

# Committee Code of Conduct for the West Midlands Pension Fund

This code applies to all persons nominated to the Pension Committee (including its sub-committees) and the Pension Board (together Committees) in consideration of the principles set out in the Public Service Pensions Act 2013 and the Codes of Practice issued by the Pensions Regulator.

The Code of Conduct is intended to promote high standards of behaviour amongst those appointed to the committees and is underpinned by the seven principles of public life adopted by the administering authority for its own elected members. These should be borne in mind when interpreting the meaning of the Code.

**i) Selflessness**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

**ii) Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**iii) Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**iv) Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**v) Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**vi) Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**vii) Leadership**

Holders of public office should promote and support these principles by leadership and example.

## PART ONE

### 1.0 General Provisions

- 1.1 This Code applies to you as a person appointed to the Committees of the West Midlands Pension Fund (The Fund).
- 1.2 It is your responsibility to comply with the provisions of the Code and ensure all obligations are met.
- 1.3 In this Code "**Meeting**" means any meeting of any of the committees within the Fund, any external meeting at which you are a representative of the Fund and any meeting where your behaviour may be a perceived as a reflection on the Fund.

### 2.0 Scope

- 2.1 You must comply with this Code whenever you are conducting the business of the Fund or acting in the capacity of a person appointed to a committee of the Fund.

### 3.0 Respect

**3.1 You must treat others with respect.**

It is the collective responsibility of all persons appointed to the committees of the Fund to create a fair, safe and enjoyable environment for members, employers and officers which is free from discrimination, intimidation and abuse.

**3.2 You must not:**

- 3.2.1 do anything which may cause the Fund to breach the Equality Act 2010;
- 3.2.2 bully any person;
- 3.2.3 intimidate or attempt to intimidate any person;
- 3.2.4 do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Fund.

### 4.0 Confidentiality

- 4.1 You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
  - 4.1.1 you have the consent of a person authorised to give it;
  - 4.1.2 you are required by law to do so;
  - 4.1.3 the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

4.1.4 the disclosure is:

- (aa) reasonable and in the public interest; and
- (bb) made in good faith and in compliance with the reasonable requirements of the Authority.

***Any assessment as to (aa) or (bb) above shall be conducted with the Director of Pensions and no decision as to the release of information under these two provision shall be taken until the Director of Pensions has given her agreement to its release.***

4.2 You must not prevent another person from gaining access to information to which that person is entitled by law.

## 5.0 You must not

- 5.1 Conduct yourself in a manner which could reasonably be regarded as bringing the Fund into disrepute.
- 5.2 Place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- 5.3 Use or attempt to use your position as a person appointed to improperly confer on, or secure for yourself or any other person, an advantage or disadvantage including providing or offering to provide information as to the Fund's business/transactions or investment or a reference for any candidate for employment or promotion.
- 5.4 Use or allow to be used Fund resources improperly for political purposes (including party political purposes) and act in accordance with the Fund's reasonable requirements.

## 6.0 You must

- 6.1 When reaching decisions on any matter have regard to any relevant advice provided to you by:
  - 6.1.1 Officers of the Fund
  - 6.1.2 Officers of the administering authority, (where that officer is acting pursuant to his or her statutory duties).
  - 6.1.3 The Pension Board or other committees within the fund
  - 6.1.4 Any third party appointed by the Fund to provide specialist advice
- 6.2 Give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed.
- 6.3 Make all choices, such as making appointments, awarding contracts or recommending individuals for rewards or benefits, on individual and independent merit.
- 6.4 Make all decisions in relations to investments and the financial management of the Fund objectively, in a fair business-like manner with reasonable care skill and caution and with reasonable alert to the interest of members of the Fund.
- 6.4 Be as open as possible about your decisions and actions and the decisions and actions of the Fund, and should be prepared to give reasons for those decisions and actions, notwithstanding your other obligations under this Code.

## 7.0 Accountability

- 7.1 You are accountable to the members for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your appointment.

## PART TWO - CONFLICT OF INTERESTS

Under Section 5 of the Act the Scheme Manager must be satisfied that persons appointed to the Pensions Board do not have a conflict of interest in matters to be considered.

The Pensions Committee as Scheme Manager has taken this one step further and requires all persons appointed to any committee of the Fund to declare any interest which amounts to a conflict of interest in a matter to be discussed. The responsibility for ensuring this compliance has been delegated to the Head of Governance.

## 8.0 Declaring Interests

- 8.1 Subject to paragraph 8.6 (sensitive interests) you must within 28 days of
  - i) this Code being adopted or
  - ii) your appointment to a committee (where that is later) or
  - iii) an interest becoming known to you notify the Fund's Head of Governance of any matter which may, during the course of your appointment, cause or create a conflict of interest.
- 8.2 Interests which may constitute a conflict include interests of yours, your spouse, a family member or close associate and are usually financial interests, business interests or personal interests which may create bias.
- 8.3 Where such an interest exists and you have not previously notified the Head of Governance, you are required to announce it at the meeting where the conflict arises.
- 8.4 The Head of Governance will retain an interests register.
- 8.5 Where you have an interest which may give rise to a conflict you must not remain in the meeting or participate in the discussions on the matter on which you hold that interest.
- 8.6 Sensitive interests are interests which, if disclosed, could lead to the person appointed being subject to violence or intimidation. Sensitive interests will never be made public and the person appointed is not required to declare the nature of the interest at a public meeting, but merely that the interest exists and could give rise to a conflict.