

HAMPSHIRE COUNTY COUNCIL

Decision Report

Committee/Panel:	Cabinet
Date:	18 October 2022
Title:	Deputations to the Pension Fund Panel and Board
Report From:	Chief Executive

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Purpose of this Report

1. The purpose of this report is to outline proposed amendments to the rules regarding deputations to the Pension Fund Panel and Board and its sub-committees.
2. The report asks Cabinet to recommend Constitutional changes to the County Council, in order to enable the Pension Fund Panel and Board to receive deputations from pension scheme members who are not electors in the Hampshire County Council area.

Recommendation(s)

Cabinet is asked to:

3. Recommend the changes to the County Council's Standing Orders and Terms of Reference of the Pension Fund Panel and Board, set out at Appendices 1 and 2 respectively, for approval by the County Council.

Executive Summary

4. This report seeks Cabinet's recommendation to the County Council of proposed changes to the Constitution in order to allow deputations to be received at the Pension Fund Panel and Board and its sub-committees from Hampshire Pension Fund scheme members who are not local government electors in the County Council's area.
5. At its meeting on 28 July 2022, the Pension Fund Panel and Board considered a report in respect of deputations. For the reasons set out below,

The Pension Fund Panel and Board resolved to recommend the proposed changes to Standing Orders and the Pension Fund Panel and Board's Terms of Reference as set out at Appendices 1 and 2 respectively to Cabinet.

Contextual information

6. Deputations to the Pension Fund Panel and Board are governed by Standing Order 12 in the County Council's Constitution. Amongst other things, this requires that deputations shall consist of not more than four people who are local government electors for the administrative area of Hampshire County Council (see Standing Order 12.2.2).
7. Standing Order 12 precludes deputations being received at Pension Fund Panel and Board meetings from Hampshire Local Government Pension Scheme members (active, deferred and retired) who live outside of the Hampshire County Council area (including in Portsmouth and Southampton). It therefore excludes deferred or retired members who may have moved away from Hampshire, as well as active members who work for other employers in the Hampshire scheme, but who do not live in the Hampshire County Council area.
8. To ensure fairness and appropriate opportunities for engagement by those with a legitimate interest in the Hampshire Local Government Pension Scheme, it is considered that members of the scheme who live outside of Hampshire should be allowed to make deputations to the Panel and Board, or its sub committees. In order to enable this, the County Council's Standing Orders and the Pension Fund Panel and Board's Terms of Reference need to be amended.
9. Proposed amendments to the County Council's Standing Orders are set out at Appendix 1. Proposed amendments to the Pension Fund Panel and Board's Terms of Reference are set out at Appendix 2.
10. As these are proposed changes to the County Council's Constitution then they will need to be agreed by the County Council. Cabinet is asked to recommend the proposed changes to the County Council.

Finance

11. There are no financial implications associated with the proposals contained in this report.

Consultation and Equalities

12. Consultation in respect of the proposals contained in this report is not required.
13. Equality objectives are not considered to be adversely affected by the proposals in this report. The proposals do allow for greater participation and inclusion of all Hampshire Local Government Pension Scheme Members by enabling deputations to be received where they currently cannot be received.

Climate Change Impact Assessment

14. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does
15. The carbon mitigation tool and climate change adaptation tools were not applicable on this occasion because the proposals and decision in this report are administrative in nature.

Conclusions

16. Based on the recommendation from the Pension Fund Panel and Board and for the reasons set out in this paper Cabinet are asked to recommend the changes to Standing Orders and the Pension Fund Panel and Board's Terms of Reference to the County Council for agreement.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

This proposal does not link to the Strategic Plan but, nevertheless, requires a decision to ensure that the County Council's Constitutional arrangements allow for proper engagement

Other Significant Links

Links to previous Member decisions:

	<u>Date</u>
2022-07-28 PFPB - Deputations Report FINAL.pdf (hants.gov.uk)	28 July 2022

Direct links to specific legislation or Government Directives

<u>Title</u>	<u>Date</u>
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Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

Equality objectives are not considered to be adversely affected by the proposals in this report. The proposals do allow for greater participation and inclusion of all Hampshire Local Government Pension Scheme Members by enabling deputations to be received where they currently cannot be received.