



# Terms of Reference for the Local Pension Board for Buckinghamshire & Milton Keynes Fire Authority

Version adopted on 3rd November 2021 and approved 2 March 2022

## STATEMENT OF PURPOSE

1. The purpose of this document is to set out the Terms of Reference for the Local Pension Board (the Board) for Buckinghamshire & Milton Keynes Fire Authority. The Board is established by the Scheme Manager under the powers of Section 5 of the Public Service Pension Act and Regulation 465 of the Regulations
2. The purpose of the Board is to assist Buckinghamshire & Milton Keynes Fire Authority in its role as a Scheme Manager of the Firefighters' Pension Scheme. Such assistance is to:
  - a. Secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pension Regulator in relation to the Scheme
  - b. Ensure the effective and efficient governance and administration of the Scheme

## DUTIES OF THE BOARD

3. The Board should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty Board members:
  - a. Should exercise all its powers and duties in accordance with the law and this Terms of Reference
  - b. Should always act in the interest of the Scheme and not seek to promote the interests of any stakeholder group above others
  - c. Should be subject to and abide by Buckinghamshire & Milton Keynes Fire Authority Code of Conduct for employees

## MEMBERSHIP

The Board will comprise of an equal number of employer and member representatives with a minimum requirement of no less than four in total at each meeting

### Member representatives

4. Three member representatives shall be appointed to the Board
5. Member representatives shall either be members of the Scheme administered by Buckinghamshire & Milton Keynes Fire Authority or have experience of representing pension Scheme members in a similar capacity
6. Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required



## **Employer representatives**

7. Three employer representatives shall be appointed to the Board
8. Employer representatives shall be office holders or senior employees of Buckinghamshire & Milton Keynes Fire Authority or have experience of representing Scheme employers in a similar capacity. Office holders or employees of Buckinghamshire & Milton Keynes Fire Authority with delegated responsibility for discharging the Scheme Manager function of Buckinghamshire & Milton Keynes Fire Authority may not serve as employer representatives
9. Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required
10. Employer representatives shall be appointed by Buckinghamshire & Milton Keynes Fire Authority in a manner which it considers best promotes the purpose of the Board

## **APPOINTMENT OF CHAIR**

11. The Scheme Manager shall appoint a Chair of the Board for two years. The current Chair took up his position November 2021 therefore his term will end in November 2023.
12. Where the Chair's term of office terminates by natural expiry or for any other reason, the Scheme Manager will re-appoint / appoint a Chair for a further term
13. The Chair will ensure that meetings are properly conducted and the decision of the Chair on all points of procedure and order shall be final
14. The Chair may delegate any of their functions apart from the responsibility to appoint Board Members as necessary

## **NOTIFICATION OF APPOINTMENTS**

15. On appointment to the Board, Buckinghamshire & Milton Keynes Fire Authority shall publish the name of those on the Board

## **CONFLICTS OF INTEREST**

16. All members of the Board must declare to Buckinghamshire & Milton Keynes Fire Authority on appointment, and at any such time as their circumstances change, any potential conflicts of interest arising as a result of their position on the Board
17. Buckinghamshire & Milton Keynes Fire Authority will ensure that any potential conflict is effectively managed in line with both the internal procedures of Buckinghamshire & Milton Keynes Fire Authority and the requirements of the Pensions Regulators Code of Practice on conflicts of interest for Board members (appendix 1)



## **KNOWLEDGE AND UNDERSTANDING**

18. Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding framework
19. Board members shall participate in such personal training needs analysis or other processes that are put in place in order to ensure they maintain the required level of knowledge and understanding to carry out their role on the Board

## **TERMS OF OFFICE**

20. A Board member wishing to resign, is expected to give one month's notice in writing to the Chair of the Board
21. Board membership may be terminated prior to the end of the term of office due to:
  - a. A member representative appointed on the basis of their membership of the Scheme no longer being a member of the Scheme
  - b. A member representative no longer being a member of the body on which their appointment relied
  - c. An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied
  - d. The representative no longer being able to demonstrate their capacity to attend and prepare for meetings or to participate in required training
22. Where a vacancy arises for a Board member mid-term, the Chair and Scheme Manager will consider and agree on the process to be used to fill that vacancy

## **DECISION MAKING AND ADMINISTRATION**

### **Notice of Meetings, Agendas and Minutes**

23. The Chair of the Board will prepare an agenda prior to each Board meeting. The agenda shall be approved by the Scheme Manager before it is circulated
24. Notice of meetings should be provided to all Board members seven calendar days in advance of each meeting. If a Board member decision is required as a matter of urgency, a shorter notice period will be used
25. The agenda and any papers for the Board will be issued at least seven calendar days (where practicable) in advance of the meeting except in the case of matters of urgency
26. Minutes of each meeting including all actions and agreements will be recorded and circulated to all Board members within seven calendar days after the meeting. These minutes will be subject to formal agreement by the Chair taking consideration of comments by Board members (which may be done electronically between meetings)



27. Minutes and other appropriate documentation will be published on the Authority's intranet
28. The minutes may, at the discretion of the Chair, be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as required under the Data Protection and Information Security procedures
29. The Board will report to the appropriate member committee as necessary, and as a minimum on an annual basis, along with more frequent reporting to the Strategic Management Board as required

### **Location and timing**

30. Meetings of the Board will normally take place at the Authority's Headquarters site
31. Meetings will be within the times of 10.00 and 16.00 on a normal working day, between Monday to Friday (excluding public holidays)
32. The Board will meet as a minimum on four occasions in each calendar year. The Chair may call, or agree to call, additional meetings in exceptional circumstances. There shall also be ability for Board members and/or the Scheme Manager to require a special meeting to be convened on notice
33. 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

### **Budget and expenses**

34. Board members will be entitled to claim expenses as determined by the Scheme Manager and as set out in HMRC guidelines
35. It is anticipated that managers of Board members will permit reasonable time off to allow the Board member to perform their role
36. The Board will have access to a limited budget for specified purposes such as seeking professional advice, training and meeting the costs of any claim for expenses. Approval must be sought from the Scheme Manager in the first instance and granted on a case by case basis

### **QUORUM**

37. The total number of members required to be present for a meeting to be quorate is four



## VOTING

38. The Chair shall determine when consensus has been reached
39. Where consensus is not achieved this should be recorded by the Chair
40. When appropriate, and with sufficient notice, advisors and substitutes can attend Board meetings, however they will not have voting rights
41. In support of its core functions the Board may make a request for information to the Chief Fire Officer/CEO with regard to any aspect of the Scheme Manager function. Any such request should be reasonably complied with in both scope and timing
42. In support of its core functions the Board may make recommendations to the Chief Fire Officer/CEO which should be considered and a response made to the Board on the outcome within a reasonable period of time

## REVIEW, INTERPRETATION AND PUBLICATION OF TERMS OF REFERENCE

43. These Terms of Reference have been agreed by the Board. The Board will monitor and evaluate its operation and may review these Terms of Reference from time to time
44. The Terms of Reference are only effective once the Scheme Manager has provided confirmation that it approves them
45. Changes to these Terms of Reference will only be approved by the Board, with the Scheme Manager's approval

## DEFINITIONS AND INTERPRETATION

46. The following words apply to the Terms of Reference:
  - a. **Scheme Manager** - Buckinghamshire & Milton Keynes Fire Authority<sup>3</sup>
  - b. **Scheme** - means the Firefighters' Pension Scheme
  - c. **Regulations** - means the Firefighters' Pension Scheme 1992, as amended, the Firefighters' Pension Scheme 2006, as amended, and the Firefighters' Pension Scheme Regulations 2014, as amended
  - d. **Fund** - means the Firefighters' Pension Fund within the Scheme administered and maintained by the Scheme Manager
  - e. **Board member** - means a member of the Board (this includes a reference to an employer representative and a member representative)
  - f. **Chair** - means the appointed Chairperson of the Pension Board
  - g. **Employer representative** - means a person appointed to the Board for the purpose of representing employers for the Scheme and any connected Scheme
  - h. **Member representative** - means a person appointed to the Board for the purpose of representing members of the Scheme and any connected Scheme



- i. **Code of Conduct** – means the code of conduct adopted by the Board
- j. **Code of Practice** – means the Pensions Regulators Code of Practice no.14 entitled “Governance and administration of public service pension schemes”
- k. **Conflicts of Interest** - means the conflicts of interest procedure adopted by the Board