

Terms of Reference for the Dorset & Wiltshire's Firefighters' Local Pension Board

1. Introduction

1.1 Dorset & Wiltshire Fire and Rescue Authority (DWFRA) has established a Pension Board in accordance with the requirements of the Public Service Pension Act 2013.

2. Role and Powers of the Dorset & Wiltshire Fire Fighters' Local Pension Board

2.1 In relation to the Fire Fighters Pension Schemes (FFPS), the role of the board is to assist the Scheme Manager¹ to comply with its governance and administration requirements, being:

- secure compliance with the Schemes and associated regulations
- Managing risks and ensuring there are adequate internal controls
- Ensure the effective and efficient governance and administration of the Schemes
- To consider how discretionary and other pension related issues are being addressed
- To present an annual report to the Authority on the exercises of its functions.

2.2 The Board shall have the power to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its functions.

3. Members of the Dorset & Wiltshire Fire Fighters Local Pensions Board

3.1 The Board shall consist of 8 members and be constituted as follows:

4 Member (councillor) representatives;

- 4 scheme member (employee/retiree) representatives;

and members will normally have a period of office for 4 years (.although it was noted that FA members are appointed every year and changes may be required for FA members for political or administrative reasons_.

¹ This is the Fire Authority, delegated to the Chief Fire Officer

- 3.2 The Chairman of the Board will be elected by the Board at the first meeting of the board following the Annual General meeting of the DWFRA in each year, and the Vice Chairman of the Board will be elected by the first meeting of the Board following the annual General Meeting of the DWFRA in each year (apart from the term of office, where Board members will sit for 18 months, as the Board was established in November).
- 3.3 The Chairman and Vice Chairman of the Board will alternate between employer and scheme representatives each year (if the Chairman is a scheme representative then the vice Chairman will be an employer representative and vice versa).
- 3.4 The employer representatives will be appointed by DWFRA at its Annual General Meeting.
- 3.5 Scheme member representatives will be appointed by the Authority by seeking expressions of interest. They must be active, deferred or pensioner members of the FFPS.
- 3.6 Employer representatives and scheme member representatives will remain as members of the Board during their appointed term of office unless they become incapable of acting, cease to represent their constituency, resign by giving written notice to the Chairman of the DWFRA or are removed from the Board pursuant to Paragraph 4 of the Board's Code of Conduct (page 7).
- 3.7 Employer representative and scheme member representative may also be removed from office during their term of appointment by majority decision of a quorate meeting of the Pension Board if they do not comply with the requirements of paragraph 3.6.
- 3.8 Each Board member should endeavour to attend all Board meetings during the year and is required to attend half of the meetings held in each year.

4. Quorum

- 4.1 Half of the member of the Board will represent a quorum for Board Meetings, with a need of 2 Member and 2 employee representatives present.
- 4.2 In the absence of both the Chairman and the Vice-Chairman the members of the Board shall appoint a chairman for that meeting who shall while presiding have any power of duty of the Chairman In relation to the conduct of the meeting.

5. Advisers to the Board

5.1 The Board will be supported in its role and responsibilities by officers of DWFRA and it will consult with officers to help better perform its duties. In the event that specialist professional is not available from the officers of DWFRA then the Board may ask to seek independent professional advice through the appointment of advisers on their behalf, subject to financial and legal considerations.

6. Knowledge and Skills

6.1 A member of the Board must be conversant with:

- The legislation and associated guidance of the FFPS.
- Any documents recording policy about the administration of the FFPS for DWFRA.

6.2 A member of the Board must have knowledge and understanding of:

- Law relating to pensions, and
- Any other matters which are prescribed in regulations.

6.3 A member of the Board representing employers of scheme members must have the relevant experience and capacity to represent employer and scheme members respectively on the Board.

6.4 Notwithstanding the requirements set out above, it is anticipated that training will be given to Board Members to help them fulfil their role and to keep them updated on changes in the FFPS.

7. Board Meetings

7.1 There will be a minimum of two Board meetings a year and additional Board meetings may be called by the Chairman of the Board, when required. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board including telephone or video conference and e-mail.

8. Voting

8.1 Each member of the Board will have an individual vote and items will be decided by a simple majority of members attending the meeting but it is expected the Board will as far as possible reach a consensus. The Chairman shall determine when consensus has been reached.

8.2 In support of its core functions, the Board may make a request for information from the Scheme Manager, with regard to any aspect of the scheme manager's function. Any such request should be reasonable and complied with in both scope and timing.

8.3 In support of its core functions the Board may make recommendations to the Scheme Manager which should be considered and a response made to the Board on the outcome within a reasonable period of time.

9. Standards of Conduct

9.1 The role of Board members requires the highest standards of conduct and therefore the 'seven principles of public life' apply to all Board members, these are:

Selflessness

Integrity

Objectivity

Accountability

Openness

Honesty

Leadership

9.2 The Code of Conduct for Board Members set out in Annex A shall apply to all members of the Board. Members of the Board who are also a member of other authorities also remain bound by the Member's Code of Conduct of their own authority.

9.3 The Code of Conduct also includes information on conflicts of Interests that Board Members must adhere to and the procedure for dealing with any non-compliance with the Code of Conduct.

10. Publication of Pensions Board Information

10.1 Up to date information will be posted on the Authority's website showing:

- The names and information will be posted on the Board members.

- How the scheme members are represented on the Board.
- The responsibilities of the Board as a whole.
- The full terms of reference and policies of the Board and how they operate.

11. Accountability

11.1 The Board will be collectively and individually accountable to the Authority.

12. Reporting Breaches

12.1 Any potential or actual Breach that comes to the attention of the Board shall be dealt with in accordance with the Breaches Policy as set out in Annex B.

13. Expense Reimbursement

13.1 No basic allowance is payable to Board members although employer and scheme member representatives shall be entitled to claim Travelling Allowances on the terms set out in the then current Member's Allowance scheme, or DWFRS employees scheme as appropriate.

14. Interpretation

14.1 Any uncertainty or ambiguity or interpretation required relating to any matters contained in this document shall be resolved by reference to the Authorities Monitoring Officer.

Code of Conduct for members of the Dorset & Wiltshire Fire Fighters Local Pension Board Members

1. Introduction

This code of Conduct for Dorset & Wiltshire's Local Fire Fighters Pension Board has been adopted by DWFRS pursuant to its statutory duty to appoint a Pension Board for the FFPS.

This Code applied to members of the Dorset & Wiltshire's Local Fire Fighters Pension Board when acting in their capacity as members of the Board. For the avoidance of doubt, members of the Board who are also members of other authorities also remain bound by the Member's Code of Conduct of their own authority.

This Code is based on and is consistent with the principles of;

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty and
- Leadership

2. Obligations of Members of the Board

As a Member of Dorset & Wiltshire's Local Fire Fighters Pension Board, your conduct will address the principles of the Code of Conduct by:

- a. Not allowing other pressures, including the financial interest of yourself or others connected to you, to deter you from pursuing the interests of the FFPS, or the good governance of the FFPS in a proper manner.
- b. Exercising independent judgement and not compromising you position by placing yourself under obligations to outside individuals or organisation who might seek to influence the way you perform your duties.
- c. Listening to the interests of all parties, including relevant advice from statutory and other professional officers of the DWFRS (or those acting on their behalf), taking all relevant information into consideration. Remaining objective and making decisions on merit.
- d. Being accountable for your decisions and co-operating when scrutinised internally and externally.

- e. Contributing to make the Board's decision-making processes as open and transparent as possible.
- f. Restricting access to information when the wider public interest, the Board's Terms of Reference or the law requires it.
- g. Valuing your colleagues and Officers of the DWFRA and engaging with them in an appropriate manner.
- h. Always treating all people with respect and propriety.

3. Conflicts of Interests

- a. No member of the Board may participate in any business of the Board if they have financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board (this does not include a financial or other interest arising merely by virtue of membership of the Scheme or any connected Scheme) ('Conflict of Interest').
- b. After appointment all Board members must within 14 days of becoming aware of any new potential Conflict of Interest declare that potential Conflict of Interest to the Chair of the Board.
- c. A Board member should disclose any Conflict of Interest in any business of the Board either at the commencement of the meeting, the commencement of the consideration of the item or when the Conflict of Interest becomes apparent.
- d. If a Board member has a Conflict of Interest in any business of the Board then that member may not participate in any discussion of, vote on or discharge any function in relation to the matter. In addition, the Board member should withdraw from the room the meeting is being held.

4. Non-Compliance with the Code of Conduct

Any alleged breaches of the Code of Conduct including the non-disclosure of any relevant conflicts of interest should be reported to the Director of Finance in the first instance.

The matter will be independently investigated by the Director of Finance or Monitoring Officer and a written report will be produced that takes into account the material facts surrounding the alleged breach and the severity of the breach in the wider context of the business of the Board.

If the Director of Finance or Monitoring Officer conclude that there has been a breach and it is considered to be significant in the context of the business of the Board then the matter shall be referred to DWFRA for consideration. In the event that the Committee find that a member of the Board has failed to comply with the provisions of this Code then the Committee may determine that the Member is to immediately cease to be a member of the Board or take such action as DWFRA regard as appropriate. This can include but not limited to requiring the member to apologise or requiring the member to undertake such training as they feel is appropriate.

Breaches Policy

The Pension Regulator (TPR) Code of Practice states certain people involved with public service pension scheme must inform them of breaches of the law where that breach is likely to be material significance. This requirement extends to the Pension Board, employers and professional advisers.

A Breach is defined as :

A legal duty relevant to the administration for the scheme hasn't been or isn't being complied with: this could relate for instance to keeping records, internal controls, calculating benefits and, for funded schemes, includes investment governance and administration matters

In the event that an alleged Breach is identified, this should be reported to the Director of Finance in the first instance to seek guidance on whether or not the alleged Breach is of material significance.

In deciding whether an alleged breach is likely to be of material significance, the Director of Finance will consider the cause, effect, reaction to the wider implications of the breach.

Where it is concluded that a material Breach has happened, this will be reported to The Pension Regulator by the Director of Finance.

Where a Breach has occurred that is not considered to be material, this will be held on record and reported to the Pension Board.