

## **PENSION BOARD OF West Sussex Fire and Rescue Authority**

### **TERMS OF REFERENCE**

#### **Statement of purpose**

1. The purpose of the Board is to assist West Sussex Fire and Rescue Authority in its role as a scheme manager of the Fire Fighters 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. To this end, the Board may:

- Assist with improvements to customer service
- Monitor performance against indicators
- Review the risk register
- Monitor training needs
- Assist with the development of improved administration and governance structures and policies

#### **Duties of the Board**

2. 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 West Sussex Fire and Rescue Authority Code of Conduct.

#### **Membership**

The Board will comprise an equal number of employer and member representatives with a minimum requirement of no less than four in total.

#### **Member representatives**

3. Three scheme member representatives shall be appointed to the Board. The term 'member representative' includes active members, deferred members and pensioner members.
4. Member representatives shall either be members of the scheme administered by West Sussex Fire and Rescue Authority or have experience of representing pension scheme members in a similar capacity.

5. Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
6. Member representatives will be appointed to the Board as follows:

The FBU will appoint one member  
The RFU will appoint one member  
One other member representative.

### **Employer representatives**

7. Three employer representatives shall be appointed to the Board.
8. Employer representatives shall be office holders or senior employees of West Sussex Fire and Rescue Authority or have experience of representing scheme employers in a similar capacity.

Office holders or employees of West Sussex Fire and Rescue Authority with delegated responsibility for discharging the scheme manager function of West Sussex Fire and Rescue Authority may not serve as employer representatives.

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.
10. Employer representatives shall be appointed by West Sussex Fire and Rescue Authority in a manner which it considers best promotes the purpose of the Board.

### **Other people in attendance at Pension Board meetings**

11. The Board may invite expert officers to attend meetings to provide information to the Board.
12. Any such people in attendance at meetings will not have voting rights and shall have regard to the best interests of the purpose of the Board.

### **Appointment of chair**

13. West Sussex Fire and Rescue Authority shall appoint the chair.
14. The Chair will have the casting vote in any votes and will lead the meetings.
15. The Chair may appoint a Deputy Chair who will lead meetings in the absence of the Chair.

## **Notification of appointments**

16. On appointment to the Board, West Sussex Fire and Rescue 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**

19. All members of the Board must declare to West Sussex Fire and Rescue 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.
20. On appointments to the Board and following any subsequent declaration of potential conflict West Sussex Fire and Rescue Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of West Sussex Fire and Rescue Authority and the requirements of the Pensions Regulators codes of practice on conflict of interest for Board members.

## **Knowledge and understanding (including Training)**

21. Knowledge and understanding must be considered in light of the role of the Board to assist West Sussex Fire and Rescue Authority in line with the requirements outlined in the Duties of the Board.
22. 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.
22. 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.
23. 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**

24. The Term of Office for Board members will be three years. Members may only serve for a maximum of three terms of office (9 years).
25. 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**

- 26. The Board shall as a minimum meet twice per year. Meetings shall normally take place between the hours of 9.00am and 5.00pm.
- 27. 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**

- 28. The total number of members required to be present for a meeting to be quorate is 3 plus the Chair or Deputy Chair.

### **Voting**

- 29. The Chair shall determine when consensus has been reached.
- 30. Where consensus is not achieved this should be recorded by the Chair.
- 31. In support of its core functions the Board may make a request for information to the Chief Fire Officer and Deputy Chief Fire Officer, in their capacity as Scheme Managers for the Pension schemes, with regard to any aspect of the scheme manager function. Any such a request should be reasonably complied with in both scope and timing.
- 33. In support of its core functions the Board may make recommendations to the Chief Fire Officer and Deputy Chief Fire Officer, in their capacity as Scheme Managers for the Pension schemes, with regard to any aspect of the scheme manager function which should be considered and a response made to the Board on the outcome within a reasonable period of time.

### **Interpretation**

- 34. In these terms 'the Scheme' means the Firefighters' Pension Scheme.
- 35. In these terms Regulations means the Firefighters' Pension Scheme 1992, as amended, the Firefighters' Pension Scheme 2006, as amended and the Firefighters' Pension Scheme Regulations 2014 as amended.
- 36. 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.

## **ANNEX A APPOINTMENT PROCESSES**

### **Member representatives**

1. One representative shall be appointed by the FBU
2. One representative shall be appointed by the RFU
3. The third member shall be elected following a nomination process. In the event that no member is appointed following this process, an additional member of the Board shall be appointed; the process for which will be agreed by the Fire Authority and the representative bodies.
4. Any nomination should include information as to how the nominee meets the requirements of the role as set out in the terms of reference and how their appointment would be in the best interests of the purpose of the Board.
5. Nominations shall be communicated to all deferred and pensioner members by email along with information about the voting process.
6. The one nominee with the most number of votes shall be appointed to the Board.

### **Employer representatives**

1. The Authority will appoint three employer representatives. These may be from:
  - a. Group Managers
  - b. Area Managers
  - c. The Assistant Chief Fire Officer