

NOTICE
OF
MEETING
BERKSHIRE PENSION FUND COMMITTEE

will meet on

MONDAY, 15TH NOVEMBER, 2021

At 4.00 pm

by

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD, ON [RBWM YOUTUBE](#)

TO: MEMBERS OF THE BERKSHIRE PENSION FUND COMMITTEE

COUNCILLORS JULIAN SHARPE (CHAIRMAN), DAVID HILTON (VICE-CHAIRMAN), SHAMSUL SHELM, SIMON BOND AND WISDOM DA COSTA

ADVISORY MEMBERS: COUNCILLORS LAW, BROCK, SAFDER ALI, KAISER AND LEAKE.

SUBSTITUTE MEMBERS COUNCILLORS GERRY CLARK, DAVID COPPINGER, GEOFF HILL, ANDREW JOHNSON AND SIMON WERNER

Karen Shepherd – Head of Governance - Issued: 05/11/2021

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **David Cook** david.cook@rbwm.gov.uk

Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES</u> To receive any apologies for absence.	-
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.	3 - 4
3.	<u>MINUTES</u> To approve the Part I minutes of the meeting held on 20 September 2021.	5 - 8
4.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u> "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place, on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of part I of Schedule 12A of the Act."	-

PART II - PRIVATE MEETING

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
5	<u>MINUTES</u> To approve the Part II minutes of the meeting held on 20 September 2021. <i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i>	9 - 12
6	<u>APPOINTMENT OF ACTUARY</u> <i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i>	To Follow

MEMBERS' GUIDE TO DECLARING INTERESTS AT MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a Disclosable Pecuniary Interest (DPI) or Other Registerable Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

DPIs (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the council.
- Any licence to occupy land in the area of the council for a month or longer.
- Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.
- Any beneficial interest in securities of a body where:
 - a) that body has a place of business or land in the area of the council, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other Registerable Interests (relating to the Member or their partner):

You have an interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) any body*
 - (i) exercising functions of a public nature*
 - (ii) directed to charitable purposes or*

one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer, you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

Agenda Item 3

BERKSHIRE PENSION FUND COMMITTEE

MONDAY, 20 SEPTEMBER 2021

PRESENT: Councillors Julian Sharpe (Chairman), David Hilton (Vice-Chairman), Shamsul Shelim and Simon Bond.

Also in attendance: Cllr Brock, Cllr Ali, Cllr Kaiser, Alan Cross, Rothan Worrall, Aiofinn Devitt, Andrew Harrison and Cllr W Da Costa.

Officers: Adele Taylor, Damien Pantling, Ian Coleman, Philip Boyton, Kevin Taylor, David Cook and Andrew Vallance

APOLOGIES

Apologies for absence were received by Cllr W Da Costa as he could not attend the meeting in person. Cllr W Da Costa attended the meeting virtually in a non-voting capacity.

DECLARATIONS OF INTEREST

There were no declarations of interest received.

MINUTES

The Part I minutes of the meeting held on 14 June 2021 were approved as a true and correct record subject to Cllr W Da Costa being added as an attendee.

PENSION GOVERNANCE UPDATE

The Committee considered the report regarding an update on the progress following the recommendations made in an independent report on the governance of the Pension Fund.

The Committee were informed that following on from an independent governance report presented to Members on 19 October 2020 and recommendations from the external auditors, an action plan was approved on how governance could be improved, this report sets out the progress made in implementing the recommendations made.

The majority of the targets / action were reporting 'green' on target, there were a few targets reporting 'red' off target and 'amber' off target but expected to be brought back on target:

- Updating the ISS had been postponed. The content of the ISS would be fully reviewed. A revised ISS is not statutorily required to be approved until 2022.
- Valuations timescales discussions with LPP took place in March 2020. The management agreement with LPP should be reviewed in 2021/22.
- The Pension Fund Committee on 14 December 2020 agreed to commence a procurement exercise for the appointment of a legacy Custodian, with the new contract to commence in 2022. There had been a delay as a further tender was required that was more urgent.
- A procurement exercise will be undertaken in 2021 to appoint Independent Advisers to advise the Pension Fund Committee.

Cllr Hilton mentioned that with regards to the review of the AMA he had been informed that Lancashire were also undertaking a review and it may be worth contacting them.

Cllr W Da Costa asked what the timescale for the ISS was and if members could feed into the statement. He was informed that the response had been delayed as they were waiting for the

Governments reply to the consultation on climate change, if there were further delays up to March 2022 then they would go ahead and publish a new strategy.

Cllr Hilton asked if there needed to be further action after writing to the regulator about the loan to the council, he was informed that there had been no response so no further action was required.

Resolved unanimously: that the Pension Fund Committee notes the paper and progress matrices at Appendices 1 and 2.

RISK ASSESSMENT REGISTER

The Committee considered the report regarding the current version of the Pension Fund's Risk Assessment Register.

Kevin Taylor informed members that the report provided Members with the current version of the Pension Fund's Risk Assessment Register as last approved by Committee on 16 December 2019. High and medium risks were highlighted in the risk assessment document. There were currently 0 high risk and 5 medium risks being identified. The medium risks and comments were found in section 2.2 of the report. The new Head of Pension Fund would be reviewing the full risk register

Cllr Hilton mentioned PEN 017: Funding level below 100% and was informed that there would be a full valuation in March 2022 and they would ask the actuary to also do a full governance review of employers.

Cllr Shelim asked why the one red risk regarding the exit gap had been removed and was informed that this was because the government had changed its plans and removed the exit gap requirement so it was no longer a risk.

Cllr Brook asked if he asked that with regards to cyber security would it add value if the Fund had its own policy. He was informed that this would be useful but it had to be incorporated within the boroughs policy as the Fund used its systems as the administering authority.

Cllr Da Costa asked about Pen 025: inability of Scheme employers to meet their Obligations and was informed that the actuary would be undertaking a full review and setting contribution rates. The risks would be brought back to the committee.

Resolved unanimously: that the Pension Fund Committee:

- i) Considers and notes the Risk Assessment Register and puts forward any suggested amendments as may be felt necessary;**
- ii) Authorises Officers to update the Risk Assessment Register as agreed by Committee;**
- iii) Approves publication of the final version on the Pension Fund website.**

ADMINISTRATION REPORT

The Committee considered the latest administration report of the Pension Fund for the period 1 January 2021 to 31 March 2021.

Kevin Taylor informed members that the report dealt with the administration of the Pension Fund and recommended that Members note the Key Administrative Indicators throughout the attached report. This was the quarterly report considered by the Committee and that there had been no major changes since last reported. He highlighted that this was the fourth year that the data quality exercise had been completed within tolerances expected by the regulator with accuracy currently at 98.9%. He also mentioned that communications had been effected by the pandemic but on line surgeries had been held.

Cllr Hilton mentioned that the number of active members was now bellow the number of deferred members and asked what where the risks. He was informed that in the short term there was little risk but this would be put to the actuary as part of their review.

Cllr Hilton also asked if there had been any further update on the McCloud Judgement and was informed that we were still awaiting the Governments response and the statutory guidance. There would be a resource issue but when ready an update would come to the committee.

Resolved unanimously: that the Committee notes the report and:

- (i) All areas of governance and administration as reported**
- (ii) All key performance indicators**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

The meeting, which began at 4.00 pm, finished at 6.21 pm

CHAIRMAN.....

DATE.....

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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