



## Local Pensions Board

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Owner Local Pensions Board

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## 1. Guiding Principles

1.1. The RBFA Local Pensions Board is established in line with:

1.1.1. The Firefighters' Pension Scheme (Amendment) (Governance) Regulations 2015 (regulations 4A to 4D),

1.1.2. Public Service Pensions Act 2013 (sections 5 & 6),

1.1.3. The Public Service Pensions (Record Keeping and Miscellaneous Amendments) Regulations 2014 (regulation 6)

1.1.4. The Pensions Act 2004 (section 248A)

1.2. The RBFA Local Pensions Board is specifically guided by:

1.2.1. The Pensions Regulator Code of Practice: Governance and administration of public service pension schemes

1.2.2. LGA guidance document: Firefighters' Pension Scheme Guidance on the creation and operation of Local Pension Boards in England

## 2. Purpose and Aim

2.1. The purpose of the Board is to assist Royal Berkshire Fire Authority in its role as a scheme manager of the Firefighters' Pension Scheme. Such assistance is to:

2.1.1. Secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme and;

2.1.2. Ensure the effective and efficient governance and administration of the Scheme.

## 3. Membership

3.1. The Board will comprise an equal number of employer and member (of the pension schemes) representatives with a minimum requirement of no less than four in total.

### Member Representatives

3.2. A **minimum of** two member representatives shall be appointed to the Board.

3.3. Member representatives shall either be members of the scheme administered by Royal Berkshire Fire Authority or have experience of representing pension scheme members in a similar capacity.



# Terms of Reference

- 3.4. Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
- 3.5. Member representatives will be from the Fire Brigades Union (FBU). However, should trade union representation in Royal Berkshire Fire and Rescue Service change over time, the allocation of the member representative positions may be reviewed to include any other recognised trade union.
- 3.6. In the event that trade union recognition exceeds two, the Board constitution will be reviewed.

## Employer Representatives

- 3.7. A **minimum of** two employer representatives shall be appointed to the Board.
- 3.8. Employer representatives shall be office holders or senior employees of Royal Berkshire Fire Authority or have experience of representing scheme employers in a similar capacity. Office holders or employees of Royal Berkshire Fire Authority with delegated responsibility for discharging the scheme manager function of Royal Berkshire Fire Authority may not serve as employer representatives.
- 3.9. Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
- 3.10. Employer representatives shall be appointed by Royal Berkshire Fire Authority in a manner which it considers best promotes the purpose of the Board.

## Other Members

- 3.11. Up to 3 other members may be appointed to the Board by Royal Berkshire Fire Authority or by the Board itself.
- 3.12. Any appointments of other members shall have regard to the best interests of the purpose of the Board.

## Observers

- 3.13. **Up to two non-voting observers are permitted to attend each Pensions Board meeting for the purposes of transparency and succession planning.**

## Term of office

- 3.14. The Term of Office should be in accordance with the committee cycle in Royal Berkshire Fire Authority. Employer representatives should be appointed at the Annual meeting of the Fire Authority in June each year.

## Termination

- 3.15. Board membership may be terminated **by the Scheme Manager** prior to the end of the term of office due to:
  - 3.15.1. A member representative appointed on the basis of their membership of the scheme no longer being a member of the scheme;
  - 3.15.2. A member representative no longer being a member of the body on which their appointment relied;



- 3.15.3. An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied;
- 3.15.4. The representative no longer being able to demonstrate their capacity to attend and prepare for meetings or to participate in required training.
- 3.15.5. A member's role changes to include the discharge of the functions of the Firefighters' Pension Scheme.
- 3.15.6. The Scheme Manager has determined that there is an irreconcilable conflict of interest.

## 4. Chairperson

- 4.1. The Board should appoint one of its members as chair.
- 4.2. The duties of the chair should be in accordance with the duties of a chair within Royal Berkshire Fire Authority.

## 5. Meeting Arrangements

- 5.1. The Board shall as a minimum meet twice per year.
- 5.2. 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.
- 5.3. The total number of voting members required to be present for a meeting to be quorate is three, including the Chair or Deputy Chair.
- 5.4. The Chair shall determine when consensus has been reached.
- 5.5. Where consensus is not achieved this should be recorded by the Chair.
- 5.6. Only employer and member representatives are permitted to vote.
- 5.7. In support of its core functions the Board may make a request for information to the Chief Fire Officer with regard to any aspect of the scheme manager function. Any such a request should be reasonably complied with in both scope and timing.
- 5.8. In support of its core functions the Board may make recommendations to the Chief Fire Officer which should be considered and a response made to the Board on the outcome within a reasonable period of time.

## 6. Reporting and Governance

### Reporting

- 6.1. The Board reports to the Royal Berkshire Fire Authority Audit and Governance Committee.
- 6.2. The Board shall produce an annual report for the Audit and Governance Committee in July of each year.

### Duties of the Board

- 6.3. The Board should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty, Board members:



# Terms of Reference

- 6.3.1. Should act always in the interests of the scheme and not seek to promote the interests of any stakeholder group above another.
- 6.3.2. Should be subject to and abide by the Royal Berkshire Fire and Rescue Service codes of conduct for employees.

## Records

- 6.4. On behalf of the Fire Authority the Board shall maintain the following:
  - 6.4.1. A Terms of Reference document,
  - 6.4.2. An Action and Decision Log document that acts as the minutes of Board meetings
  - 6.4.3. A RBFRS Local Pensions Board Risk Register document
  - 6.4.4. A RBFRS Pensions Board Training Log document
  - 6.4.5. A RBFA Pensions Board Code of Conduct Document
  - 6.4.6. An Employer and Member Representative Role Description document,
  - 6.4.7. A Performance Monitoring document,
  - 6.4.8. A Declaration of Interests form, and
  - 6.4.9. A Register of Potential and Actual Conflicts of Interest document.
- 6.5. The following information is available on the RBFRS website:
  - 6.5.1. Who the members of the Board are.
  - 6.5.2. The representation on the Board of members of the scheme or schemes, and
  - 6.5.3. The matters falling within the Board's responsibility.
- 6.6. The following information shall be recorded for each Local Pensions Board meeting:
  - 6.6.1. The date, time and place of the meeting;
  - 6.6.2. The names of all the members of the pension board invited to the meeting;
  - 6.6.3. The name of any person who attended the meeting and the capacity in which each attended; and
  - 6.6.4. Any decisions made at the meeting.
- 6.7. Decisions made by any authorized sub-committee of the Local Pensions Board or by individual members of the Board, if so authorized, must also record:
  - 6.7.1. The date, time and place of the decision, and
  - 6.7.2. The names of the members of the pension board who participated in making the decision.
- 6.8. On appointment to the Board Royal Berkshire Fire Authority shall publish the name of the appointees, the process followed in the appointment together with the way in which the appointments support the effective delivery of the purpose of the Board.

## Conflicts of Interest

- 6.9. All members of the Board must declare to Royal Berkshire Fire 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.
- 6.10. On appointments to the Board and following any subsequent declaration of potential conflict Royal Berkshire Fire Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of Royal Berkshire Fire Authority and the



requirements of the Pensions Regulator's codes of practice on conflict of interest for Board members.

## Knowledge and understanding (including Training)

- 6.11. Knowledge and understanding must be considered in light of the role of the Board to assist Royal Berkshire Fire Authority. The Board should establish and maintain a policy and framework to address the knowledge and understanding requirements that apply to Board members. That policy and framework shall set out the degree of knowledge and understanding required as well as how knowledge and understanding is acquired, reviewed and updated.
- 6.12. 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 policy and framework.
- 6.13. 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.

## 7. Review

- 7.1. This terms of reference is reviewed annually.
- 7.2. The last review was November 2022.

## Change Control

Version	Date	Change	Status
1.02	16 Nov 2022	Document placed into new template. Governance arrangements aligned with legislation. Additional reasons for termination added. Attendance of observers added. Other minor amendments.	Draft