

Croydon Council

REPORT TO:	Pension Board 13 October 2022
SUBJECT:	Governance Best Practice Compliance Statement
LEAD OFFICER:	Matthew Hallett – Acting Head of Pensions and Treasury

1. RECOMMENDATION

- 1.1 The Board are asked to note and comment on the revised draft Governance Best Practice Compliance Statement attached as Appendix A.

2. EXECUTIVE SUMMARY

- 2.1 This report updates the Governance Best Practice Compliance Statement for noting and comment by the Board.

3 DETAIL

- 3.1. Regulation 55 of the Local Government Pension Scheme Regulations 2013 requires an administering authority to prepare a written statement setting out the extent to which a delegation of its functions to a committee, or the absence of a delegation, complies with guidance given by the Secretary of State and, to the extent that it does not comply, the reasons for not complying. In addition A3 of the Scheme Advisory Board Good Governance Review recommends Local Government Pension Scheme Administering Authorities to measure their governance arrangements against any standards set out. Statutory Guidance issued by the, then, Secretary of State for Communities and Local Government or (now) by the Secretary of State for Levelling Up, Housing and Communities. The Committee is expected to review the Governance Best Practice Compliance Statement annually and must consult such persons as it considers appropriate when preparing revisions to the Statement.
- 3.2 At their meeting on 14 June 2022 the Committee considered a draft Compliance Statement and the minutes of their discussion were as follows:

In response to comments from members, officers noted that Principal G of the report (That subject to any rules in the Council's Constitution, all members of main and secondary committees or panels have equal access to committee papers, documents and advice that falls to be considered at meetings of the main committee) could not be described as fully compliant due to the historical poor performance in producing meeting papers and minutes on time. The Pension Team also agreed to look at whether or not item d) of the Compliance Statement on Structure could be described as fully compliant. Officers would review whether

or not the Pension Board should be described as a sub-committee and if decided not then the Pension Committee did not have sub-committees. It should still be recognised that the Chair of the Pension Board observed Pension Committee meetings and was invited to speak and comment on the work of the Board.

RESOLVED to review and agree the draft Governance Best Practice Compliance Statement attached as Appendix A.

- 3.3 The updated compliance statement included as Appendix A takes into account the points made by the Committee and other matters consequent upon the Committee's consideration. Officers confirm that soon after local pension boards were established in 2015 administering authorities, via the Local Government Association, received advice from Leading Counsel that they are not council committees and have no corporate status. Council Committees are created under section 101(1) and 102 of the Local Government Act 1972. Pension Boards are established under section 5(1) of the Public Service Pensions Act 2013 and The Local Government Pension Scheme (Amendment) (Governance) Regulations 2015. Appendix A sets out where the Pension Fund is fully compliant with the guidance and, where it is not fully compliant, provides an explanation.
- 3.4 The Committee further considered the Statement at their meeting on 11 October 2022 and the Board will be advised verbally of their conclusions.
- 3.5 The Board are asked to note and comment on the attached Governance Best Practice and Compliance Statement.

4. DATA PROTECTION IMPLICATIONS

- 4.1 Will the subject of the report involve the processing of 'personal data'?

No.

Has a data protection impact assessment (DPIA) been completed?

No. This report relates to matters relating to the administration of the LGPS and the Croydon Pension Fund.

Approved by: Matthew Hallett on behalf of Jane West, Corporate Director of Resources (Section 151 Officer)

CONTACT OFFICER:

Matthew Hallett – Acting Head of Pensions and Treasury.

BACKGROUND DOCUMENTS:

None.

APPENDIX:

Appendix A: Governance Best Practice Compliance Statement