

PUBLIC SERVICE PENSIONS ACT 2013

CONSTITUTION OF THE HERTFORDSHIRE LOCAL PENSION BOARD

1. NAME

- 1.1 The name of the board is “The Hertfordshire Local Pension Board” (“the Board”) and is established by Hertfordshire County Council (“*the County Council*”) as the administering authority for the Hertfordshire Local Government Pension Scheme (“the LGPS”) under Sections 1 and 5 of the Public Service Pensions Act 2013 (“the Act”) and the Local Government Pension Scheme Regulations 2013 as amended by the Local Government Pension Scheme (Amendment) (Governance) Regulations 2014 (“the Regulations”).

2. OBJECTS

- 2.1 In accordance with Section 5 of the Act the Regulations are required to provide, in the case of a pension scheme established under section 1 of the Act, for the establishment of a local pension board with responsibility for assisting the scheme manager (Administering Authority) in relation to specified matters.
- 2.2 The outline structure of the Board and where the Board sits in respect to the overall governance arrangements for the LGPS is set out in appendix 1 to this constitution.
- 2.3 Under Regulation 106 (6) of the Regulations the Board shall have the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

3. DUTIES AND PRINCIPAL FUNCTIONS

3.1 The Board will assist the administering authority in line with the following requirements:

To secure compliance with:

- the Regulations ;
- Other legislation relating to the governance and administration of the LGPS; and
- The requirements imposed by the Pension Regulator in relation to the LGPS; and
- To ensure the effective and efficient governance and administration of the LGPS.

3.1.1 Assisting the Administering Authority should be interpreted as helping the Administering Authority, including doing work requested by the Administering Authority. The Board does not replace the Administering Authority or make decisions which are the responsibility of the Administering Authority.

3.1.2 The remit of the Board should be interpreted as assisting the Administering Authority in covering all aspects of governance and administration of the LGPS, including funding and investments.

3.2 Corporate Governance

3.2.1 The Administering Authority is given power under Regulation 106(5) of the Regulations to determine the procedures applicable to its Local Pension Board, including voting rights, the establishment of sub-committees and the payment of expenses.

3.4 Reporting

3.4.1 The Board will be required to report to the Administering Authority and other internal and external bodies. The reporting requirements and frequency will be set out in the terms of reference approved by the administering authority and to be adopted by the Board once it is established.

4. MEMBERSHIP

4.1 In accordance with Regulation 107 Regulations the Board will be made up of an equal number of employer and member representatives which is no less than 4 in total. The Board will comprise 6 members in total. A person sitting on the Board who is either an employer representative or member representative must have relevant experience and capacity to sit on the Board.

4.1.1 No officer or elected member of an administering authority who is responsible for the discharge of any function under the Regulations may be a member of the Board.

4.1.2 One representative from the following employer bodies will form the employer membership of the Board:

- School and Academies
- Administering Authority
- District/Borough Councils and Police

Appointment of the employer body representatives will be by nomination.

4.1.3 Member representatives will be appointed by an application process and will represent the following membership of the Board:

- Active members
- Pensioners
- Deferred members

- 4.2 Members of the Board will be voting members and each member shall have 1 vote.
- 4.3 In the event of an equality of votes, the Chairman or in the absence of the Chairman the person presiding at the meeting will have a second or casting vote.
- 4.4 Regulation 107 of the Regulations requires that the Administering Authority ensures that all employer or member representatives sitting on the Board have relevant experience or capacity to represent the employers or members of the Fund.
- 4.5 Substitute members will not be permitted unless in exceptional circumstances and with the prior agreement of the Chairman.

5. CHAIRMAN

- 5.1 The Board will have a Chairman and the Chairman shall be appointed by resolution of the County Council from amongst the Board's membership.
- 5.2 The Board shall elect a Vice-Chairman from amongst its members.

6. LEAVING THE BOARD

- 6.1 A member of the Board shall cease to hold office if:
 - 6.1.1 He or she notifies to the Board a wish to resign; or
 - 6.1.2 He or she is a member of the Administering Authority and is appointed to the Pensions Committee or any other body exercising powers under the Regulations; or
 - 6.1.3 a representative member ceases to represent his constituency, for example if an employer representative leaves the employment of his employer and therefore cease to have the capacity to represent the Fund's employers; or
 - 6.1.4 A representative member fails to attend meetings or otherwise comply with the requirements of being a Board member, for

example fails to attend the necessary knowledge and understanding training.

6.1.5 A member dies or becomes incapable of acting.

and, in any of the above cases, the relevant constituent body shall appoint a replacement member in accordance with the provisions of this Constitution.

7. STANDARDS AND INTERESTS

7.1 Members of the Board shall comply with the County Council's Code of Conduct for Members ("the Code"). Members of the Board who are not Councillors or officers of the County Council shall in addition comply with any code of conduct applicable to their professional body and/or the organisation they represent in so far as this does not conflict with the Code which, in the case of any conflict, shall prevail.

7.2 Members of the Board shall register their disclosable Pecuniary Interests with the County Council's Monitoring Officer as required under the Code, the Localism Act 2011 and Regulations made under the Localism Act 2011.

8. MEETINGS AND PROCEEDINGS OF THE BOARD

8.1 The Board shall hold at least 4 meetings each year. Special meetings may be called at any time by the Chairman.

8.2 In the absence of the Chairman at a meeting of the Board, the Vice Chairman will preside over that meeting. In the event that both the Chairman and Vice Chairman are absent then the Board will appoint one of its members to preside at that meeting.

8.3 The quorum for a meeting of the Board shall be 50% of the members of the Board and must include equal representation from both employers and members.

8.4 The Board shall keep minutes of the proceedings at meetings of the Board in accordance with statutory requirements.

8.5 Papers will be made available on the County Council's website.

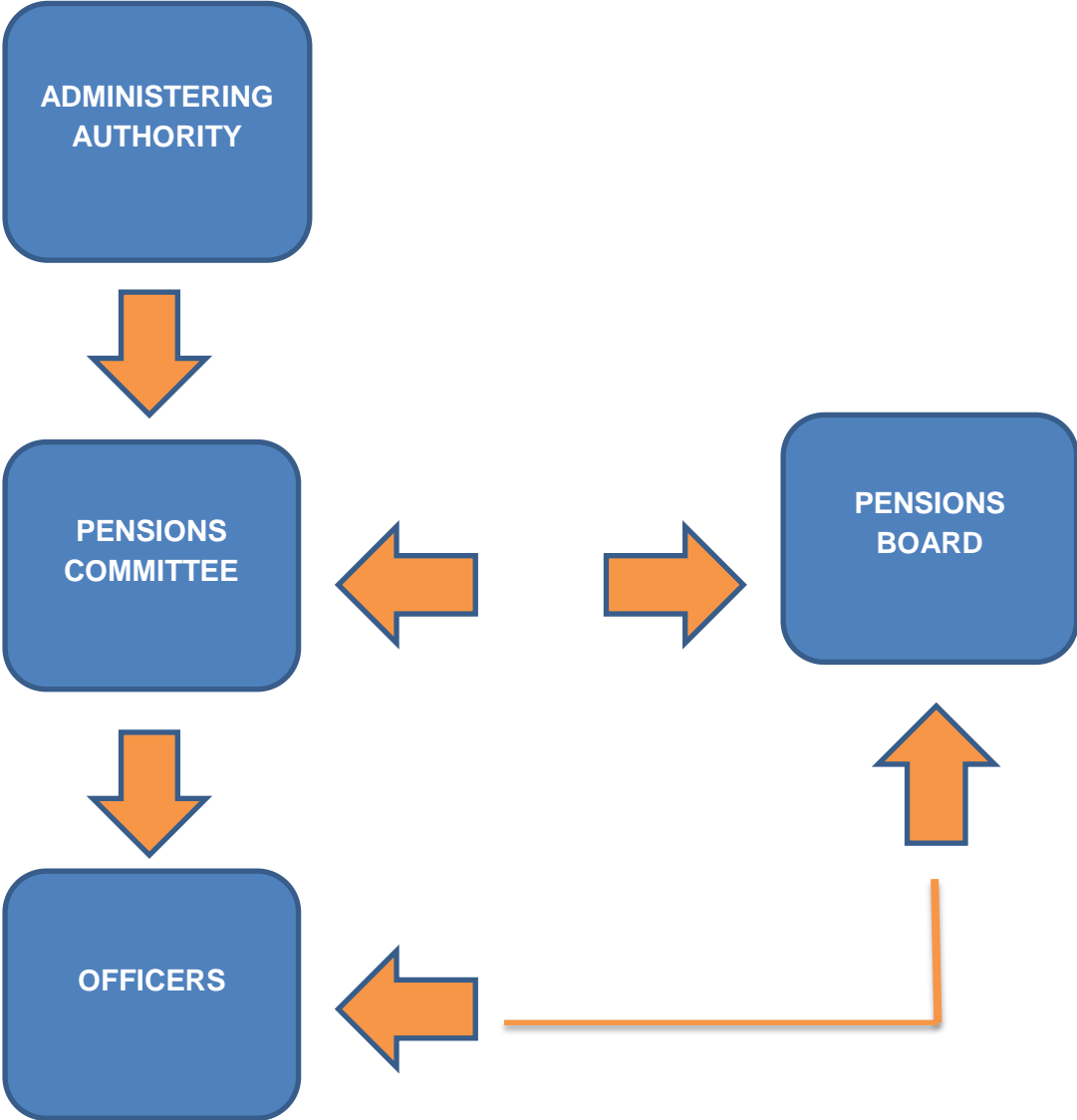
- 8.6 Board meetings shall be held in public subject to the right of the Board to exclude the public during particular items of business in accordance with the provisions of Part VA of the Local Government Act 1972, Regulations made under that Act or any other relevant enactment, and the Access to Information Rules set out in Annex 4 of the County Council's Constitution.. Members of the public may ask questions at the discretion of the chairman, but will not be entitled to address the Board.
- 8.7 Subject to the provisions of the Act and any Regulations made under the Act, and except where alternative or conflicting provision is lawfully made by this Constitution, the proceedings at meetings of the Board and any sub-committee established by the Board shall be in accordance with the County Council's Standing Orders for Regulatory and Other Committees as set out in Annex 11 of the County Council's Constitution.

9. RESOURCES AND FUNDING

- 9.1 The Board will be provided with adequate resources to undertake its role, these will include as a minimum:
- Allowances and expenses for Board members
 - Accommodation and administrative support to conduct its meetings and other business;
 - Training; and
 - Legal, technical and other professional advice.
- 9.2 The expenses of the Board shall be regarded as parts of the costs of administration of the Fund.
- 9.3 Levels of allowance will be set in a similar way to the elected members' scheme.

Appendix 1

HERTFORDSHIRE LOCAL GOVERNMENT PENSION STRUCTURE



HERTFORDSHIRE LOCAL PENSIONS BOARD

