

Terms of Reference for the Pension Board of the Hampshire Fire Fighters Pension Scheme

1. Introduction

- 1.1. Hampshire Fire and Rescue Authority (HFRA) has established a Pension Board in accordance with the requirements of the Public Service Pension Act 2013.

2. Role and Powers of the Hampshire Fire Fighters Pension Board

- 2.1. The role of the Board is to:

- Assist HFRA as the administering authority of the Hampshire Fire Fighters Pension Scheme (HFFPS):
 - to secure compliance with the Fire Fighters Pension Scheme (FFPS) Regulations and any other legislation relating to the governance and administration of the FFPS.
 - to secure compliance with requirements imposed in relation to the FFPS by the Pensions Regulator.
- To ensure the effective and efficient governance and administration of the HFFPS by the Authority.
- To consider how discretionary and other pension related issues are being addressed from an operational viewpoint.
- To present an annual report to the Authority on the exercise of its functions.

- 2.2. 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. Members of the Hampshire Fire Fighters Pension Board

- 3.1. The Board shall initially consist of 6 members and be constituted as follows:

- 3 employer representatives;
- 3 scheme member representatives;

- 3.2. The Chairman of the Board will be elected by the Board at the first meeting of the Board following the Annual General Meeting of the HFRA in each year.

- 3.3. The Vice Chairman of the Board will be elected by the Board at the first meeting of the Board following the Annual General Meeting of the HFRA in each year.

- 3.4. The Chairman and Vice Chairman of the Board will alternate between employer and scheme representatives each year (if the Chairman is a scheme representative then the Vice Chairman will be an employer representative and vice versa)

- 3.5. The employer representatives will be appointed by the HFRA at its Annual General Meeting.
- 3.6. Scheme member representatives will be appointed by the Authority in accordance with the recruitment policy agreed by F&GP Committee. They must be active, deferred or pensioner members of the FFPS.
- 3.7. The term of office of the Chairman and Vice Chairman will be one year, but either can be re-elected by the Board up to a maximum of 4 years.
- 3.8. Each employer representative and scheme member representative so appointed shall serve for a fixed 4 year period which can be extended for a further period of 4 years.
- 3.9. Employer representatives and scheme member representatives will remain as members of the Board during their appointed term of office unless they become incapable of acting, cease to represent their constituency, resign by giving written notice to the Chairman of the HFRA or are removed from the Board pursuant to Paragraph 4 of the Board's Code of Conduct.
- 3.10. Employer representatives and scheme member representatives may also be removed from office during their term of appointment by a majority decision of a quorate meeting of the HFFPS Board if they do not comply with the requirements of paragraph 3.9. The removal of any Board member also requires the agreement of the HFRA.
- 3.11. The Chairman and employer representatives will be appointed by the HFRA at the Annual General Meeting and may be replaced at any time during the year by the HFRA.
- 3.12. Any vacancies arising for the scheme member representatives will be recruited in line with the recruitment policy approved by F&GP Committee and will be formally appointed by HFRA at any time during the year.
- 3.13. Each Board member should endeavour to attend all Board meetings during the year and is required to attend at least half of the meetings held in each year.

4. Quorum

- 4.1. Half of the members of the Board will represent a quorum for Board Meetings.
- 4.2. In the absence of both the Chairman and the Vice-Chairman the members of the Board shall appoint a Chairman for that meeting who shall while presiding have any power or duty of the Chairman in relation to the conduct of the meeting.

5. Advisers to the Board

- 5.1. The Board will be supported in its role and responsibilities by officers of the HFRA and it will consult with such officers to help better perform its duties. In the event that specialist professional advice is not available from the officers of the HFRA then the Board may ask the Director of Professional Services to seek independent professional advice through the appointment of advisers on their behalf, subject to financial and legal considerations.

6. Knowledge and Skills

- 6.1. A member of the Board must be conversant with:
- The legislation and associated guidance of the FFPS.
 - Any document recording policy about the administration of the FFPS which is for the time being adopted by the HFRA.
- 6.2. A member of the Board must have knowledge and understanding of:
- The law relating to pensions, and
 - Any other matters which are prescribed in regulations.
- 6.3. A member of the Board representing employers or scheme members must have the relevant experience and capacity to represent employer and scheme members respectively on the Board.
- 6.4. Notwithstanding the requirements set out above, it is anticipated that training will be given to Board Members to help them fulfil their role and to keep them updated on changes in the FFPS.

7. Board Meetings

- 7.1. Meetings of the Board will be conducted in accordance with the Standing Orders of the HFRA and for all purposes including but not limited to notice of meetings, publication of agendas and reports, recording and publication of minutes of meetings and consideration of urgent items meetings of the Board shall be treated as if they were a meeting of a Committee of the HFRA.
- 7.2. There will be a minimum of two Board meetings a year and the Chairman of the Board, with the consent of the Board 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 or video conferencing and e-mails.

8. Voting

- 8.1. Each member of the Board will have an individual vote and items will be decided by a simple majority of members attending the meeting but it is expected the Board will as far as possible reach a consensus. The Chairman shall determine when consensus has been reached.

- 8.2. Where consensus is not achieved, this should be recorded by the Chairman who shall then have a casting vote.
- 8.3. In support of its core functions, the Board may make a request for information from the Scheme Manager, with regard to any aspect of the scheme manager's function. Any such request should be reasonable and complied with in both scope and timing.
- 8.4. In support of its core functions the Board may make recommendations to the Scheme Manager which should be considered and a response made to the Board on the outcome within a reasonable period of time.

9. Standards of Conduct

- 9.1. The role of Board members requires the highest standards of conduct and therefore the 'seven principles of public life' apply to all Board members, these are:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

- 9.2. The Code of Conduct for Board Members set out in Annex A shall apply to all members of the Board. Members of the Board who are also a member of other authorities also remain bound by the Member's Code of Conduct of their own authority.

- 9.3. The Code of Conduct also includes information on Conflicts of Interests that Board Members must adhere to and the procedure for dealing with any non-compliance with the Code of Conduct.

10. Publication of Pension Board Information

- 10.1. Up to date information will be posted on the Authority's website showing:
 - The names and information of the Board members.
 - How the scheme members are represented on the Board.
 - The responsibilities of the Board as a whole.
 - The full terms of reference and policies of the Board and how they operate.
 - The Board appointment process.
 - Who each individual Board member represents.
 - Any specific roles and responsibilities of individual Board members.

11. Accountability

11.1. The Board will be collectively and individually accountable to F&GP Committee and the Authority.

12. Reporting Breaches

12.1. Any potential or actual Breach that comes to the attention of the Board shall be dealt with in accordance with the Breaches Policy as set out in Annex B.

13. Expense Reimbursement

13.1. No basic allowance is payable to Board members although employer and scheme member representatives shall be entitled to claim Travelling Allowances on the terms set out in the then current Member's Allowance scheme, or HFRS employees scheme as appropriate.

14. Definitions

14.1. The undernoted terms shall have the following meaning when used in this document:

<i>Breach</i>	Means non-compliance with a duty relevant to the administration of the FFPS which is likely to be of material significance to the Pensions Regulator in the exercise of any of its functions
<i>'Hampshire Fire Fighters Pension Board', 'Fire Pension Board', 'Pension Board' or 'Board'</i>	Means the Pension Board of Hampshire Fire and Rescue Authority for the Hampshire Fire Fighters Pension Scheme as required under the Public Service Pensions Act 2013.
<i>'HFFPS', 'FFPS' or Regulations</i>	The Fire Fighters Pension Scheme as constituted by the Firefighters pension scheme 1992, as amended, the Firefighters Pension Scheme 2006, as amended, and the Fire Fighters Pension Scheme 2015 as amended by the Firefighters Pension Scheme Regulations 2014.
<i>'Scheme'</i>	Means the Fire Fighters Pension Scheme as defined under 'HFFPS' above.
<i>'Scheme Member'</i>	Means active, deferred or pensioner members of the Fire Fighters Pension Scheme

15. Interpretation

15.1. Any uncertainty or ambiguity or interpretation required relating to any matters contained in this document shall be resolved by reference to the Authority's Monitoring Officer.

Code of Conduct for Members of the Hampshire Fire Fighters Pension Board Members

1. Introduction

This Code of Conduct for the Hampshire Fire Fighters Pension Board has been adopted by the HFRA pursuant to its statutory duty to appoint a Pension Board for the HFFPS.

This Code applies to members of the Hampshire Fire Fighters Pension Board when acting in their capacity as members of the Board. For the avoidance of doubt, members of the Board who are also members of other authorities also remain bound by the Member's Code of Conduct of their own authority.

This Code is based on and is consistent with the principles of;

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty and
- Leadership

2. Obligations of Members of the Board

As a Member of Hampshire Fire Fighters Pension Board, your conduct will address the principles of the Code of Conduct by:

- a. Not allowing other pressures, including the financial interests of yourself or others connected to you, to deter you from pursuing the interests of the HFFPS, or the good governance of the HFFPS in a proper manner.
- b. Exercising independent judgement and not compromising your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties.
- c. Listening to the interests of all parties, including relevant advice from statutory and other professional officers of the HFRA (or those acting on their behalf), taking all relevant information into consideration, remaining objective and making decisions on merit.

- d. Being accountable for your decisions and co-operating when scrutinised internally and externally.
- e. Contributing to making the Board's decision-making processes as open and transparent as possible.
- f. Restricting access to information when the wider public interest, the Board's Terms of Reference or the law requires it.
- g. Valuing your colleagues and Officers of the HFRA and engaging with them in an appropriate manner.
- h. Always treating all people with respect and propriety.

3. Conflicts of Interest

- a. No member of the Board may participate in any business of the Board if they have a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board (this does not include a financial or other interest arising merely by virtue of membership of the Scheme or any connected Scheme) ('Conflict of Interest').
- b. All Board members must before becoming a member of the Board declare any potential Conflict of Interest to the Monitoring Officer of the HFRA.
- c. After appointment all Board members must within 14 days of becoming aware of any new potential Conflict of Interest declare that potential Conflict of Interest to the Monitoring Officer of the HFRA.
- d. A member of the Board must at any time provide the Monitoring Officer of the HFRA with such information as he or she requires for the purpose of establishing whether or not the Board member has a Conflict of Interest.
- e. A Board member should disclose any Conflict of Interest in any business of the Board either at the commencement of the meeting, the commencement of the consideration of the item or when the Conflict of Interest becomes apparent.
- f. If a Board member has a Conflict of Interest in any business of the Board then that Member may not participate in any discussion of, vote on or discharge any function in relation to the matter. In addition the Board member should withdraw from the room where the meeting is being held.

4. Non-Compliance with the Code of Conduct

Any alleged breaches of the Code of Conduct including the non-disclosure of any relevant conflicts of interest should be reported to the Monitoring Officer or the Chief Financial Officer in the first instance.

The matter will be independently investigated by the Monitoring Officer and Chief Financial Officer and a written report will be produced that takes into account the material facts surrounding the alleged breach and the severity of the breach in the wider context of the business of the Board.

If the Monitoring Officer and Chief Financial Officer conclude that there has been a breach and it is considered to be significant in the context of the business of the Board then the matter shall be referred to the HFRA F&GP Committee for consideration. In the event that the Committee find that a member of the Board has failed to comply with the provisions of this Code then the Committee may determine that the Member is to immediately cease to be a member of the Board or take such other action as the Committee regard as appropriate. This can include but is not limited to requiring the member to apologise or requiring the member to undertake such training as they feel is appropriate.

Breaches Policy

The Pension Regulator (TPR) Code of Practice states certain people involved with public service pension schemes must inform them of breaches of the law where that breach is likely to be of material significance. This requirement extends to the Pension Board, employers and professional advisers.

A Breach is defined as :

a legal duty relevant to the administration of the scheme hasn't been or isn't being complied with: this could relate for instance to keeping records, internal controls, calculating benefits and, for funded schemes, includes investment governance and administration matters

In the event that an alleged Breach is identified, this should be reported to the Monitoring Officer in the first instance to seek guidance on whether or not the alleged Breach is of material significance.

In deciding whether an alleged breach is likely to be of material significance, the Monitoring Officer will consider the cause, effect, reaction to and wider implications of the breach.

Where it is concluded that a material Breach has happened, this will be reported to The Pension Regulator by the Monitoring Officer.

Where a Breach has occurred that is not considered to be material, this will be held on record and reported to the Pension Board.