

**PENSION BOARD OF [INSERT FIRE AND RESCUE AUTHORITY]  
TERMS OF REFERENCE**

**Name**

1. The name of the Board is “Local Pension Board” (“the Board”) and is established by [INSERT FIRE AND RESCUE AUTHORITY] (“the Authority”) as the Scheme Manager under the provisions of the Public Sector Pensions Act 2013 and The Firefighters’ Pension Scheme (Amendment)(Governance) Regulations 2015.
2. The Board shall be in place from [INSERT DATE].

**Statement of purpose**

3. The purpose of the Board is to assist [INSERT FIRE AND RESCUE 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 Pensions Regulator in relation to the Scheme and’;
  - (b) ensure the effective and efficient governance and administration of the Scheme.

**Duties of the Board**

4. 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 act always in the interests of the scheme and not seek to promote the interests of any stakeholder group above another.
  - (b) should be subject to and abide by the [INSERT FIRE AND RESCUE AUTHORITY] code of conduct for members.

**Membership**

5. The Board will comprise an equal number of employer and member representatives with a minimum requirement of no less than four in total.
6. Substitute members [will/ will not] be permitted.
7. Each Board member shall endeavour to attend all Board meetings during the year.

### **Member representatives**

8. [INSERT NUMBER] member representatives shall be appointed to the Board.
9. Member representatives shall either be members of the scheme administered by [INSERT FIRE AND RESCUE AUTHORITY] or have experience of representing pension scheme members in a similar capacity.
10. 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**

8. [INSERT NUMBER] employer representatives shall be appointed to the Board
9. Employer representatives shall be office holders or senior employees of [INSERT FIRE AND RESCUE AUTHORITY] or have experience of representing scheme employers in a similar capacity. Office holders or employees of [INSERT FIRE AND RESCUE AUTHORITY] with delegated responsibility for discharging the scheme manager function of [INSERT FIRE AND RESCUE AUTHORITY] may not serve as employer representatives.
10. Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
12. Employer representatives shall be appointed by [INSERT FIRE AND RESCUE AUTHORITY] in a manner which it considers best promotes the purpose of the Board.

### **Other members**

13. [INSERT NUMBER TO BE NO GREATER THAN THE COMBINED NUMBER OF EMPLOYER AND MEMBER REPRESENTATIVES] other members shall be appointed to the Board by [INSERT FIRE AND RESCUE AUTHORITY OR THE BOARD]
14. Other members [shall/ shall not] be ex-officio members.
15. Any appointments of other members shall have regard to the best interests of the purpose of the Board.

### **Appointment of chair**

16. [INSERT FIRE AND RESCUE AUTHORITY] shall appoint a[n]  
(delete as appropriate):

Option 1 Independent chair

**Option 2 Board appointed chair**

**Option 3 [ INSERT FIRE AND RESCUE AUTHORITY ] appointed chair**

17. The duties of the chair should be in accordance with the duties of a chair within [INSERT FIRE AND RESCUE AUTHORITY].

**Notification of appointments**

18. On appointment to the Board [INSERT FIRE AND RESCUE AUTHORITY] shall publish the name of the appointees, the process followed in the appointment together with the way in which the appointments support the effective delivery of the purpose of the Board.

**Conflicts of interest**

19. All members of the Board must declare to [INSERT FIRE AND RESCUE AUTHORITY] on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Board.
20. On appointments to the Board and following any subsequent declaration of potential conflict [INSERT FIRE AND RESCUE AUTHORITY] shall ensure that any potential conflict is effectively managed in line with both the internal procedures of [INSERT FIRE AND RESCUE AUTHORITY] and the requirements of the Pensions Regulator's codes of practice on conflict of interest for Board members.

**Knowledge and understanding (including Training)**

21. Knowledge and understanding must be considered in light of the role of the Board to assist [INSERT FIRE AND RESCUE AUTHORITY] in line with the requirements outlined in section 2 above. The Board should establish and maintain a policy and framework to address the knowledge and understanding requirements that apply to Board members. 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.
22. 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 policy and framework.
23. Board members shall participate in such personal training needs analysis or other processes that are put in place in order to ensure that they maintain the required level of knowledge and understanding to carry out their role on the Board.
24. The Board is entitled to one free training session per annum to be delivered in house by the LGA.

## Term of office

25. Term of Office shall be longer than 12 months to allow sufficient development of knowledge and understanding, up to a maximum of [INSERT MAXIMUM].
26. 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.

## Meetings

27. The Board shall as a minimum meet [INSERT NUMBER] times per year, considering that quarterly meetings are recommended good practice. Meetings shall normally take place between the hours of [INSERT TIME] and [INSERT TIME].
28. 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.
29. All agendas and papers for Board meetings will be made publically available on the [INSERT FIRE AND RESCUE AUTHORITY] website unless, in the opinion of the Scheme Manager, they are covered by exempt/confidential information procedures under Schedule 12A of the Local Government Act 1972 (as amended) or represent data covered by the Data Protection Act 1998.

## Quorum

either

30. The total number of members required to be present for a meeting to be quorate is [INSERT NUMBER] plus the chair or deputy chair.

or

31. A meeting is only quorate when at least xx% of both member and employer representatives are present plus the chair or deputy chair.

## Voting

32. The Chair shall determine when consensus has been reached.

33. Where consensus is not achieved this should be recorded by the Chair.

34. In support of its core functions the Board may make a request for information to [INSERT NAME OF OFFICER WITH DELEGATED SCHEME MANAGER FUNCTIONS] with regard to any aspect of the scheme manager function. Any such a request should be reasonably complied with in both scope and timing.

35. In support of its core functions the Board may make recommendations to [INSERT NAME OF OFFICER WITH DELEGATED SCHEME MANAGER FUNCTIONS] which should be considered and a response made to the Board on the outcome within a reasonable period of time.

### **Accountability**

36. The Board will be collectively and individually accountable to the Scheme Manager, which is ultimately [INSERT FIRE AND RESCUE AUTHORITY] as the responsible authority for the Firefighters' Pension Schemes.

37. [INSERT FIRE AND RESCUE AUTHORITY] continue to be responsible for the contractual arrangements, including delivery against the contract and agreed key performance indicators for the pension scheme administration.

### **Data Protection**

38. The Board will adhere to the Data Protection Policies held by the Scheme Manager ([INSERT FIRE AND RESCUE AUTHORITY]).

### **Interpretation**

39. In these terms 'the Scheme' means the Firefighters' Pension Scheme.

40. In these terms 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.

41. In these terms 'regulations' include the Firefighters' Pension Scheme 1992, as amended, the Firefighters' Pension Scheme 2006, as amended, the Firefighters' Pension Scheme Regulations 2014 as amended, the Pension Regulators Codes of Practice as they apply to the scheme manager and pension board, and any other relevant legislation applying to the Scheme.

### **Amendment to the Terms of Reference**

42. These terms of reference may be amended by regulation or in consultation with the Board by the Scheme Manager.

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## ANNEX A

### EXAMPLE APPOINTMENT PROCESSES

#### Directly appointed member representatives

1. Every member of the scheme administered by [INSERT FIRE AND RESCUE AUTHORITY] shall be sent a nomination pack to include the terms of reference, an invitation to nominate themselves or another appropriate person as a member representative, a nomination form and a voting form.
2. Any nomination should include information as to how the nominee meets the requirements of the role as set out in the terms of reference and how their appointment would be in the best interests of the purpose of the Board.
3. Nominations shall be posted on the website of [INSERT FIRE AND RESCUE AUTHORITY] together with instructions for the completion and submission of voting forms.
4. The [INSERT NUMBER] nominees with the most number of votes shall be appointed to the Board.

#### Independent chair

1. [INSERT FIRE AND RESCUE AUTHORITY] shall place an advertisement for an independent chair of the board in the appropriate media to include but not be restricted to:
  - (a) The website of [INSERT FIRE AND RESCUE AUTHORITY]
  - (b) One local media outlet
  - (c) An employer newsletter
  - (d) A member newsletter
2. The advertisement should ask for applications for the role of independent chair and should include information as to how to apply together with a description of the role.
3. Applications should be submitted to [INSERT SECTION/OFFICER OF FIRE AND RESCUE AUTHORITY] and show how the candidate meets the requirements of the role as set out in the terms of reference and how their appointment would be in the best interests of the purpose of the Board.
4. [INSERT SECTION/OFFICER OF FIRE AND RESCUE AUTHORITY] shall score the applications against the requirements of the role as set out in the terms of reference and the highest scoring candidates should make up the shortlist.

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