



FIREFIGHTERS' PENSION SCHEME LOCAL PENSION BOARD OF EAST SUSSEX FIRE AUTHORITY TERMS OF REFERENCE

Name

1. The name of the Board is "Local Pension Board" ("the Board") and is established by East Sussex Fire Authority ("the Authority") as the Scheme Manager under the provisions of the Public Sector Pensions Act 2013 and The Firefighters' Pension Scheme (Amendment)(Governance) Regulations 2015.
2. The Board has been in place since 2015.

Statement of purpose

3. The purpose of the Board is to assist East Sussex Fire Authority in its role as a scheme manager of the Firefighters' Pension Scheme. Such assistance is to:
 - (a) 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';
 - (b) ensure the effective and efficient governance and administration of the Scheme.

Duties of the Board

4. The Board should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty Board members:
 - (a) should act always in the interests of the scheme and not seek to promote the interests of any stakeholder group above another.
 - (b) should be subject to and abide by the East Sussex Fire Authority code of conduct for members.

Membership

5. The Board will comprise an equal number of employer and member representatives with a minimum requirement of no less than four in total. The current membership is made up of four employer representatives who are elected members of and appointed by East Sussex Fire Authority and four scheme member representatives.
6. Substitute members will not be permitted.
7. Each Board member shall endeavour to attend all Board meetings during the year.

Employee/Member representatives

8. Four member representatives shall be appointed to the Board.
9. Member representatives shall either be members of the scheme administered by East Sussex Fire Authority or have experience of representing pension scheme members in a similar capacity.
10. Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

Employer/Elected representatives

11. Four employer representatives shall be appointed to the Board.
12. Employer representatives shall be elected members of and appointed by East Sussex Fire Authority.
13. Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
14. Employer representatives shall be appointed by East Sussex Fire Authority in a manner which it considers best promotes the purpose of the Board.

Appointment of chair

15. East Sussex Fire Authority shall appoint a chair.
16. The duties of the chair should be in accordance with the duties of a chair within East Sussex Fire Authority.

Notification of appointments

17. On appointment to the Board, East Sussex 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

18. All members of the Board must declare to East Sussex 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.
19. On appointments to the Board and following any subsequent declaration of potential East Sussex Fire Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of East Sussex 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)

20. Knowledge and understanding must be considered in light of the role of the Board to assist East Sussex Fire Authority in line with the requirements outlined in the section 'Duties of the Board' above. 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.
21. Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's Training policy.
22. 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.

Term of office

23. Term of Office shall be longer than 12 months where possible to allow sufficient development of knowledge and understanding.
24. 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 member of the scheme

- (b) A member representative no longer being a member 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) The representative no longer being able to demonstrate their capacity to attend and prepare for meetings or to participate in required training.

Meetings

- 25. The Board shall meet quarterly but no fewer than three times during any annual cycle.
- 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. The total number of members required to be present for a meeting to be quorate is 3 members, to include at least 1 employer and 1 member representative.

Voting

- 28. The chair shall determine when consensus has been reached.
- 29. Where consensus is not achieved this should be recorded by the chair.
- 30. In support of its core functions the Board may make a request for information to the Chief Fire Officer & Chief Executive or any other officer with delegated responsibility for the scheme manager function with regard to any aspect of that function. Any such a request should be reasonably complied with in both scope and timing.
- 31. In support of its core functions the Board may make recommendations to the Chief Fire Officer & Chief Executive or any other officer with delegated responsibility for the scheme manager function which should be considered and a response made to the Board on the outcome within a reasonable period of time.

Reporting

- 32. The Board shall report its activities periodically, but at least once each year to the Scrutiny & Audit Panel.

33. Pension Board members are required to report breaches of the law to the regulator where they believe there is a legal duty that has not or is not being complied with or the failure to comply will be of material significance to the Pensions Regulator in the exercise of its functions. Any breach brought to the attention of the Pension Board, whether potential or actual, shall be dealt with in accordance with the procedure set out in the Breaches of Law Policy and Guidance.

Interpretation

34. In these terms 'the Scheme' means the Firefighters' Pension Scheme.

35. In these terms 'regulations' include the Firefighters' Pension Scheme 1992, as amended, the Firefighters' Pension Scheme 2006, as amended, the Firefighters' Pension Scheme Regulations 2014 as amended, the Pension Regulators Codes of Practice as they apply to the scheme manager and pension board, and any other relevant legislation applying to the Scheme.

Amendment to the Terms of Reference

36. These terms of reference form part of the authority's constitution and may be amended in accordance with the constitution. Where the changes are required as a result of legislative changes, the Chief Fire Officer in consultation with the Monitoring Officer, may make consequential amendments.