

Scheme Advisory Board

Terms of Reference

Statement of purpose

1. The purpose of the Board is to:
 - (a) Provide advice in response to a request from the Secretary of State on the desirability of making changes to the Firefighters' Pension Schemes (FPSs).
 - (b) Provide advice to scheme managers and local pension boards in relation to the effective and efficient administration and management of the Firefighters' Pension Schemes (FPSs)
2. When appropriate the board will also need to advise the Secretary of State of issues that have not been part of a specific request.

Duties of the Board

3. The Board should at all times act in a reasonable manner in the conduct of its purpose of business. 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 code of conduct for members.

Membership

4. The Board will comprise an equal number of 7 employer and member representatives, plus an independent chair appointed by the Secretary of State..

Member representatives

5. 7 member representatives shall be appointed to the Board.
6. These 7 places to be split between the four trade unions on the basis of 4 seats for the Fire Brigades Union and one each for the Retained Firefighters' Union, the Fire Officers' Association and the Association of Principal Fire Officers.
7. Each of the four unions should propose their nominated candidate.
8. Member representatives must be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
9. Member representatives shall be appointed by the Secretary of State.

Employer representatives

10. 7 employer representatives shall be appointed to the Board.
11. Employer representatives shall be proposed and selected by the Local Government Association (LGA).
12. Employer representatives must be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
13. Employer representatives shall be appointed by the Secretary of State.

Substitutions

14. Members of the board should at all time try to attend, however on exception substitutes should be allowed.
15. Substitutes should be named by the appropriate nominating body.
16. Substitutes should comply with the terms of reference, and attend all training sessions where possible.

Appointment of chair

17. The Secretary of State shall appoint an independent chair.

Other members

18. The chair of the Firefighters' Pension Scheme Advisory Board may, with the agreement of the Board, appoint a maximum of three persons to be non-voting advisory members of the Boards.
19. Any appointments of adviser members shall have regard to the best interests of the purpose of the Board.

Power to establish Sub-Committee or Panels

20. The chair of the Board, may with the agreement of the Board establish a sub-committee of the Board. The sole purpose of any such sub-committee / panel is to provide reports and make recommendations to the Board.
21. The Board shall be entitled to establish such panels or groups as it considers necessary to assist in the discharge of its functions. No delegated authority shall be granted to such a panel and the composition of a panel shall not be confined to the Members of the Board.

Conflicts of interest

22. All members of the Board must declare to the Secretary of State 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.
23. On appointments to the Board and following any subsequent declaration of potential conflict the Secretary of State shall ensure that any potential conflict is effectively managed in line with the requirements of the Pensions Regulators Code of practice 14 on conflict of interest for Board members.

Knowledge and understanding (including Training)

24. Knowledge and understanding must be considered in light of the role of the Board to assist the Pension Boards. The Board should establish and maintain a policy to address the knowledge and understanding requirements that apply to Board members. That policy shall set out the degree of knowledge and understanding required as well as how knowledge and understanding is acquired, reviewed and updated.
25. 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.

26. 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.

Term of office

27. Term of Office should be in accordance with the terms of the members appointment by the Secretary of State.
28. Board membership may be terminated prior to the end of the term of office due to:
- (a) A member representative no longer being a member of the body on which their appointment relied.
 - (b) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied.
 - (c) The representative no longer being able to demonstrate their capacity to attend and prepare for meetings or to participate in required training.
 - (d) Intentional failure to declare a conflict of interest.
 - (e) Substantial lack of attendance at Board.
 - (f) Failure to comply with the code of conduct.
 - (g) A trade union giving written notice that it is amending or changing its member representative nomination(s)
 - (h) LGA giving written notice that it is amending or changing its employer representative nomination(s)

Meetings

29. The Board shall as a minimum meet 4 times per year. Meetings shall normally take place between the hours of 10.30am and 2.30pm.
30. The chair of the Board with the consent of the Board membership may call additional meetings. Urgent business of the Board between meetings may only be conducted via communications between members of the Board including telephone conferencing and e-mails with the consent of all Board members.

Quorum

31. The board shall require at least 10 members to be present, with a minimum of 3 employer and employee representative plus the chair for a meeting to be quorate.

Decisions

32. The Chair shall determine when consensus has been reached.
33. In the event consensus is not achieved the board will vote.
34. In the event of a vote, each member of the board will use one vote. The chair does not have a casting vote.
35. In a tie position, the position of the board will be recorded to the Secretary of State.

Expense Reimbursement

36. No basic allowance is payable to Board members although employer and scheme member representatives shall be entitled to claim travelling allowances.
37. All travel claimed for by board members should be standard class only.
38. Reasonable expenses incurred by the Chair for accommodation and meals whilst carrying out board business will be payable in line with LGA guidelines.

Interpretation

39. In these terms 'the Scheme' means the Firefighters' Pension Scheme.
40. In these terms 'regulations' include the Firefighters' Pension Scheme 1992 as amended, the Firefighters' Pension Scheme 2006 as amended, which includes Special Firefighter members as modified by SI 2014/445, the Firefighters' Pension Scheme Regulations 2014 as amended, The Firefighters' Compensation Scheme (England) Order 2006 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.

Secretariat

41. Secretariat support shall be provided by the Local Government Association.