

THE JOINT POLICE PENSION BOARD – TERMS OF REFERENCE

Introduction

1. This document sets out the terms of reference of the Joint Police Pension Board (hereafter referred to as 'the Board') of the Shared Police Forces (hereafter referred to as "the Forces"), a cooperative entity. This Board is required under Section 4 of the Public Service Pensions Act 2013 and is established in accordance with Section 5 of that Act and under regulation 13 of the Police Pension Scheme Regulations 2015 (as amended).
2. The Board is established by the Forces and operates in an advisory capacity to the Scheme Managers. Relevant information about its creation and operation are contained in these Terms of Reference

Interpretation

3. The following terms have the meanings as outlined below:

'the Act'	The Public Service Pensions Act 2013.
'Board Member'	A member of the Board (this includes a reference to an Employer Representative, Member Representative and an Independent Member)
'Board Secretary'	Kier Business Services
'Chair'	The appointed Chairperson of the Board
'the Code'	The Pension Regulator's Code of Practice No 14 governance and administration of public service pension schemes.
'Deputy Chair'	The appointed deputy Chairperson of the Board
'Employer Representative'	A person appointed to the Board for the purpose of representing employers of the Forces
'Member Representative'	A person appointed to the Board for the purpose of representing members of the Forces
'the Regulations'	The Police Pension Scheme Regulations 2015 (as amended from time to time), including any earlier regulations as defined in these regulations to the extent they remain applicable.
'Relevant legislation'	Relevant overriding legislation as well as the Pension Regulator's Codes of Practice as they apply to the Scheme Manager and the Board notwithstanding that the Codes of Practice are not legislation.
'the Scheme'	The Police Pension Scheme in England and Wales.

Agenda Item 4 – Shared Police Board –Terms of Reference

‘Scheme Manager’	Chief Constable of each force, or the Director General in respect of the NCA
‘the Shared Police Forces’	Those forces participating in the shared pensions board arrangement as a consequence of having contracted Kier (formerly Mouchel) to be their pension scheme administrator

Purpose of the Board

4. The Board’s role is to assist the Scheme Managers in securing compliance with:
 - the scheme regulations;
 - other legislation relating to the governance and administration of the schemes; and
 - the requirements imposed by the Pensions Regulator.
5. The Board will also ensure the effective and efficient governance and administration of the schemes.

The schemes are:

- The Police Pension Scheme 1987
- The Police Pension Scheme 2006
- The Police Pension Scheme 2015

Establishment

6. The Board is established on 25th March 2015 subsequent to approval by the Scheme Managers of the recommendation to establish. Subsequent to its establishment, the Board may establish sub-committees

Composition of the Joint Police Pension Board

Membership

7. Members of the Board shall be six in number, including a Chair and Deputy Chair, who are all entitled to vote in its proceedings. The Board will comprise of an equal number of employer and member representatives.

Appointment and removal of the Chair and Deputy Chair

8. The Scheme Managers shall approve the appointment of the Chair and Deputy Chair of the Board
 - the office of Chair must be filled alternatively by an Employer Representative and a Member Representative; andwhere the Chair is an Employer Representative, the Deputy Chair must be a Member Representative, and vice versa.
9. The Chair of the Board will be rotated between the appointed Chair and Deputy Chair on an annual basis, alternating between employer and member representatives.

Agenda Item 4 – Shared Police Board –Terms of Reference

10. In the instance of the creation of the Board, the Chair shall, with Scheme Manager approval, appoint five members. The Deputy Chair will be determined by the member representatives or employer representatives if the chair is a member representative. Once the Board is established, nominations to be members of the Board will be determined by the Board who will then seek Scheme Manager approval prior to appointment.
11. Employer representatives will be from any of the forces administered by Kier (formerly Mouchel).
12. Scheme member representatives will be either serving or retired officers from a force administered by Kier but not a deferred member.

Term of Office

13. Term of office shall be for three years. Members can be re-appointed to the Board unlimited times so long as they remain a member as defined in 11 and 12 and none of the issues outlined in 14 apply.

Termination

14. A member shall cease to be a member of the Board if:
 - their term of office ends and they are not reappointed;
 - there is a conflict of interest that cannot be managed in accordance with the Board's conflict policy;
 - a member dies or becomes incapable of acting;
 - a member is appointed to the role of an officer of a constituent police force with responsibility for the discharge of functions under the Regulations;
 - a member wishes to resign;
 - a member representative appointed on the basis of their membership of the scheme is no longer a scheme member in the Force or a Force covered by the Board;
 - an employer representative no longer holding the office or employment or being a member of ~~the~~a body that is covered by the Board on which their appointment relied;
 - a board member no longer being able to demonstrate to the administering authority their capacity to attend and prepare for meetings or to participate in required training;

Quorum

15. A meeting is only quorate when at least 2 member and 2 employer representatives are present. Being present will also include any representative who participates in the meeting via any means that allows them to participate without being physically at that meeting. This includes, but is not restricted to telephone and video conferencing facilities.
16. A meeting that becomes inquorate may continue but any decisions will be non-binding.

Duties of the Board

17. The following matters will be undertaken by the Board:

Compliance

Secure compliance with:

- the scheme regulations
- other associated or overriding legislation
- the requirements of the Pensions Regulator

in matters relating to the governance and administration of the scheme.

18. Specifically the board will ensure that the following matters are taken into consideration when verifying compliance.

Administration

- a. Monitor and review performance of the administrators.
- b. Monitor and review the performance of individual forces

Internal controls and risk register

Devise, monitor and review an appropriate risk register for the schemes.

Budgets

19. The Board will agree a yearly budget for the operation of its functions and review and monitor the budget on a regular basis.

20. The budget will be agreed in advance and will require the approval of the Scheme Managers.

Meetings and updates

Frequency

21. The Board will normally meet twice a year.

22. The chair of the Board, with the consent of the Board membership, may call additional meetings. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board including telephone conferencing and e-mails. Any decisions agreed on this basis will need to be ratified at the first available Board meeting.

Procedures at meeting

23. The Chair, or in his absence the Deputy Chair, shall preside as Chair of the meeting, but if neither the Chair nor the Deputy Chair be present within fifteen minutes after the time appointed for holding the meeting the board members shall elect one of their number to be Chair.

Other attendees

24. The Board will extend an invitation to attend to such other persons or advisers as it may from time to time consider appropriate.

Voting

25. Every member shall have one vote. No person other than a Board Member duly registered shall be entitled to vote on any question, either personally or by proxy or as proxy for another member at any meeting. For clarity, a Board Member may give their vote in proxy to another Board Member if they are unable to attend any meeting where a vote is to be held.
26. Decisions made by the Board shall be on a majority basis. In the event of there not being a majority, the Chair shall have the casting vote.
27. The results of any voting outcomes will be reported in the Board minutes via reference to the number split of the vote.

Reporting

28. The Board will inform the Scheme Managers of all its decisions and actions by submitting its minutes to the Scheme Managers and reporting on a regular basis in a common format to be agreed with the Scheme Managers.

Conflicts of interest

29. At the outset, the Board shall formulate a Conflicts of Interest Policy and a Conflicts of Interest Register.
30. Each member of the Board shall adhere to the Conflicts of Interest policy agreed, and held, by the ~~Pension~~ Board.
31. All members of the Board must declare to the Scheme Managers on appointment and at the start of each meeting thereafter, any potential conflict of interest arising as a result of their position on the Board

Expenses

32. Board Members may be paid all travelling, hotel, and other expenses properly incurred by them in connection with their attendance at meetings of the Board or otherwise in connection with the discharge of their duties to the Board.

Knowledge and understanding

33. In accordance with section 248A of the Pensions Act 2004, every individual who is a member of a Local Pension Board must also be conversant with:
 - the rules of the Police scheme, in other words the Regulations and other legislation governing the scheme; and
 - any document recording policy about the administration of the scheme which is for the time being adopted in relation to the scheme; andand have knowledge and understanding of:
 - the law relating to pensions; and
 - such other matters as may be prescribed.
34. Knowledge and understanding must be considered in light of the role of the Board to assist the Scheme Manager in line with the requirements outlined in paragraph 6

Agenda Item 4 – Shared Police Board –Terms of Reference

above. The Board shall establish and maintain a Knowledge and Understanding Policy and Framework to address the knowledge and understanding requirements that apply to each Board Member under the Act. 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.

35. Each member of the Board shall adhere to the Knowledge and Understanding Policy agreed, and held, by the Board.

Data protection

36. The Board is considered an advisory body of and part of the police force legal entity. The Scheme Manager is and remains the data controller responsible for DPA compliance, including for processing carried out by the Board, where processing is carried out as a data controller, or where personal data use by the Board is not carried out for and on behalf of any other separate legal entity.
37. The Board will therefore adhere to the data protection policies held by the Scheme Manager.