

## **10. DELEGATIONS TO THE PENSION COMMITTEE**

- 10.1 To exercise all those functions of City of Wolverhampton Council which are required to be performed by it in its role as Administering Authority for the Local Government Pension Scheme under the Public Service Pensions Act 2013 (and any associated legislation) adhering to the principles required by Statutory Guidance and the Code of Practice issued by the Pensions Regulator.
- 10.2 Under Section 4 of the Public Service Pensions Act 2013 the Scheme Manager for the Administering Authority shall be the Pensions Committee. The Administering Authority shall at Full Council every year approve the delegation of Scheme Manager under Section 101 of the Local Government Act 1972 to the Pensions Committee and appoint representatives to sit on the Committee for that year.
- 10.3 To exercise all the general powers and duties of the Council granted to the Cabinet and Cabinet Panels and Regulatory or other Committees provided that those parts of the Council's Financial Procedure Rules and Contracts Procedure Rules which relate to the acquisition and disposal of land, Fund Investment transactions, custody of assets, appointment of advisors, approval of expenditure and their related activities, shall not apply in relation to such acquisitions and disposals and expenditure in connection with the Pension Fund.
- 10.4 To ensure that equality issues are addressed in the development of policies and the provision of services and are appropriately monitored.
- 10.5 To ensure that consideration is given to the impact which the Committee's policies and provision of services have with regard to environmental matters.

## **10.6 PENSIONS COMMITTEE TERMS OF REFERENCE**

- 10.6.1 The Council's financial procedure rules, contract procedure rules and internal financial limits concerning procurement do not relate to the Pensions Committee who, by delegation from Council, has authority to enter into contracts, procure services, purchase goods and manage financial investment through the internal controls of the West Midlands Pension Fund and in compliance with all applicable legislation.
- 10.6.2 The Pensions Committee may call upon the Pensions Board to seek assistance on matters to be discussed at the committee meeting. Where such assistance is sought it must be considered as part of the decision making process.

10.6.3 Any reference within the Council's constitution that refers to Council or Cabinet and includes powers relevant to the work of the Pensions Committee should be read to include Pensions Committee, including the setting of the Budget and Policy framework of the Fund.

10.6.4 The Pensions Committee shall adhere to the Standing Orders of City of Wolverhampton Council and all matters of due process so far as they do not conflict with the preceding delegation.

**10.6.5 MEMBERSHIP**

10.6.5.1 The membership of the Pensions Committee shall consist of ten City of Wolverhampton Council members, one Elected Member from each of the six District Councils and four (nonvoting) trade union representatives.

10.6.5.2 The quorum is eight.

10.6.5.3 A substitution for any person appointed to the Pension Committee shall follow the Council's procedure.

10.6.5.4 Should an elected Councillor no longer be a member of their authority, their appointment on the Committee shall cease and a further nomination will be sought from that authority.

10.6.5.5 The Committee shall meet a minimum of quarterly.

10.6.5.6 All persons appointed to the Committee will adhere to the Committee's code of conduct.

10.6.5.7 Persons sitting on the Committee are expected to make themselves available to attend committee meetings. Persons who fail to attend three or more events (to include committees and training) will be asked to leave the committee and a replacement sought from their nominating body unless there are exceptional reasons for their failure to attend. Such reasons to be considered by the committee.

## **10.6.6 CHAIRING THE COMMITTEE**

- 10.6.6.1 It will be the first business of the Committee at its annual meeting to receive nominations of a Chair and Vice Chair from Full Council who will sit for the term of one year.
- 10.6.6.2 In the event of a tie of votes of any business to be conducted, the Chair will have the casting vote. In circumstances where the vote is to appoint a new Chair, the outgoing Chair will have the casting vote in the event of a tie.

## **10.6.7 DUTIES OF THE PENSION COMMITTEE**

- 10.6.7.1 To act as the Pension Scheme Manager for the Administering Authority in the management and administration of the local government pension scheme for the West Midlands.
- 10.6.7.2 To adhere to the principles set out in the Statutory Guidance and Codes of Practice issued by the Scheme Advisory Board and the Pensions Regulator and undertake it's duties in compliance with the obligations imposed on it.
- 10.6.7.3 To administer all aspects of the West Midlands Pension Fund on behalf of City of Wolverhampton Council and the West Midlands Integrated Transport Authority Pension fund under S101 Local Government Act 1972 delegation from the West Midlands Combined Authority.
- 10.6.7.3 Reviewing and agreeing the Investment Strategy Statement, Fund Strategy Statement, Administration Policy, Pension Administration Strategy, Governance Compliance Statement, Communications Statements and publish a Pension Fund Annual Report
- 10.6.7.4 To determine the asset allocation/investment strategy of the WMPF/WMITA Pension Fund
- 10.6.7.5 To monitor investment activity and the performance of the Fund's investments including ensuring the responsible investment, corporate governance and voting policies of the Fund are delivered effectively
- 10.6.7.6 To provide independent assurance to members of the fund of the adequacy of the risk management framework and the associated control environment, responsible for the fund's financial and non-financial performance to the extent that it affects the fund's exposure to risk.

10.6.7.7 Under the requirements of the Local Government Pension Scheme (Management of Investments) Regulations 2016

- To appoint and monitor the investment pool operator in its management of the Fund's assets.
- To determine the service requirements of the pool operator to ensure effective provision of the Fund's Investment Strategy
- To nominate on an annual basis the Pension Committee representative on the Investment Pool Joint Committee and Shareholder Forum
- To ensure the effective monitoring of the performance of the Investment Pool as an Investment Manager
- To ensure the Responsible Investment, corporate governance and voting policies of the Fund are in place and delivered effectively in relation to the Fund's assets.
- To monitor the ongoing costs of the pool operator in its delivery of investment cost savings.

10.6.7.8 To determine staffing structures, changes to vacant posts or the establishment of new posts and to receive reports on matters of staffing and employment of officers within the Fund where significant budget impacts occur.

10.6.7.9 To ensure that equality issues are addressed in the development of policies and the provision of services and are appropriately monitored.

10.6.7.10 To ensure the delivery of communication with members of the fund in line with the Customer Engagement Strategy ensuring effective communication of statutory notices and the delivery of services including the publication of information as required about the fund and its work.

### **Urgent Decision of Pension Committee**

If, by virtue of the date by which a decision must be taken, a meeting of the Pension committee is not scheduled to take place, the decision can only be taken if agreement has been obtained from the Chair of Pension Committee and one other member in conjunction with the Director of Pensions and the Head of Service (Pension Fund) responsible for the area to which the decision relates.

It must be imperative to the business of the Committee that the decision cannot reasonably wait for the next meeting.

A report must be prepared at the next available meeting confirming the urgent decision was taken and the reasons for its urgency.

## 10.6.8 TRAINING

- 10.6.8.1 In compliance with the requirements of the Public Service Pensions Act 2013 persons appointed to the Committee shall undertake at least 3 training sessions per year. The first training session will be organised within 6 weeks of their appointment to the Committee (in any event before their first committee meeting) with subsequent training scheduled after three months of appointment and after nine months of appointment.

<b>G DELEGATIONS TO THE DIRECTOR - PENSIONS</b>	<b>Limits or restriction on <u>delegation</u></b>
<b>Function</b>	In accordance with the statutory provisions and any determinations of the Pensions Committee.
<b>West Midlands Metropolitan Authorities Pension Fund</b>	
G1 The administrative management of matters in connection with the Council's role as administering authority for the West Midlands Pension Fund.	Consultation to take place with the Chairman of the Committee prior to any major investment decision if it is possible to do so.
G2 The general management of the Fund in accordance with the Pensions Committee's Funding and investment strategy set out in its policy statements.	In accordance with the S101 delegation from the West Midlands Combined Authority
G3 To manage and administer the West Midlands Integrated Transport Authority Pension Fund in line with the S101 delegation from the Combined Authority.	In accordance with the Fund's financial procedure rules.
G4 To sit on the Investment Pool's Practitioner's Advisory Forum as the Administering Authority's officer representative to provide guidance and advice to the Joint Committee.	In accordance with the Fund's employee and staffing schedule and only for Fund staff.
G5 The general delegations to Directors as they relate to the Council's role as administering body and to the following:  1. Financial administration 2. Contracts and tendering 3. Management of human resources 4. Day to day administration and operational management	In accordance with the Constitution and any specific restrictions or limitations  In accordance with the Fund's financial and contract procedure rules  In accordance with the Council's health and safety policies and procedures. In accordance with the Council's equal opportunities policies and procedures.

5. Management of operational land and premises used for service delivery.
6. Compliance with the Health and Safety at Work, etc. Act 1974 and the Regulatory Reform (Fire Safety) Order 2005
7. Compliance with the Council's equal opportunities policy and relevant legislation
8. Compliance with the Human Rights Act 1998
9. Compliance with all applicable Data Protection Regulation
10. To maintain written delegations for employee responsibility for their Service Areas.







