

Nottinghamshire Local Pension Board Code of Practice

Introduction

1. This Code of Practice for Nottinghamshire Local Pensions Board was approved by the Nottinghamshire Local Pensions Board on **9 January 2025**.

Membership

2. The Board shall consist of 8 voting members, as follows:
 - 4 member representatives
 - 4 employer representatives
3. There shall be an equal number of member and employer representatives.
4. The Board is established under the Public Service Pensions Act 2013 (the Act); the rules of political proportionality relating to bodies established under the Local Government Act 1972 are not applicable.

Member representatives

5. Member representatives shall either be scheme members or have capacity to represent scheme members of the Nottinghamshire Pension Fund (the Fund).
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.
7. Substitutes shall not be appointed.
8. A total of 4 member representatives shall be appointed from the following sources:
 - a. The recognised trade unions representing employees who are scheme members of the Fund.
 - b. Staff groups following a transparent selection process which should be open to all Fund members.
 - c. Scheme pensioners following a transparent selection process which should be open to all Fund members.
 - d. Other scheme members following a transparent selection process which should be open to all Fund members.

Employer representatives

9. Employer representatives shall be office holders or senior employees of employers of the Fund or have experience of representing scheme employers in a similar capacity. No officer or elected member of Nottinghamshire County Council who is responsible for discharging any functions of Nottinghamshire Pension Fund Committee, or any sub-committee of the Nottinghamshire Pension Fund Committee, may serve as a member of the Board.
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.
11. Substitutes shall not be appointed.
12. A total of 4 employer representatives shall be appointed to the Board from the following sources:
 - a. 1 employer representative shall be appointed by Nottinghamshire County Council.
 - b. 1 employer representative shall be appointed by Nottingham City Council.
 - c. 1 large employer representative shall be appointed where all employers will have been asked to submit their interest in undertaking the role of employer representative on the Board.
 - d. 1 small employer representative shall be appointed where all employers will have been asked to submit their interest in undertaking the role of employer representative on the Board.

Appointment of chair

13. A chair shall be appointed for the Board by the employer and member representatives of the Board from amongst their own number.
14. The Board may choose to appoint a vice-chair. Where it does this, the vice-chair should come from the opposite set of representatives to the chair. For instance, if the chair is a member representative, the vice-chair should be an employer representative, or vice versa.
15. Should the Board appoint a vice-chair, they will take on the role of the chair when the chair is not present for a meeting, or for specific agenda items where the chair may have declared an interest and left the room. If the Board has not appointed a vice-chair, it shall appoint from its membership someone to act as chair for any meeting or item of business where the chair is not present.

Expectations of the chair of the Local Pensions Board

16. The chair of the Local Pensions Board leads it in undertaking its functions. The role of the chair in managing meetings is set out in Nottinghamshire County Council's Constitution.
17. Support is available to chairs to help them understand and conduct their role. The chair of the Local Pensions Board may also be able to access training to support them in their role.
18. The chair is responsible for managing meetings. This includes managing potential conflicts of interest, seeking consensus, and encouraging participation, particularly where members have knowledge and skills that would be of benefit to a discussion.
19. The chair should demonstrate the standards of behaviour expected of all members and manage meetings in a way that promotes and supports these behaviours.
20. Working with the officers and advisers who work with the Board, the chair should support the commissioning of relevant training and encourage attendance.

Terms of office

21. The term of office for Board members is 4 years.
22. Extensions to terms of office may be made by Nottinghamshire County Council with the agreement of the Board.
23. A Board member may be appointed for further terms of office using the methods set out in paragraphs 8 and 12 above.
24. 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 scheme member in the Fund.
 - b. A member representative no longer being a scheme member or a representative 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. A Board member no longer being able to demonstrate to Nottinghamshire County Council their capacity to attend and prepare for meetings or to participate in required training.

- e. The representative being withdrawn by the nominating body and a replacement identified.
- f. A Board member has a conflict of interest which cannot be managed.
- g. A Board member who is an elected member becomes a member of the Nottinghamshire Pension Fund Committee or any sub-committee that may be appointed.
- h. A Board member who is an officer of the Administering Authority becomes responsible for the discharge of any functions of the Administering Authority under the Regulations.

Conflicts of interest

- 25. Members of the Board must abide by the Fund's Conflicts of Interest Protocol.
- 26. A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the Nottinghamshire Local Government Pension Scheme (the Scheme).
- 27. All members of the Board must declare to the Administering 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.
- 28. On appointment to the Board and following any subsequent declaration of potential conflict by a Board member, the Administering Authority shall ensure that any potential conflict is effectively managed in line with the requirements of Nottinghamshire County Council's Code of Conduct for Councillors and Co-opted Members and the Fund's Conflicts of Interest Protocol.

Knowledge and understanding (including Training)

- 29. Nottinghamshire Pension Fund has a Training Strategy which incorporates a framework to ensure members of the Local Pensions Board have the knowledge and understanding they need to assist the Administering Authority. The Training Strategy recognises knowledge and understanding requirements set out in legislation together with the Pensions Regulator's General Code of Practice. That framework shall be used to assess members' knowledge and understanding. Any gaps in knowledge and understanding will be identified by carrying out a training needs analysis, from which a training programme will be developed. This will set out how knowledge and understanding is acquired and updated.
- 30. Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Fund's Training Strategy.

31. 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.

Meetings

32. The Board shall as a minimum meet two times each year.
33. Meetings shall normally take place between the hours of 10am and 4pm at Nottinghamshire County Council's democratic headquarters.
34. The chair of the Board, with the consent of the Board membership, may call additional meeting. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board including virtual meetings, telephone conference and e-mails.

Quorum

35. A meeting is only quorate when at least 3 voting members are present, including at least one member representative and one employer representative.
36. A meeting that becomes inquorate may continue but any decisions will be non-binding.

Voting

37. Where there is an equal number of votes for and against a motion there will be no casting vote; the motion will be considered defeated.

Public access to Board meetings and information

38. County Councillors and the general public will have rights of access to meetings under the Council's meeting procedure rules.
39. The following will be entitled to attend Board meetings in an observer capacity:
 - a. Members of the Nottinghamshire Pension Fund Committee, or any sub-committee of the Nottinghamshire Pension Fund Committee that may be appointed.
 - b. Any person requested to attend by the Board.

Any such attendees will be permitted to speak at the discretion of the Chair.

Expenses and allowances

40. The Administering Authority will meet the expenses of Board members in line with the Administering Authority's policy on expenses as set out in the Councillors' Allowances Scheme.

Budget

41. The Board is provided with adequate resources to fulfil its role. Resourcing for the Board is met by the Fund.