

## **HEREFORD & WORCESTER FIRE AUTHORITY AGREED PENSION BOARD TERMS OF REFERENCE**

### **Statement of purpose**

1. The purpose of the Board is to assist Hereford & Worcester Fire Authority in its role as a scheme manager of the Firefighters Pension Schemes (FPS). 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 Hereford & Worcester Fire Authority code of conduct for members.

### **Membership**

3. 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***

4. A minimum of two FPS member representatives shall be appointed to the Board.
5. The FPS member representatives shall have the capacity to represent members.
6. FPS 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***

7. A minimum of two employer representatives shall be appointed to the Board.
8. Employer representatives shall be office holders or senior employees of Hereford & Worcester Fire Authority. Office holders or employees of Hereford

& Worcester Fire Authority with delegated responsibility for discharging the scheme manager function of Hereford & Worcester Fire 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 Hereford & Worcester Fire Authority in a manner which it considers best promotes the purpose of the Board.

#### ***Other members***

11. Other members including an independent advisor shall attend the Board as required by either Hereford & Worcester Fire Authority or the Pensions Board. Any appointments of other members shall have regard to the best interests of the purpose of the Board.

#### ***Appointment of chair***

12. The Chair will be appointed from a member of the Pension Board for a three yearly term of office. The duties of the chair shall be in accordance with the duties of a chair within Hereford & Worcester Fire Authority.

#### **Notification of appointments**

13. On appointment to the Board, Hereford & Worcester 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**

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

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

16. Knowledge and understanding must be considered in light of the role of the Board to assist Hereford & Worcester Fire Authority in line with the requirements outlined in section 2 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.
17. 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.
18. 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**

19. The tenure of the Term of Office will remain open and the Board constitution will be reviewed every three years.
20. Board membership may be terminated prior to the end of the term of office due to:
  - (a) A member representative chooses to step down from their role due to their change in circumstances where they no longer have capacity to represent members.
  - (b) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied.
  - (c) The representative no longer being able to demonstrate their capacity to attend and prepare for meetings or to participate in required training.
  - (e) A Board member having a conflict of interest. The Delegated Officer responsible for appointments to the Board has a duty to ensure Board members do not have any conflicts of interest on appointment or whilst they are members of the Board. This could involve temporary removal from the Board. It is the responsibility of Board members to identify any potential conflicts of interest within the Board. Where a conflict of interest is identified Board membership may be terminated.

## **Meetings**

21. The Board shall as a minimum meet once per year and the frequency will be determined by the Board. Meetings shall be arranged to take place during normal office hours.

## **Administration**

22. The Board will be administered by the Chair's PA. Notice of Board meetings, agenda's and papers will be circulated in advance of the meetings. Meetings will be recorded and minutes will be separated as appropriate into open and closed business prior to them being published on the Authority's Sharepoint site.
23. The Board will be supported by a suitable representative who will advise on the Authority's application of the Schemes and ensure the Board has access to all required documentation.
24. The Board will have the following documentation updated and published following each Board meeting:
  - All decisions will be recorded in the Decision Log
  - All Risks will be recorded in the Risk Register
  - All training requirements will be recorded in the Training log
  - All known conflicts of interest will be recorded in the Conflict of Interest Register

## **Quorum**

25. The total number of members required to be present for a meeting to be quorate is four.

## **Voting**

26. The Chair shall determine when consensus has been reached.
27. Where consensus is not achieved this should be recorded by the Chair.

## **Interpretation**

28. In these terms 'the Scheme' means the Firefighters' Pension Scheme.
29. In these terms Regulations means:
  - the Firefighters' Pension Scheme 1992, as amended,
  - the Firefighters' Pension Scheme 1992 Compensation Scheme, as amended,
  - the Firefighters' Pension Scheme 2006, as amended,
  - the Modified Pension Scheme 2016, as amended,
  - the Firefighters' Pension Scheme 2015 as amended
30. In these terms 'regulations' include, 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.

*Agreed by Pension Board 8 June 2016*