



THE ESSEX POLICE, FIRE AND CRIME COMMISSIONER FIRE AND RESCUE AUTHORITY PENSION BOARD TERMS OF REFERENCE

Statement of purpose

1. The purpose of the Board is to assist the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (“the Authority”) in its role as a scheme manager of the Firefighters’ Pension Schemes. 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

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 Authority’s code of conduct.

Membership

The Board will comprise an equal number of Employer and Scheme Member representatives with a minimum requirement of no less than three in total.

Scheme Member representatives

3. Four scheme member representatives shall be appointed to the Board.
4. Three Scheme Member representatives shall be employees of the Authority and will remain an employee of the Authority for the term of office and be members of the scheme administered by the Authority.
5. One Scheme Member representative shall be a retired employee of the Authority and in receipt of a Firefighter Scheme pension.
6. Scheme 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 representatives

8. Four employer representatives shall be appointed to the Board.
9. Employer representatives shall be office holders or senior employees of the Authority or have experience of representing scheme employers in a similar capacity. Office holders or employees of the Authority, with delegated responsibility for discharging the scheme manager function of the Authority, may not serve as an employer representative.
10. Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
12. Employer representatives shall be appointed by the Authority in a manner which it considers best promotes the purpose of the Board.

Other members

13. No more than eight other members shall be appointed to the Board by the Authority.
14. Any appointments of other members shall have regard to the best interests of the purpose of the Board

Appointment of chair

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

Notification of appointments

17. On appointment to the Board, the 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 the 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 conflict the Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of the Authority and the requirements of the Pensions Regulators 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 the Authority in line with the requirements outlined 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 knowledge and understanding policy and framework.
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 two years.
24. Board membership may be terminated prior to the end of the term of office due to:
 - (a) A Scheme Member representative appointed on the basis of their membership of the scheme no longer being a member of the scheme
 - (b) A Scheme Member representative no longer being a member of the body on which their appointment relied, except for the retired member.
 - (c) A Scheme Member representative no longer being employed by the Authority, except for the retired member.
 - (d) An Employer representative no longer holding the office or employment or being a member of the body on which their appointment relied.
 - (e) The Employer or Scheme Member 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 as a minimum meet four times a year.
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. A meeting is only quorate when at least 50% of both Scheme member and Employer representatives are present including the chair or deputy chair.

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 officer with delegated scheme manager functions with regard to any aspect of the scheme manager 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 officer with delegated scheme manager which should be considered and a response made to the Board on the outcome within a reasonable period of time.

Interpretation

32. In these terms 'the Scheme' means the Firefighters' Pension Schemes.
33. 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 Firefighters' Compensation Scheme (England) Order 2006 and 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.

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