.</i>
EXECUTIVE SUMMARY	The Local Pensions Board seeks to mandate, by amending its Terms of Reference, a minimum attendance requirement for its members to assure quorum can be achieved at its quarterly meetings.
RESOURCE IMPLICATIONS	None.
EQUALITY RISKS AND BENEFITS ANALYSIS	An initial assessment has not identified any equality issues emanating from this report.
APPENDICES	A. Revised Terms of Reference for the Local Pension Board
BACKGROUND PAPERS	None.

1. **INTRODUCTION**

- 1.1. The Public Services Pension Act 2013 (“the Act”) enshrines many of the reforms of public service pension schemes recommended following the independent review of public service pension schemes led by Lord Hutton.
- 1.2. In particular, the Act provides for the governance of public sector pension schemes whereby pension regulations must provide for the administration of each public service pension to become the responsibility of a Scheme Manager, a local Pension Board and a Scheme Advisory Board.
- 1.3. The Firefighters’ Pension Scheme (England) Regulations 2014 provided, amongst other matters, for:
 - Introduction of the latest firefighters’ pension scheme on 1 April 2015; and
 - making the Authority the Scheme Manager for the latest and, by virtue of Section 4(6) of the Act, previous firefighters’ pension schemes (Regulation 4).
- 1.4. The Authority, as Scheme Manager, is responsible for the management and administration of the firefighter’s pension schemes. Specifically, Scheme Managers will be responsible for the key areas of governance and administration including:
 - managing risks and ensuring there are adequate internal controls
 - keeping records and ensuring the quality of member data
 - ensuring the correct contributions are paid to the scheme
 - managing conflicts of interest
 - publishing information about the board
 - communicating information to members
 - resolving disputes and reporting certain breaches of the law.
- 1.5. The day-to-day administration and management of the firefighters’ pension schemes is formally delegated to the Head of People Services.
- 1.6. The Authority’s Local Pension Board (the Firefighters Pensions Schemes Local Pensions Board) was established in 2015. The Board comprises an equal number of employer and member representatives with a minimum requirement of no less than four in total. The Authority, as Scheme Manager, appoints four employer representatives to the Board, currently Councillor Simon Coles, the Assistant Director (Corporate Services) – Chair – and Andrew Furbear (Treasurer). Four scheme member representatives are appointed in addition to this together with an Independent member. The Board meets quarterly with a quorum of 50% of the total membership (i.e., four) to comprise at least one employer and one member representative.

1.7. This report has been submitted as the Local Pension Board wishes to make changes to the Terms of Reference which is a matter reserved to the Authority for approval.

2. PROPOSED, REVISED TERMS OF REFERENCE FOR THE BOARD

2.1. At its meetings of 11 September 2024, the Board discussed issues it had experienced and, in particular, challenges with meeting the quorum for attendance due to the availability of some Board members. The Board discussed the opportunities available to mitigate this happening. Attendance at Board meetings was important to aid in maintaining the requisite knowledge and experience.

2.2. As a result, and to try to assist in reaching the quorum at meetings, the Board proposed to add the following to its Terms of Reference document:

“2 (d): be present at a minimum of one meeting per a meeting cycle (municipal year)”.

2.3. Since that meeting, there have been discussions about amending the suggestion in paragraph 2.2 above to read as follows, which would better meet the Board’s requirements for attendance:

“2 (d): be present at a minimum of 50% of meetings per municipal year”

2.4. There were two vacancies for Scheme Member representatives currently which did not assist with this matter. An expression of interest advert will be published on the Services’ vacancy page shortly to address this element.

2.5. The proposed, revised Terms of Reference for the Board taking account of the amendment at paragraph 2.3 above are set out at Appendix A of this report.

2.6. As this matter is reserved to the Authority, approval is sought to amend the Board’s Terms of Reference to include the provisions set out at paragraph 2.2 above.

SAMANTHA SHARMAN
Clerk to the Authority (& Monitoring Officer)