

ROYAL BOROUGH OF KENSINGTON AND CHELSEA PENSION FUND

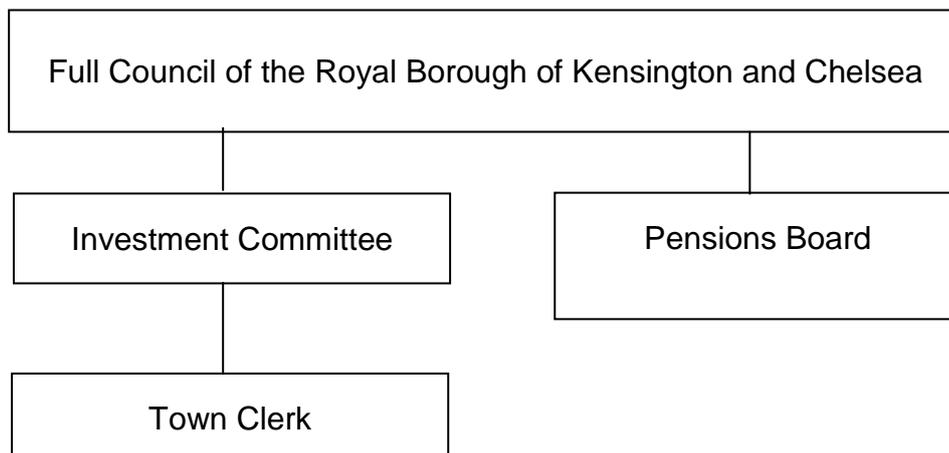
GOVERNANCE COMPLIANCE STATEMENT

The Royal Borough of Kensington and Chelsea is the administering authority for the Royal Borough of Kensington and Chelsea Pension Fund (“the Fund”) and it administers the Local Government Pension Scheme on behalf of the participating employers.

Regulation 55 of the Local Government Pension Scheme regulations 2013 requires all administering authorities for local government pension schemes to publish a Governance Compliance Statement setting out the Fund’s governance arrangements. Information on the extent of the Fund’s compliance with guidance issued by the Secretary of State for Communities and Local Government is also a requirement of this regulation.

Governance Structure

The diagram below shows the governance structure in place for the Fund.



The Full Council has delegated its functions in relation to the Pension Fund regulations, as shown in the diagram. The sections below explain the role of each party and provide the terms of reference.

Investment Committee

Full Council has delegated all decisions in relation to the Public Service Pensions Act 2013 to the Investment Committee.

The role of the Investment Committee is to take responsibility for all aspects of the investment and other management activity of the Fund.

The Committee is made up of six elected members - four administration councillors and two opposition councillors. The chairman is appointed by the Full Council. There are also four co-opted non-voting independent members to provide additional advice to the Committee.

All Councillors on the Committee have voting rights. In the event of an equality of votes, the Chairman shall have a second casting vote. Where the Chairman is not in attendance, the Vice-Chairman has the casting vote.

The Committee meets four times a year and may convene additional meetings as required. Three members of the Committee are required to attend for a meeting to be quorate.

The terms of reference for the Committee are:

1. To agree the investment strategy and strategic asset allocation having regard to the advice of officers and that of any investment advisers.
2. To monitor performance of the Pension Fund, individual fund managers, custodians, actuary and other external advisors to ensure that they remain suitable;
3. To determine the Fund management arrangements, including the appointment and termination of the appointment of the Fund Managers, Actuary, Custodians and Fund Advisers.
4. To agree the Statement of Investment Principles, the Funding Strategy Statement, the Business Plan for the Fund, the Governance Policy Statement, the Communications Policy Statement and the Governance Compliance Statement and to ensure compliance with these.
5. To approve the final statement of accounts of the Pension Fund and to approve the Annual Report.
6. To receive actuarial valuations of the Pension Fund regarding the level of employers' contributions necessary to balance the Pension Fund.
7. To oversee and approve any changes to the administrative arrangements, material contracts and policies and procedures of the Council for the payment of pensions, and allowances to beneficiaries.
8. To make and review admission policies relating to admission agreements with admission bodies where there is not an automatic transfer under TUPE regulations.
9. To ensure compliance with all relevant statutes, regulations and best practice with both the public and private sectors.
10. To receive and consider the Auditor's report on the governance of the Pension Fund.
11. To determine any other investment or pension fund policies that may be required from time to time so as to comply with Government regulations and to make any decisions in accordance with those policies.

Pensions Board

With effect from 1st April 2015, all administering authorities are required by the Public Services Pensions Act 2013 to establish a Pensions Board to assist them. The Royal Borough of Kensington and Chelsea Pensions Board was established by full Council on 4 March 2015.

The role of the Pensions Board is to assist the administering authority with securing compliance with Local Government Pension Scheme regulations and other legislation relating to the governance and administration of the scheme. The Board does not have a decision making role in relation to management of the Fund, but is able to make recommendations to the Investment Committee.

The membership of the Board is as follows:

- Three employer representatives comprising one from an admitted or scheduled body and two nominated by the Council;
- Three scheme members representatives from the Council or an admitted or scheduled body.

All Board members are entitled to vote, but it is expected that as far as possible Board members will reach a consensus. Three Board members are required to attend for a meeting to be quorate. The Board will meet a minimum of twice a year.

Compliance with statutory guidance

It is a regulatory requirement that the Fund publishes the extent to which it complies with statutory guidance issued by the Secretary of State for Communities and Local Government. The guidance and compliance levels are set out in Annex 1.

Review of statement

This statement will be kept under review and updated as required. Consultation with the admitted and scheduled bodies of the Fund will take place before the statement is finalised at each change.

Annex 1 - Compliance with statutory guidance on Local Government Pension Scheme Governance.

Structure

a) The management of the administration of benefits and strategic management of fund assets clearly rests with the main committee established by the appointing council.

COMPLIANT – as set out in terms of reference of the Investment Committee and the Administration Committee

b) That representatives of participating LGPS employers, admitted bodies and scheme members (including pensioner and deferred members) are members of either the main or secondary committee established to underpin the work of the main committee.

NOT FULLY COMPLIANT – representatives of the employers and scheme members are Pension Board members, rather than members of the Investment Committee.

c) That where a secondary committee or panel has been established, the structure ensures effective communication across both levels.

NOT APPLICABLE – all Pension Fund matters are considered by the Investment Committee.

d) That where a secondary committee or panel has been established, at least one seat on the main committee is allocated for a member from the secondary committee or panel.

NOT APPLICABLE – all Pension Fund matters are considered by the Investment Committee.

Committee Membership and Representation

a) That all key stakeholders are afforded the opportunity to be represented within the main or secondary committee structure. These include:-

- i) employing authorities (including non-scheme employers, e.g. admitted bodies);*
- ii) scheme members (including deferred and pensioner scheme members),*
- iii) where appropriate, independent professional observers, and*
- iv) expert advisors (on an ad-hoc basis).*

NOT FULLY COMPLIANT – representatives of the employers and scheme members are Pension Board members, rather than members of the Investment Committee. Expert advisers attend the Investment Committee as required.

b) That where lay members sit on a main or secondary committee, they are treated equally in terms of access to papers and meetings, training and are given full opportunity to contribute to the decision making process, with or without voting rights.

NOT APPLICABLE – all Pension Fund matters are considered by the Investment Committee, on which Co-optees are treated in the same way as members.

Selection and role

a) *That committee or panel members are made fully aware of the status, role and function they are required to perform on either a main or secondary committee.*

COMPLIANT – as set out in terms of reference of the Investment Committee

b) *That at the start of any meeting, committee members are invited to declare any financial or pecuniary interest related to specific matters on the agenda*

COMPLIANT – this is a standing item on the Investment Committee agendas.

Voting

a) *The policy of individual administering authorities on voting rights is clear and transparent, including the justification for not extending voting rights to each body or group represented on main LGPS committees.*

COMPLIANT – as set out in terms of reference of the Investment Committee.

Training, Facility Time and Expenses

a) *That in relation to the way in which statutory and related decisions are taken by the administering authority, there is a clear policy on training, facility time and reimbursement of expenses in respect of members involved in the decision-making process.*

COMPLIANT – as set out in the Council's allowances and training policies.

b) *That where such a policy exists, it applies equally to all members of committees, sub-committees, advisory panels or any other form of secondary forum.*

COMPLIANT – as set out in the Council's constitution.

Meetings

a) *That an administering authority's main committee or committees meet at least quarterly.*

COMPLIANT – as set out in terms of reference of the Investment Committee.

b) *That an administering authority's secondary committee or panel meet at least twice a year and is synchronised with the dates when the main committee sits.*

NOT APPLICABLE – all Pension Fund matters are considered by the Investment Committee.

c) *That administering authorities who do not include lay members in their formal governance arrangements, provide a forum outside of those arrangements by which the interests of key stakeholders can be represented.*

COMPLIANT – represented on the Pensions Board.

Access

a) *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.*

COMPLIANT – as set out in the Council's constitution.

Scope

a) That administering authorities have taken steps to bring wider scheme issues within the scope of their governance arrangements

COMPLIANT – as set out in terms of reference of the Investment Committee

Publicity

a) That administering authorities have published details of their governance arrangements in such a way that stakeholders with an interest in the way in which the scheme is governed, can express an interest in wanting to be part of those arrangements.

COMPLIANT – all meeting minutes, reports and Pension Fund policies are published on the Council's website.