

Delegations to the Pensions Committee

DELEGATIONS TO THE PENSION COMMITTEE

- 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.
- Under Section 4 of the Public Service Pensions Act 2013 the Scheme Manager for the Administering Authority shall be the City of Wolverhampton Council's 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.~~
- 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 and approval of expenditure and their related activities, shall not apply in relation to ~~such acquisitions and disposals and expenditure in connection with the~~ West Midlands Pension Fund.
- 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.
- To ensure that consideration is given to the impact which the Committee's policies and provision of services have with regard to environmental matters. Provided such considerations are in line with the duty of the Pension Committee, as Scheme Manager, to manage investments in accordance with fiduciary duty and the overall duty to secure investment returns.
- The Pensions Committee may call upon the Local 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.
- 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 **West Midlands Pension Fund**.

TERMS OF REFERENCE

- The Pensions Committee shall adhere to the Standing Orders of the City of Wolverhampton Council and all matters of due process so far as they do not conflict with the statutory duty of Scheme Managers.

MEMBERSHIP

- The membership of the Pensions Committee shall consist of **the following**;
- 10 City of Wolverhampton Council elected Councillors, ~~nominated by Full Council at the Annual Council Meeting in each year.~~
- ~~The Pensions Committee will invite, in each municipal year, one representative from each of the six district councils to sit as a member of Pensions Committee for that year.~~ **6** District representatives, one elected Councillor from each of the Metropolitan District Councils participating within the West Midlands Pension Fund. District council representatives **are invited to will sit** as full members of the committee with debate and voting rights on the matters presented.
- ~~In addition, the Pensions Committee will invite each municipal year, four~~ **4** Trade Union member representatives ~~to sit as observers to its committee meetings~~ **are invited** as observers from three main trade unions from across the region. Trade Union representatives are invited observers to the committee meetings, they may participate in debate but hold no voting rights on the matters presented.
- The quorum for a Committee meeting is ~~eight~~ **9** voting members.
- ~~Due to the statutory knowledge and capacity requirements, there will be no substitutions accepted to Pensions Committee.~~
- 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.
- The Committee shall meet **on a formal basis** a minimum of 4 times a year **with additional informal meetings throughout the year as required.**
- ~~Councillors appointed to the Committee will be bound by their own authority's Code of Conduct when undertaking their public roles.~~ **Councillors sitting on the Pensions Committee do so as a representative of the West Midlands Pension Fund, taking decisions in the best interest of the Fund. Whilst politically balanced, the Committee meets on a non-political basis with all members meeting collectively in compliance with statutory duties as outlined in legislation and statutory guidance.**

- Trade Union representatives who observe committee meetings will adhere to the formal meeting process, and have regard to the Nolan Principles of Public Life ~~when in attendance~~ and the expected behaviours for Governing Body members as set out by regulatory bodies.
- 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) may be asked to leave removed from 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, notably the Chair and Vice-Chair.
- Persons sitting on the Committee are required to undertake training in line with the Scheme Manager's adopted training policy.
- Trade Union observers are invited to attend training session to assist in informing debate in committee meetings.

CHAIRING THE COMMITTEE

- ~~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.~~ The Chair and the Vice Chair of the Committee will be appointed by Full Council at the Annual General Meeting.
- In the event of a tie of votes, the Chair will have the casting vote.
- In the event the Chair is not present for the meeting, the Vice Chair will assume the role of the Chair for that meeting. Should neither the Chair or the Vice Chair be present, a Chair will be nominated from the Elected Members present at the meeting, providing always that the quorum for the meeting is met.

URGENT DECISIONS

- The Chair, Vice Chair or nominated person in consultation with the Director of Pensions shall be able to exercise the powers of the Committee in any matter of immediate urgency which cannot wait until the next meeting. Decision made under this provision will be reported to the next available meeting of the Committee.

DUTIES OF THE PENSION COMMITTEE

- 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 its duties in compliance with the obligations imposed on it as Scheme Manager.
- To approve the Fund's operational budget and receive reports on matters of staffing and employment where significant budget implications occur. 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. Always in consideration of their obligations from statutory guidance to ensure the Fund has adequate resource and skill to perform their duties.~~

- To communicate with **represent the views of** members of the Fund-keeping accurate records and publishing information as required about the Fund and its ~~work~~ **in the management and administration of the Fund.**
- To ensure that equality issues are addressed in the development of policies and the provision of services and are appropriately monitored.
- To determine the ~~asset allocation~~ investment strategy **and supporting responsible investment policy and framework** of the Fund in consideration of the long-term liabilities and duties to pay pension benefits.
- To monitor investment activity and the performance of the Fund's investments. To take independent and specialist advice on matters to be determined, including advice from Senior Officers of the Fund, adhering to the advice given when taking decisions.
- To provide independent assurance to members of the Fund of the adequacy of the **ensure effective operational and financial** 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.~~ and to receive reports on actions identified in the Fund's internal control framework.
- Reviewing and adopting the statutory policies of the Fund, **in accordance with the Fund's policy framework.** including the;
 - ~~Investment Strategy Statement~~
 - ~~Funding Strategy Statement~~
 - ~~Administration Policy (Discretions)~~
 - ~~Pension Administration Strategy~~
 - ~~Governance Assurance Statement~~
 - ~~Communication and Customer Engagement Strategy~~
- On an annual basis to receive and approve the Annual Report and Accounts.

INVESTMENT POOLING

- To select, appoint and dismiss an investment pool operator ~~to manage the collective investment of assets~~ in line with Statutory Requirements.
- **To include provisions for investment pooling in the Fund's Investment Strategy Statement.**

- ~~To nominate on an annual basis the representative on the Joint Committee of the investment pool operator~~
- ~~Ensuring that appropriate measures are in place to monitor and report on the ongoing costs of investment pooling as they apply to West Midlands.~~
- ~~Ensuring the responsible investment, corporate governance and voting policies of the Fund are delivered effectively both in the Fund's direct/indirect investments and those collectively invested in the pool.~~