

SELECTION AND MEMBER SERVICES COMMITTEE

Wednesday, 29th June, 2022

2.30 pm

**Council Chamber, Sessions House, County Hall,
Maidstone**





AGENDA

SELECTION AND MEMBER SERVICES COMMITTEE

Wednesday, 29 June 2022, at 2.30 pm
Council Chamber, Sessions House, County
Hall, Maidstone

Ask for: **Andrew Tait**
Telephone: **03000 416749**

Membership (8)

- Conservative (5): Mr N J Collor (Chair), Mr M C Dance, Mr R W Gough, Mr C Simkins and Mr B J Sweetland
- Labour (1): Dr L Sullivan
- Liberal Democrat (1): Mr A J Hook
- Green and Independent (1): Rich Lehmann

Webcasting Notice

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By entering the meeting room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

- 1 Substitutes
- 2 Declarations of Interests by Members in items on the Agenda for this meeting.
- 3 Minutes (Pages 1 - 2)
- 4 Rochester Bridge Trust - arrangement changes (Pages 3 - 24)
- 5 Pension Fund Governance (Pages 25 - 52)
- 6 Member development and support (Pages 53 - 58)

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Benjamin Watts
General Counsel
03000 416814

Tuesday, 21 June 2022

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KENT COUNTY COUNCIL

SELECTION AND MEMBER SERVICES COMMITTEE

MINUTES of a meeting of the Selection and Member Services Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 29 March 2022.

PRESENT: Mr N J Collor (Chairman), Mr M C Dance, Mr A J Hook, Mr P J Oakford (Substitute for Mr R W Gough), Mr C Simkins, Dr L Sullivan and Mr B J Sweetland

IN ATTENDANCE: Mr B Watts (General Counsel), Mr T Godfrey (Senior Governance Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS**4. Virtual Attendance**

(Item)

The Committee was advised that Mr R Lehmann was attending virtually.

5. Minutes - 24 February 2022

(Item 3)

(1) In response to a point made by Dr Sullivan in respect of Minute (2), the General Counsel undertook to inform the Corporate Management Team that it was very important for Corporate Directors to inform Opposition Leaders of the need for an Urgent Executive Decision at the earliest opportunity, and to make themselves readily available to discuss the matter with them.

(2) RESOLVED that the Minutes of the meeting held on 24 February 2022 are correctly recorded and that they be signed by the Chairman.

6. Superannuation Fund Committee - Proposed change of name

(Item 4)

(1) The General Counsel briefly introduced the report which set out the reasons for a proposal to change the name of the Superannuation Fund Committee to the "Pension Fund Committee."

(2) On being put to the vote, the recommendations were unanimously agreed.

(3) RESOLVED that the County Council be recommended to:-

(a) change the name of the Superannuation Fund Committee to the Pension Fund Committee; and

(b) agree that the terms of reference in the Constitution be amended to refer to the Pension Fund instead of the Superannuation Fund.

7. Update from the Monitoring Officer

(Item 5)

- (1) The General Counsel informed the Committee that the Department for Levelling Up, Housing and Communities (DLUHC) was still considering the responses to its consultation in respect of the future of remote meetings, and that it was expecting to publish the outcome in the near to medium future.
- (2) The General Counsel said that he would continue to impress upon the DLUHC at officer level that it was a matter of very great interest to all local authorities for the outcome of the consultation to be finalised as soon as possible.
- (3) The General Counsel informed the Committee that the Head of Technology Commissioning and Strategy was keen to offer the setting up of an Informal Member Group on ICT.
- (4) The General Counsel referred to his written report, saying that membership of the Member Development Sub-Committee should be finalised by 8 April 2022. Each of the Political Groups should identify the formal membership of the Sub-Committee as well as those who wished to participate at an informal level by that date. There was no limit on the number of Members who could participate in the Sub-Committee's activities.
- (5) RESOLVED that:-
 - (a) the report be noted; and
 - (b) each Group Leader be strongly recommended to provide a list of Members to sit on the Member Development Sub-Committee by 8 April 2022.

From: Ben Watts, General Counsel
To: Selection and Member Services Committee, 29 June 2022
Subject: Rochester Bridge Trust: Proposed Change of Arrangements
Status: Unrestricted

1. Introduction

- a) The Rochester Bridge Trust owns and maintains the two A2 bridges and the service bridge at Rochester. On behalf of Kent County Council, the Committee appoints two Trustees to serve on the Court of Wardens and Assistants. These are currently Ms Sarah Hohler (Member) and Mr Matthew Balfour.
- b) The Trust are proposing some changes to the arrangements for nominating Trustees and are seeking the Committee's approval, on behalf of the Council, before proceeding.

2. The Proposed Changes

- a) The changes are set out in full in the letter from Sue Threader, the Bridge Clerk (see Appendix 1) and the scheme showing the amendments (see Appendix 2).
- b) In sum they are:
 - i. Term limits.
 - ii. Transitional provisions to prevent a wholesale change of Trustees.
 - iii. Extension of the term of Sarah Hohler by one year
- c) The intention behind extending the term in iii above is to avoid the KCC nomination coming in the same year as an election, which could lead to a delay in nomination. As discussed at previous meetings, the Rochester Bridge Trust is an example of an outside body where KCC is not required to appoint an elected Member. The extension of the term would therefore be unaffected by the election process.

3. Recommendation

The Selection and Member Services Committee is asked to:

- i. Approve the changes to the Trustee nomination process sought by the Rochester Bridge Trust as set out in Appendices 1 and 2; and
- ii. Agree to extend the term of Ms Hohler as Trustee by one year so that her current term will expire on 31 May 2026.

4. Background Documents

None.

5. Report Author and Relevant Director

Ben Watts, General Counsel
03000 416814
benjamin.watts@kent.gov.uk

Tristan Godfrey, Senior Governance Manager
03000 411704
tristan.godfrey@kent.gov.uk



Ref: SEPT/hcw/863

29 March 2022

By Special Delivery

Mr David Cockburn
Head of Paid Service/Corporate Director of Strategic & Corporate Services
Kent County Council
County Hall
Maidstone
Kent ME14 1XQ

Dear Mr Cockburn

**Wardens and Assistants of Rochester Bridge in the County of Kent (the Rochester Bridge Trust)
Consultation on proposed change to nomination rights**

Kent County Council nominates two trustees to serve on the Court of Wardens and Assistants ("the Court"). Your current nominees are Cllr S.V. Hohler and Mr M.A.C. Balfour.

The Court intends to make some changes to the arrangements for the nomination of trustees. As these changes will affect the nomination rights of Kent County Council, **the Trust is required to seek the Council's consent.**

Limiting the number of terms

Under the Trust's current Charity Commission Scheme, there is no limit to the number of terms a trustee may serve. The Court wishes to ensure appropriate renewal of membership by introducing a limit on the number of terms. The Charity Governance Code for Larger Charities and Charity Commission best practice guidance discourage unlimited trustee terms. The Court intends to introduce the following changes:

- To limit the number of terms any trustee can serve to three, save that one further term may be served following a break in service of at least two years;
- To implement transitional arrangements to avoid wholesale change of trustees, such that any trustee already serving their third or greater number of terms may be re-nominated for one additional term.



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The Precinct, Rochester,
Kent ME1 1SU

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Mrs S.E.P. Threader BEng HonOSc CEng FICE
Bridge Clerk / Chief Executive
Registered Charity No. 207100
The Bridge Chamber, 5 Esplanade, Rochester, Kent ME1 10E



Avoiding trustee nominations in KCC election years

It has often proved challenging for the Council to deal with trustee nominations in Council election years, leading to gaps in service on the Court. To avoid this in future, it is suggested that the current term of Cllr Hohler be extended by one year. This will avoid nomination in 2025 and mean that her current term would expire on 31 May 2026. **This change also requires the Council's consent.**

Impact on current trustee appointments

Should the Council (and other affected nominating bodies) consent to the changes above, then the impact on your current appointees would be as follows.

Cllr Hohler is serving her third term as trustee. When her current term expires on 31 May 2026 (if this is extended to avoid election years as suggested above) she would be eligible to be nominated for one more four-year term to 31 May 2030.

Mr Balfour is serving his first term as trustee. When his current term expires on 31 May 2023 he would be eligible to be nominated for up to two further four-year terms.

Deadline for response

It is the intention that this matter will be formally considered by the Court at its meeting in May and therefore I would be grateful to receive your response **by 29 April 2022.**

With the copy of this letter sent by email I have attached a copy of the Charity Commission Scheme of governance with highlighted changes to show the intended amendments. If anything is not clear or you wish to discuss any aspect of the proposal, please do contact me by email on the address above.

Yours sincerely

Sue Threader (Mrs)
Bridge Clerk (Chief Executive)

CC Andrew Tait, Kent County Council (by email)

Incorporating Amendments 1-12 inclusive
Text highlighted yellow – proposed Amendment 13 subject to consent of
nominating bodies

Sealed 1st June 1999

110(s)

99

Bridge Trust

County	Kent
Place	Rochester
Charity	The Rochester

CS(Ldn)
207,100/141357

Scheme
CHARITY COMMISSION

In the matter of the Charity called The Wardens and Assistants of Rochester Bridge in the County of Kent and known as The Rochester Bridge Trust, in the City of Rochester, in the County of Kent, originally established by letters patent granted by King Richard II in the twenty-second year of his reign and confirmed by the statute passed in the ninth year of the reign of Henry V and now regulated by the Following Acts and instruments:

[The provisions of the Rochester Bridge Act 1846 and the Rochester Bridge Amendment Act 1853 ceased to have effect by virtue of the ***Statutory Instrument 2000 No. 3098, The Charities (The Rochester Bridge Trust) Order 2000***

The Rochester Bridge Act 1908, as amended by the Medway Ports Reorganisation Scheme 1968 Confirmation Order 1969;

The Rochester Bridge Act 1965

Schemes of the Charity Commissioners of the 29th December 1976, the 17th August 1983, the 10th October 1990, the 16th November 1992, the 15th June 1995; the 20th February 1996; ***and the 30th December 2013*** ;

The Statutory Instrument 2000 No. 3098, The Charities (The Rochester Bridge Trust) Order 2000;

Order of the Charity Commissioners of the 22nd November 1989; The Medway Tunnel Act 1990; and

In the matter of the Charities Act 1993

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established:

S C H E M E (as amended)

1. Administration of Charity. The above-mentioned Charity and the property thereof shall be administered and managed subject to and in conformity with the provisions of the above-mentioned Acts and instruments as varied or affected by the provisions of this Scheme by the body corporate specified in clause 6 of this Scheme as Trustee thereof (hereinafter referred to as the Court).
2. Repeal of Schemes and Order. The above-mentioned Schemes of the 29th December

1976, the 17th August 1983, the 10th October 1990, the 16th November 1992, the 15th June 1995 and the 20th February 1996 and the above-mentioned Order of the 22nd November 1989 are hereby repealed.

3. Variation of Act. The Rochester Bridge Act 1908 as amended as above-mentioned shall have effect henceforth as if -

- (1) the provisions of section 5 and sections 7 to 16 inclusive thereof, and
- (2) in section 6 thereof, the words "and with power to acquire hold demise and dispose of lands without any licence in mortmain Provided that every demise or lease made or granted by the Court shall be made or granted subject to the provisions of section 30 of The Rochester Bridge Act 1846"

were deleted.

OBJECTS AND POWERS

4. Objects. The objects of the Charity are, in order of priority:

- (1) The maintenance and improvement of the bridges (hereinafter referred to as Rochester Bridge) and the approaches thereto belonging to the Charity and of the banks and channel of the River Medway so far as the conditions thereof may affect the maintenance of Rochester Bridge [*Amendment 6 - Charity Commission Scheme 2013 858/13124*].
- (2) The promotion of the following purposes connected with the River Medway by means of contributions to:
 - (a) the execution and maintenance of works (including the approaches thereto, whether or not belonging to the Charity) tending to facilitate passage over, under or across the River Medway; and/or
 - (b) the execution of works for the maintenance of the banks and channels of the River Medway so far as the condition thereof may affect passage over, under or across the River Medway;
- (3) The promotion of such other charitable purposes as may from time to time be determined in the United Kingdom and primarily in the County of Kent.

5. Powers. In furtherance of the above objects, but not otherwise, the Court shall have the following powers:

- (1) Subject to such consents as may be required by law, to sell, exchange, let or otherwise dispose of all or any part of the property of the Charity.
[Amendment 1]
- (2) To purchase, take on lease or in exchange, hire or otherwise acquire any property, rights and privileges, ***including the acquisition of freehold or leasehold land or property as an investment***
[Amendment 3]
- (3) To construct, maintain, improve, alter or rebuild any buildings or structures.

- (4) Subject to such consents as may be required by law, to borrow or raise money on such terms and on such security as may be thought fit.
- (5) To raise funds and invite and receive contributions: Provided that in raising funds the Court shall not undertake any permanent trading activities and shall conform with any relevant requirements of the law.
- (6) To establish or support any charitable trusts or institutions formed for all or any of the objects of the Charity.
- (7) To co-operate and enter into arrangements with other charities, government departments, statutory bodies and other institutions (whether charitable or not) operating in furtherance of all or any of the objects of the Charity and to exchange information and advice with them.
- (8) To collect and disseminate information on matters relating to management and administration of the Charity and its objects.
- (9) To employ a Clerk and a Treasurer (to be known respectively as the "Bridge Clerk (*Chief Executive*)" and the "*Chief Finance Officer*") and such other officers and staff (not being Members of the Court) as are necessary for the sound administration and management of the Charity at such reasonable and proper remuneration and upon such reasonable and proper terms as the Court thinks fit and to pay reasonable and proper annual sums or premiums for or towards the provision of pensions for staff and their dependants.
[Amendment 5]
- (10) To insure and arrange insurance cover for and to indemnify its staff and voluntary workers from and against all such risks incurred in the performance of their duties as may be thought fit and to insure the property of the Charity against any foreseeable risk and to take out other insurance policies to protect the Charity when required.
- (11) To invest the property of the Charity not immediately required for use for the purposes of the Charity in accordance with the provisions contained in the Schedule *and Trustee Act 2000*.
- (12) To delegate any of the Court's powers, save for the power of appointing new Members of the Court under clause 10 of this Scheme, or the implementation of any of its resolutions to any committee consisting of such persons as the Court may determine *or to a Senior Officer or a professional advisor to the Trust*: Provided that -
 - (a) the resolution making that delegation shall specify the financial limits within which any committee *or Senior Officer or professional advisor* shall function;
 - (b) *(i)* the deliberations of any such committee shall be reported regularly to the Court and any resolution passed or decision taken by any such committee shall be reported forthwith to the Court and for that purpose every committee shall appoint a secretary;
(ii) decisions taken by a Senior Officer or professional advisor under delegation shall be reported to the next Ordinary Court or relevant Committee in accordance

with the Scheme of Delegation;

[Amendment 12]

- (c) all delegations under this sub-clause shall be revocable at any time;
- (d) the Court may make such regulations and impose such terms and conditions and give such mandates to any such committee as it may from time to time determine;
- (e) for the avoidance of doubt, the Court may delegate all financial matters, to any such committee and may empower such committee to resolve upon the operation of any bank account according to such mandate as it shall think fit whether or not requiring a signature of any Member of the Court;

[Amendment 3]

- (f) no meeting of any such committee shall be quorate unless at least one Member of the Court shall be present and no resolution of any such committee shall be passed unless the Member or Members of the Court present (or a majority of them if more than two) shall vote in favour of the resolution concerned in addition to a majority of the committee as a whole;
- (g) the meetings and proceedings of any of such committee shall be governed mutatis mutandis by the provisions of this Scheme so far as the same are not superseded by any regulations made by the Court;

(13) *To authorize any person to exercise any or all of the following functions as their agents:*

(1) *any function consisting of carrying out a decision that the Court or a Committee has taken;*

(2) *any function relating to the investment of the charity's assets (including managing land and creating or disposing of an interest in land held as an investment).*

Provided that there is a written policy that gives guidance on how the functions should be exercised and there is in place a written agreement under which the agent is to act.

[Amendment 5]

- (14) Within the limits prescribed by this Scheme, from time to time to make, vary and revoke rules for the administration and management of the Charity.
- (15) To do all such other lawful things as shall further attainment of the above objects.

THE COURT

6. Continuance of body corporate as altered.

- (1) From the date of this Scheme, the constitution of the body corporate constituted by section 6 of the said Rochester Bridge Act 1908 by the name of The Wardens and Assistants of Rochester Bridge in the County of Kent (in this Scheme referred to as the Court) shall be altered so that the Members thereof for the time being shall be such persons as are specified in clause 7 of this Scheme.

- (2) All rights, powers and liabilities vested in the Court as hitherto constituted shall remain in the Court as so altered.
- (3) There shall continue to be two Wardens of the Charity who shall be appointed in accordance with the provisions of clause 15 of this Scheme.

7. Constitution of the Court.

The Members of the Court shall consist when complete of twelve competent persons being

-

Six Nominated Members and
Six Appointed Members.

8. Nominated Members.

- (1) The Nominated Members shall be appointed as to:
 - Three by Medway Council
 - Two by Kent County Council
 - One by Maidstone Borough Council
- (2) Except at first as hereinafter provided and subject to the provisions hereinafter contained for casual vacancies and for determination of membership, each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the appointing body. The chairman of the meeting shall cause the name of each person appointed to be notified in writing to the Court or its Clerk. The term of four years may be reduced or extended by one year at the discretion of, and by resolution of the Court, with the consent of the relevant Council, to avoid the need for appointment in an appointing Council's election year. The Court shall cause a record of such a resolution to be entered in its minute book.
- (3) A Nominated Member may but need not be a member of the appointing body.
- (4) A Nominated Member may serve a maximum of three consecutive terms, whether these be full four-year terms, or terms varied in accordance with the process in clause 8(2) above, or shorter terms if appointed as a result of a casual vacancy in accordance with clause 14(2).
- (5) Following a break in service of at least two years, a person may be appointed for one further term in addition to the three consecutive terms already served, as set out in clause 8(4) above.
- (6) For transitional purposes, there is appended in Schedule 2 a table of renewal dates for all Nominated Members as at the date of this amendment [amendment 13]. All of the Nominated Members who have already completed, or are due to complete, three terms shall have the option to take up one further term of office before the provisions in clauses 8(4) and 8(5) shall apply. For all new Nominated Members appointed after the date of this amendment, and Nominated Members who have not completed three terms of office and are not currently in their third term of office, the

provisions of clauses 8(4) and 8(5) shall apply immediately.

9. First Nominated Members.

The following persons shall be the first Nominated Members and, subject to the provisions hereinafter contained for determination of membership, shall hold office as if they had been appointed by the respective appointing bodies under this Scheme for the following periods respectively:

Frank Gibson OBE, of Mariners Cottage, 116 Windmill Street, Gravesend,
Rodney Brian Chambers, of 6 Mansion Row, Brompton, Gillingham,
Paul Evan Oldham, of 15 Hermitage Lane, Barming, Maidstone,

all in the County of Kent,

for four years from the date of this Scheme;

Allison Joan Wainman, of Placketts Hole, Bicknor, Sittingbourne,
Vernon Allan Hull, of 9 King Edward Road, Rochester,
Doris Vivien Wheller, of 211 Wilson Avenue, Rochester,

all in the said County of Kent,

for two years from the date of this Scheme.

10. Appointed members.

- (1) Except at first as hereinafter provided and subject to the provisions hereinafter contained for casual vacancies and for determination of membership, every Appointed Member shall be appointed for a term *not exceeding* five years by a resolution of the Court passed at a special meeting of the Court of which not less than 21 days' notice has been given.

[Amendment 8]

- (2) The Court shall take such steps as are necessary to ensure that vacancies (whether arising by casual vacancies or by determination of membership) in the number of Appointed Members are filled within a reasonable period of time.
- (3) The Court shall secure so far as possible that collectively the Members of the Court possess an appropriate spread of expertise, have regard to the objects of the Charity, the nature of its property and its activities.
- (4) An Appointed Member may serve a maximum of three consecutive terms, whether these be full five-year terms in accordance with clause 10(1) above, or shorter terms if appointed as a result of a casual vacancy in accordance with clause 14(3).
- (5) Following a break in service of at least two years, a person may be appointed for one further term in addition to the three consecutive terms already served, as set out in clause 10(4) above.
- (6) For transitional purposes, there is appended in Schedule 2 a table of renewal dates for all Appointed Members as at the date of this amendment

[amendment 13]. All of the Appointed Members who have already completed, or are due to complete, three terms shall have the option to take up one further term of office before the provisions in clauses 10(4) and 10(5) shall apply. For all new Appointed Members appointed after the date of this amendment, and Appointed Members who have not completed three terms of office and are not currently in their third term of office, the provisions of clauses 10(4) and 10(5) shall apply immediately.

11. First appointed members.

The following persons shall be the first Appointed Members and subject to the provisions hereinafter contained for determination of membership shall hold office as if they had been appointed by resolution of the Court under this Scheme for the following periods respectively:

John Christopher Shaw, of 79 Downsvew, Chatham,
Paul Edward James Harriott, of 26 Twydall Lane, Gillingham,
John Anthony McBride, of 144 Third Avenue, Gillingham,

all in the County of Kent,

all for five years from the date of this Scheme;

Anne Frances Helen Logan, of 5 Maryland Drive, Barming, Maidstone,
John Alexander Spence, of Hunters Moon, 175 Fairview Avenue, Gillingham,
Richard George Thornby, of 62 Bramley Avenue, Faversham,

all in the said County of Kent,

all for three years from the date of this Scheme.

12. Declaration by members.

No person shall be entitled to act as a Member of the Court whether on a first or subsequent entry into office until after signing in the minute book of the Court a declaration of acceptance and willingness to act in the trusts of the Charity.

13. Determination of membership.

A Member of the Court shall cease to hold office if he

- (1) Is disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993; or
- (2) Becomes incapable (in the opinion of the Members) by reason of illness, injury or mental disorder of managing his own affairs; or
- (3) Is absent without permission of the Members from all their meetings held within a period of ~~six~~ months and the Members resolve that his office be vacated: Provided that a Member faced with removal shall have the right to be heard by the other Members before a vote is taken; or
- (4) Gives the Court not less than one month's notice in writing of his intention to resign

(but only if at least three Members of the Court shall remain in office when the notice of resignation is to take effect). *[Amendment 5]*

14. Vacancies.

- (1) Upon the occurrence of a vacancy, the Court shall cause a note thereof to be entered in its minute book at its next meeting and, in the case of a vacancy in the office of Nominated Members, shall cause notice thereof to be given as soon as possible to the relevant appointing body. Subject to clauses 8(4) to 8(5) and clauses 10(4) to 10(5), any competent Member may be re-appointed: Provided that no Member of the Court shall be entitled to vote in favour of his own re-appointment.
- (2) A casual vacancy in the office of Nominated Member may be filled by appointment in accordance with clause 8 of this Scheme. Such appointment shall take effect from the date of the special meeting of the appointing body at which it was made and, subject to the provisions hereinbefore contained for determination of membership, shall be for a term consisting of the unexpired part of the term of office of the Member in whose place he is appointed.
- (3) A casual vacancy in the office of Appointed Member may be filled by appointment in accordance with clause 10 of this Scheme. Such appointment shall take effect from the date of the special meeting of the Court at which it was made and, subject to the provisions hereinbefore contained for determination of membership, shall be for a term consisting of the unexpired part of the term of office of the Member in whose place he is appointed.

15. Wardens and Assistants.

- (1) The Court shall appoint two of their number to be Wardens, to be styled respectively Senior Warden and Junior Warden.
- (2) Except at first as hereinafter provided and subject to the provisions hereinbefore contained for determination of membership and hereinafter contained for casual vacancies, the Wardens shall be appointed to hold office for a term of two years by a resolution of the Court passed at a special meeting of the Court of which not less than 21 days' notice has been given: Provided that no Member of the Court shall be entitled to vote in favour of his own appointment.
- (3) Upon the occurrence of a vacancy, the Court shall cause a note thereof to be entered in its minute book. Any competent Member of the Court may be re-appointed to the office of Warden: Provided that no Member of the Court shall be entitled to vote in favour of his own re-appointment.
- (4) The provisions of clause 14(3) of this Scheme apply mutatis mutandis to the filling of casual vacancies in the office of Warden.
- (5) The other Members of the Court shall continue to be styled Assistants.

16. First Wardens.

The following persons shall be the first Wardens and shall hold office as if they had been appointed by resolution of the Court under this Scheme for the following periods

respectively:

Senior Warden: Paul Evan Oldham, of
for two years from the date of this Scheme;

Junior Warden: Allison Joan Wainman, of
for two years from the date of this Scheme.

MEETINGS AND PROCEEDINGS OF COURT

17. Ordinary meetings.

- (1) The Court shall hold at least *three* ordinary meetings in each year. [*Amendment 11*]
- (2) The first ordinary meeting of the Court under this Scheme shall be called by the Senior Warden or if no meeting has been called within three months after the date of this Scheme, by any two Members of the Court.
- (3) Subsequent ordinary meetings shall be arranged by the Members of the Court at their meetings or may be called at any time by *a* Warden or any two Members of the Court upon not less than ten days' notice being given to the Members of the Court.
[*Amendment 12*]

18. Special Meetings.

A special meeting of the Court may be called at any time by *a* Warden or any two Members of the Court upon not less than four days' notice being given to the Members of the Court of the matters to be discussed but if the matters include the appointment of an Appointed Member or a Warden, then upon not less than 21 days' notice being so given. A special meeting may be called to take place immediately before or after an ordinary meeting. [*Amendment 7*]

19. Form of Meetings.

- (1) A meeting of the Court may consist of a conference between Members of the Court one, some or all of whom are in different places on condition that each Member who participates is able:
 - (a) to hear each of the other participating Members addressing the meeting; and
 - (b) if he so wishes, to address all the other participating Members simultaneously, whether directly, by conference telephone or by any other form of communications equipment or by a combination of those methods.
- (2) A quorum shall be deemed to be present if the conditions specified in sub-clause (1) of this clause are satisfied in respect of at least the number of Members of the Court required to form a quorum.
- (3) A meeting held pursuant to the provisions of this clause shall be deemed to take place at the place where the largest group of participating Members of the Court is assembled or, if no such group is readily identifiable, at the place from where the

chairman participates.

20. Chairman.

The Senior Warden or, in his absence, the Junior Warden shall be the chairman of ***meetings of the Court and the meetings of any committees of which he is a member***: Provided that, if at any meeting neither is present within ten minutes after the time appointed for holding the same, the meeting shall choose one of their number to be chairman.

[Amendment 5]

21. Quorum.

- (1) The quorum for the transaction of the business of the Court may be fixed by the Court but shall not be less than one-third of its membership for the time being or two Members, whichever is the greater.
- (2) The Court may act notwithstanding any vacancies in its membership but, if its membership is less than the quorum for the time being, the continuing Members may act for the purpose of filling vacancies.

22. Voting and resolutions.

- (1) Every matter shall be determined by the majority of votes of the Members of the Court present and voting on the question ***plus, in the case of any special meeting of the Court, any written votes submitted to the Bridge Clerk in advance of the meeting by any Member of the Court unable to attend the meeting***. In the case of an equality of votes, the chairman shall have a second or casting vote. *[Amendment 9]*
- (2) A resolution in the form of a document signed ~~at~~ by the Members of the Court entitled to receive notice of a meeting of the Court shall be as valid and effective as if it had been passed at a meeting of the Court duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more Members of the Court. ***Every matter shall be determined by the majority of votes of the members of the Court from whom a signed Resolution is received at the Bridge Chamber by the deadline included on the draft resolution, provided that the number of signed resolutions received equals or exceeds the quorum for the transaction for the business of the Court as set out in clause 21(1).***
[Amendment 4]
- (3) In sub-clause (2) of this clause, references to a document's being "signed" include its being approved by letter or facsimile ***or email from an address registered with the Bridge Clerk as being in use only by the member concerned.***
[Amendment 4]

23. Validity of acts.

All acts done by a meeting of the Court shall, notwithstanding that it be afterwards discovered that there was a defect in the appointment of any Member of the Court, or that any of them were disqualified from holding office, or had vacated office, or were not entitled to vote, be as valid and effective as if every such person had been duly appointed and was qualified and had continued to be a Member of the Court and had

been entitled to vote.

24. Minutes.

The Court shall keep minutes in books kept for the purpose of the proceedings at their meetings.

APPLICATION OF INCOME

25. *Application of Income*

The Court shall apply the income and assets of the Charity in furthering the objects.

Clauses 26 to 30 are not used

[Amendment 5]

GENERAL PROVISIONS

31. Members of the Court: indemnity. In the discharge of the Court's functions under this Scheme, no Member of the Court shall be liable for any loss to the Charity arising by reason of improper investment (so long as he shall have sought professional advice before making such investment) or for the negligence or fraud of any officer member of staff or agent employed by him (so long as reasonable supervision shall have been exercised) or by reason of any mistake or omission made in good faith by any Member of the Court or by reason of any other matter or thing other than wilful and individual fraud or wrongdoing or wrongful omission on the part of the Member who is sought to be made liable.

32. Members of the Court not to be personally interested.

(1) Subject to the provisions of the next following sub-clauses of this clause, no Member of the Court shall acquire any interest in property belonging to the Charity (otherwise than as a Member of the Court) or receive any remuneration or benefit in kind from the Charity or be interested (otherwise than as a Member of the Court) in any contract entered into by the Court *without the consent of the Charity Commission.* (*Amendment 10*)

(2) A Member of the Court may be reimbursed any reasonable and proper expenses incurred by him in carrying out his duties including any travelling or other expenses incurred by him as a Member of the Court.

(3) The Court may provide indemnity insurance for the Members of the Court (or any of them): Provided that any such insurance shall not extend -

(a) to any claim arising from any act or omission which the Members of the Court (or any of them) knew to be a breach of duty or breach of trust or which was committed by the Members of the Court (or any of them) in reckless disregard of whether it was a breach of duty or breach of trust, and

(b) to the costs of an unsuccessful defence to a criminal prosecution brought against the Members of the Court (or any of them) in their capacity as Members of the Court.

33. Receipts. The receipt purporting to be signed by the treasurer or other proper officer of any charity or other organisation shall be a good discharge to the Court for all money or

investments paid or transferred to such charity or organisation under this Scheme.

34. Banking.

- (1) The Court shall maintain such bank accounts for and in the name of the Charity as the Court thinks fit and every sum received on account of the Charity shall be paid to the credit of such accounts.
- (2) Such accounts shall be under the control of the Court which shall provide in writing for their mode of operation.

35. Accounts and annual report. The Court shall comply with its obligations under Part VI of the Charities Act 1993 with regard to:

- (1) the keeping of accounting records for the Charity;
- (2) the preparation of annual accounts for the Charity;
- (3) the preparation of an annual report;
- (4) where applicable, the auditing or independent examination of the statements of account of the Charity; and
- (5) where applicable, the transmission of the statements of account and the annual report to the Commissioners.

36. Annual return. The Court shall, where applicable, comply with its obligations under Part VI of the Charities Act 1993 with regard to the preparation of an annual return and its transmission to the Commissioners.

37. The Seal.

- (1) The Court shall provide for the safe custody of its Common Seal.
- (2) The Common Seal shall not be affixed to any instrument except under general or specific authority granted from time to time by resolution of the Court.
- (3) Every instrument to which the Common Seal shall be affixed shall be signed by a Member of the Court and countersigned by the Clerk or by a second Member of the Court.

38. Notices.

- (1) Any notice may be served by the Clerk or other officer of the Charity on any Member of the Court either personally or by sending through the post a prepaid letter addressed to such Member at his last known address in the United Kingdom and any letter so sent shall be deemed to have been received within ten days of posting.
- (2) A notice calling an ordinary meeting of the Court need not be in writing.

39. Charity not to relieve public funds. The Court shall not apply income of the Charity directly in relief of rates, taxes or other public funds but may apply income in

supplementing relief or other assistance provided out of public funds.

40. Questions under Scheme. Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

SCHEDULE 1

(The Schedule has been replaced by the provisions of the Trustee Act 2000)

POWERS OF INVESTMENT

1. Investment.

- (1) Any property of the Charity for the time being available for investment shall be invested under the control of the Court in accordance with the provisions of the Trustee Act 2000, subject to the provisions of sub-clauses (3) and (4)
- (2) Subject to sub-paragraphs (3) and (4) of this paragraph, the Court may invest the *assets* of the Charity in or upon such investments security or property as the Court may think fit subject nonetheless to such conditions (if any) and such consents (if any) as may be imposed or required by law. [*Amendment 5*]
- (3) The Court shall at all times keep the investments of the Charity under review and may at any time at their discretion realise, exchange or otherwise dispose of any investment or deposit or loan either to raise cash for the purposes of the Charity or for investment within the terms of this paragraph.
- (4) In the performance of its functions under this paragraph, the Court shall have regard

to:

- (a) the need for diversification of investments of the Charity, insofar as is appropriate to the circumstances of the Charity;
- (b) the suitability to the charity of investments of the description of investment proposed and of the investment proposed as an investment of that description.

2. Investment in *assets* other than land and mortgages.

(1) Investment Adviser

The Court may appoint as Investment Adviser to the Charity on such reasonable and proper terms as to remuneration and otherwise as the Court determines a person who the Court is satisfied after inquiry is a proper and competent person to act in that capacity and who is either -

- (a) a company or firm of repute being an authorised or exempted person within the meaning of the Financial Services Act 1986 otherwise than by virtue of section 45(1)(j) of that Act, or
- (b) an individual of repute being an authorised person within the meaning of the Financial Services Act 1986 who has not less than 15 years' experience of investment management.

(2) Investment advice

Except to the extent that the Court has exercised the power of delegation

conferred by paragraph 2(4) of this Schedule -

(a) the Court shall arrange that the investments of the Charity are at all times kept under review by the Investment Adviser or other person who the Court is satisfied after inquiry is a proper and competent person to act in that capacity who shall be instructed and required to undertake to inform the Court promptly of any changes in investments which appear to him to be desirable.

(b) no investment other than one which is for the time being a narrower-range investment within the meaning of the Trustee Investments Act 1961 shall be made by the Court except on the advice of the Investment Adviser or such other proper and competent person as is mentioned in paragraph 2(2)(a) of this Schedule.

(3) Investment Manager

The Court may appoint as Investment Manager to the Charity a person who they are satisfied after inquiry is a proper and competent person to act in that capacity and who is otherwise qualified in accordance with paragraph 2(1) of this Schedule.

(4) Delegation

(a) The Court may delegate to an Investment Manager so appointed at his discretion the buying and selling of investments for the Charity on behalf of the Court in accordance with the investment policy laid down by the Court: Provided that the Court may only do so on terms consistent with the Trustee Act 2000.

(b) Where the Court makes any delegation under this paragraph it shall:-

(i) inform the Investment Manager in writing of the extent of the Charity's investment powers;

(ii) lay down a detailed investment policy for the Charity and immediately inform the Investment Manager of it;

(iii) ensure that the terms of the delegated authority are clearly set out in writing and notified to the Investment Manager;

(iv) ensure that the Court is kept informed and reviews on a regular basis the performance of its investment portfolio managed by the Investment Manager and the exercise by him of his delegated authority;

(v) take all reasonable care to ensure that the Investment Manager complies with the terms of his delegated authority;

(vi) review the appointment at such intervals not exceeding 24 months as the Court thinks fit;

(vii) pay such reasonable and proper remuneration to the Investment Manager and agree such proper terms as to notice and other matters as the Court shall determine: Provided that such remuneration may include commission fees and/or expenses earned by the Investment Manager if and only to the extent that such commission fees and/or expenses

are disclosed to the Court.

(c) Where the Court makes any delegation under this paragraph, it shall only do so on terms that:

(i) the Investment Manager shall comply with the terms of his delegated authority;

(ii) the Investment Manager shall not do anything which the Court does not have power to do;

(iii) the Court may with reasonable notice revoke the delegation or vary any of its terms in a way which is consistent with the provisions of this Scheme;

(iv) the Court shall give directions to the Investment Manager as to the manner in which he is to report to it all sales and purchases of investments made on its behalf.

(5) Meaning of "investment" and "investments"

In this paragraph "investment" and "investments" have the same meaning as in section 1 of the Financial Services Act 1986.

3. Investment in land and mortgages.

(1) Surveyor

(a) The Court may appoint as Surveyor to the Charity on such reasonable and proper terms as to remuneration and otherwise as the Court determines a person who the Court is satisfied after inquiry is a proper and competent person to act in that capacity and who is:

(i) either a fellow or professional associate of or a company or firm having as a director or partner at least one fellow or professional associate of the Royal Institution of Chartered Surveyors or of the Incorporated Society of Valuers and Auctioneers; and

(ii) reasonably believed by the Court to have ability in and experience of the valuation and management of land of the particular kind and in the particular area in question.

(2) Investment Advice

(a) The Court shall arrange that the investments of the Charity under this paragraph shall at all times be kept under review by the Surveyor or other person who the Court is satisfied after inquiry is a proper and competent person to act in that capacity who shall be instructed and required to undertake to inform the Court promptly of any changes in investments which appear to him to be desirable.

(b) No investment under this paragraph shall be made by the Court except on the advice of the Surveyor or such other proper and competent person as is

mentioned in paragraph 3(2)(a) of this Schedule.

(3) Delegation

The Court may delegate revocably to the Surveyor or such other proper and competent person as is mentioned in paragraph 3(2)(a) of this Schedule the management of land acquired by the Court under this paragraph: Provided that all acts and proceedings of the Surveyor or such other person are reported promptly to the Court.

4. Holding of Investments. The Court may -

- (1) make such arrangements as it thinks fit for any investments of the Charity or income from those investments to be held by a corporate body as the Court's nominee; and
- (2) pay reasonable and proper remuneration to any corporate body acting as the Court's nominee in pursuance of this paragraph.

Sealed by Order of the Commissioners this 1st day of June 1999.

SCHEDULE 2

Appointed Members – 5 year term

Name	End of current term	End of final term, including optional one term extension
RGC	2024	2029
PEJH	2024	2029
LL	2022	2032
AFHL	2022	2027
RJR	2024	2029
RGT	2022	2027

Nominated Members – 4 year term

Name	End of current term	End of final term, including optional one term extension
PF	2024*	2028
RPH	2025	2029
ALJ	2025	2029
MACB	2023	2031
SVH	2026*	2030
DGB	2023	2027

* Assuming that an extension of one year on the current term is agreed by the Court and the relevant Council.

From: John Betts, Corporate Director of Finance
To: Selection and Member Services Committee, 29 June 2022
Subject: Pension Fund Board and Committee terms of reference
Status: Unrestricted

1. Introduction

- a) Following on from the Pension Fund Investment Governance Lessons Learnt Review undertaken by Internal Audit, Barnett Waddingham were commissioned to undertake a review of the Governance of the Pension Fund. They completed their review in 2021 and since then officers have been implementing the report's recommendations.
- b) The report recommended changes to the Pension Board terms of reference and board membership, and the collation of the Committee's terms of reference, as contained in the constitution, into one document together with changes to the non-voting membership of the Committee.
- c) The Barnett Waddingham recommendations were considered by an informal meeting of the Board on 7 June and members were supportive of the proposed changes.
- d) At its meeting on 22 June the Pension Fund Committee will be asked to consider the terms of reference and membership changes. As papers for this meeting have been published ahead of the Pension Fund Committee meeting a verbal update will be provided on the 29th.

2. Kent Pension Board revised terms of reference

- a) County Council agreed the current version of the Pension Board's terms of reference on 26 March 2015 prior to the establishment of the Board on 1 April 2015 in accordance with Section 5 of the Public Service Act 2013 and under Regulation 106 of the Local Government Pension Scheme (LGPS) Regulations 2013 (as amended).
- b) The terms of reference have been amended and enhanced based on the recommendations of the governance review in order to fully describe the role of the Board as laid out in the regulations. They have also been updated to reflect best practice and to take account of guidance from the LGPS Scheme Advisory Board (SAB) as well as the Pensions Regulator (TPR).
- c) A copy of the revised terms of reference is at appendix 1.
- d) The terms of reference will be reviewed every three years and when significant changes to the LGPS regulations occur.

3. Pension Fund Committee terms of reference

- a) The Pension Fund Committee terms of reference are contained within the constitution and as recommended by the review a document has been produced collating the key details including Committee members' responsibilities and duties and information such as the term of office, how the chair is chosen, what constitutes a quorum and other operational procedures.
- b) A copy of the report that was presented to the Committee on 22 June is at appendix 2.
- c) The terms of reference are at appendix 2 annex 1.
- d) The document will be regularly reviewed to ensure it is consistent with the constitution and the non-voting membership of the committee will be reviewed annually at the beginning of each committee year.

4. Recommendation

The Selection and Member Services Committee is asked to recommend to County Council:

- i. That the revised Pension Board terms of reference be approved
- ii. That the Committee terms of reference document be noted

5. Background Documents

None.

6. Report Author and Relevant Director

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Kent Local Pension Board Terms of Reference

Membership: Total Ten

Four employee representatives
Four employer representatives
The Board may also contain two other members

Terms of Reference

1. Introduction

- 1.1 This document sets out the terms of reference of the Local Pension Board (the Board) of Kent County Council (the 'Administering Authority') as Scheme Manager, as defined under Section 4 of the Public Service Act 2013.
- 1.2 The Board is established in accordance with Section 5 of that Act and under Regulation 106 of the Local Government Pension Scheme (LGPS) Regulations 2013 (as amended).

2. Role of the Board

- 2.1 The role of the Board, as defined by Regulation 106 of the Local Government Pension Scheme Regulations 2013 is to assist the County Council as Administering Authority:
 - (a) to secure compliance with:
 - (i) the scheme regulations;
 - (ii) any other legislation relating to the governance and administration of the LGPS Scheme and any connected scheme;
 - (iii) any requirements imposed by the Pensions Regulator in relation to the LGPS Scheme.
 - (b) to ensure the effective and efficient governance and administration of the LGPS Scheme.
- 2.2 The Board will ensure it effectively and efficiently complies with the Code of Practice on the governance and administration of public service pension schemes issued by the Pension Regulator.
- 2.3 The Board will also help ensure that the Kent Pension Fund is managed and administered effectively and efficiently and complies with the Code of Practice on the governance and administration of public service pension schemes issued by the Pension Regulator.
- 2.4 The Board has power to do anything that is calculated to facilitate or is conducive or incidental to the discharge of any of its functions.
- 2.5 The Board shall always act within its terms of reference.

3. Establishment of the Board

3.1 The Board was established on 1 April 2015, subsequent to approval by Kent County Council on 26 March 2015.

4. Appointment of members of the Board and voting rights of Board members

4.1 The composition of the members of the Board is as follows:

The Board shall consist of at least eight members and may contain up to 10 members. It shall be constituted as follows:

- i) Four employer representatives;
- ii) Four scheme member representatives;
- iii) The Board may also contain two independent members.

4.2 The Board shall be constituted as follows:

- Employer representatives
 - 2 x Kent County Councillors
 - 2 x other employer representatives to come from nominations from other employers in the fund (e.g. District, Borough and Parish Councils, Academies, Police, Fire and other scheduled or admitted body employers in the Kent Pension Fund).
- Member representatives
 - 1 x Unison nominated representative
 - 3 x other member representatives, at least one staff and one pensioner representative is desirable.
- The Board may also contain other non-voting members
 - 2 x members from an external source (to be recommended by the appointments panel).

4.3 Scheme member and employer representatives shall be appointed in equal number and shall together form the majority of the Board membership.

4.4 Nominations from District or Borough Councils may not be for representatives who also serve as County Councillors.

4.5 No officer or Elected Member of the Administering Authority who is responsible for the discharge of any function of the Administering Authority under the Regulations may serve as a member of the Board.

4.6 Each Board member so appointed shall serve for 4-year renewable periods, from date of appointment, with a maximum of 8 years.

4.7 Each Board member should endeavour to attend all Board meetings during the year. Substitutes are allowed for two member representatives and for two employer representatives providing they have undertaken the relevant training.

- 4.8 Each employer representative on the Board should be able to demonstrate their capacity to represent scheme employers in the Kent Pension Fund.
- 4.9 Each member representative on the Board should be able to demonstrate their capacity to represent scheme members of the Kent Pension Fund.
- 4.10 Each Board member should participate in training when required.
- 4.11 Member representatives on the Board shall be appointed by the Scheme Manager following the approval of their nomination by the Appointments Panel made up of the following:
- Chair of the Pension Fund Committee,
 - the Corporate Director of Finance (or their nominee),
 - the Head of Pensions and Treasury,
 - the General Counsel (or their nominee)
- 4.12 Each employer representative and member representative of the Board will have an individual vote on any matter needing a decision. Independent Members of the Board do not have voting rights. It is expected that the Board will, as far as possible, reach a consensus but any decision requiring a vote will be decided by simple majority.
- 4.13 Dual membership with the Pension Fund Committee of any type is not permitted.

5. Appointment and duties of the Chair and Vice Chair of the Board

- 5.1 The Chair shall be elected by the Board from among the full Board membership. Election of Chair will take place at the first meeting of the Board after the AGM of the Administering Authority.
- 5.2 One of the independent members may be appointed as Chair
- 5.3 The Vice Chair of the Board shall be elected by the Board from among its full membership. Election of Chair will take place at the first meeting of the Board after the AGM of the Administering Authority.
- 5.4 The Chair is responsible for agreeing the agenda for each meeting, ensuring that the meetings are properly conducted, decision making is clear and professional advice is followed. .
- 5.5 The Vice Chair shall undertake the duties of the Chair in the event of the Chair's absence.

6. Notifications of appointments to the Board

- 6.1 When appointments to the Board have been made, the Scheme Manager shall publish the name of the Board members, the process followed in the

appointment together with the way in which the appointment supports the effective delivery of the purpose of the Board.

7. Termination of membership of the Board

7.1 Membership of the Board may be terminated where:

- A Member has a conflict of interest which cannot be managed in accordance with the Board's conflicts policy
- A member dies or becomes incapable of acting
- A member of the Board is appointed to the Superannuation Fund Committee.
- A member is appointed to the role of an officer of the Administering Authority with responsibility for the discharge of functions under the Regulations
- A member resigns
- A representative member ceases to represent his constituency, for example if an employer representative leaves the employment of his employer and therefore ceases to have the capacity to represent the Fund's employers; and
- A member fails to attend 2 consecutive meetings, without reasonable explanation, or otherwise comply with the requirements of being a Board member, for example fails to attend the necessary knowledge and understanding training.

8. Conflict of Interests

8.1 The Scheme Manager will approve a **Code of Conduct and Conflict of Interest Policy** (appendix 1) which will be adopted by the Board and by which members of the Board will need to abide. Members of the Board will provide any information the Scheme Manager reasonably requires from time to time to ensure that members do not have a conflict of interest.

9. Attendance and legislative requirements

9.1 Board members shall endeavour to attend at least two Local Pension Board meetings per year.

9.2 Board members should also commit sufficient time in order to prepare for meetings, obtain and keep under review their knowledge and understanding.

9.3 Members of the Board should be aware that their individual legal responsibility begins from the date they take up their role on the Board.

10. Knowledge and Skills

10.1 In accordance with section 248A of the Pensions Act 2004 ("the 2004 Act"), every individual who is a member of a Board must be conversant with:

- i) the regulations governing the LGPS; and

- ii) any document or policy about the administration of the Fund.
- 10.2 Board members should also have a knowledge and understanding of:
- i) the law relating to pensions; and
 - ii) such other matters as may be prescribed
- 10.3 The Board shall adhere to the Scheme Manager's Training Policy to address the knowledge and skills requirements that apply to Local Pension Board members under the 2004 Act.
- 10.4 It is for individual Board members to ensure they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Local Pension Board.
- 10.5 In line with this requirement, Board members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Local Pension Board members are therefore required to maintain a written record of relevant training and development.
- 10.6 Arrangements for training, facility time and expenses of and Pensions Board members are described in the Kent County Council constitution. This policy applies equally to all Board members.
- 10.7 The Fund's training policy was updated in March 2022. Board members have been provided with a copy of the Pension Fund training plan.
- 10.8 Members' training is regularly reviewed with support from officers and all additional costs of attending training courses are reimbursed from the Fund.

11. Board Meetings: Notice and Public Access to Board Meetings and Information

- 11.1 The Board will be generally supported in line with normal local government committee arrangements, including relevant access to information and transparency provisions.
- 11.2 There will be four scheduled meetings a year to enable the Board to discharge its functions effectively. Meetings may be held in person in Sessions House, County Hall, Maidstone, online via an appropriate virtual platform or as hybrid meetings, as decided by the Chair of the Board in consultation with the Board membership.
- 11.3 The Scheme Manager shall give notice to all Board members of every meeting of the Board, which will be held in public (apart from confidential matters). All members will normally be sent an agenda and papers at least five working days before the meeting unless an urgent meeting is required.
- 11.4 Any meeting of the Board will include provision for confidential matters or matters that would involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 to be

dealt with privately in Part 2 and any documents in connection with such matters will be dealt with confidentially.

- 11.5 The Scheme Manager shall ensure that a formal record of Board proceedings is maintained.
- 11.6 All agendas, reports and minutes will be available on the website except for any confidential or exempt matters.
- 11.7 In accordance with the Public Service Pensions Act 2013, the Administering Authority shall publish information about the Board to include:
- i) the names of the Board members and their contact details;
 - ii) the representatives of employers and members of the Board;
 - iii) the role of the Board;
 - iv) the Terms of Reference.

12. Quorum

- 12.1 The Board shall have a quorum of a third of the membership, or no fewer than three members which should always include the Chair or the Vice Chair, at least one employer representative and at least one member representative.

13. Board Costs and Budget

- 13.1 The Board is to be provided with adequate resources to fulfil its role. In doing so, the budget for the Board will be met from the Kent Pension Fund.
- 13.2 The Board will seek approval from the Director of Finance for any expenditure it wishes to make.

14. Core Functions of the Board

- 14.1 The first core function of the Board is to assist the Scheme Manager in securing compliance with the Regulations, any other legislation relating to the Scheme and requirements imposed by the Pensions Regulator in relation to the Scheme.
- 14.2 The second core function of the Board is to ensure the effective and efficient governance and administration of the Scheme.
- 14.3 In support of its core functions the Board may request information from the Kent Pension Fund Committee with regard to any aspect of the Scheme Manager function. Any such request should be reasonably complied with.
- 14.4 The Board may make recommendations to the Kent Pension Fund Committee. These recommendations should be given due consideration and a response made to the Board within a reasonable period of time.

15. Reporting Arrangements

- 15.1 The Board should report to the Kent Pension Fund Committee in the first instance.
- 15.2 On receipt of a report from the Board, the Kent Pension Fund Committee should consider and respond to the Board within a reasonable period of time.
- 15.3 Where the Board is satisfied that there has been a breach of regulation which is reported to the Kent Pension Fund Committee and is not rectified within a reasonable period of time the Board has a duty to escalate this perceived breach
- 15.4 The appropriate internal route for escalation is the Head of Pensions and Treasury.
- 15.5 The Board may report concerns to the LGPS Scheme Advisory Board subsequent to the internal route for escalation.
- 15.6 Board members are subject to the requirement to report breaches of law to the Pension Regulator under the Act and the Code,

16. Board Review Process

- 16.1 The Board will undertake each year a formal review process to assess how well it and the members are performing with a view to seeking continuous improvement in the Board's performance.

17. Advisors to the Board

- 17.1 The KCC Corporate Director of Finance will be responsible for providing professional advice to the board and clerking will be provided by KCC Democratic Services.
- 17.2 The Board may be supported in its role and responsibilities through the appointment of advisors and shall, subject to any applicable regulation and legislation from time to time in force, consult with such advisors to the Board and on such terms as it shall see fit to help better perform its duties.

18. Code of Conduct

- 18.1 The Scheme Manager will approve a **Code of Conduct and Conflict of Interests Policy** (appendix 1) which will be adopted by the Board and which members of the Board will need to abide by.

19. Data Protection and Freedom of Information

- 19.1 The Board and its members will need to comply with the Scheme Manager's Data Protection and Freedom of Information Policy.

20. Accountability

20.1 The Board will be collectively and individually accountable to the Scheme Manager and to the Pensions Regulator.

21. Acceptance and Review of Terms of Reference

21.1 These Terms of Reference will be reviewed every three years and when significant changes to the Regulations occur.

21.2 The revised Terms of Reference were agreed by County Council on.....

DRAFT

THE KENT LOCAL PENSION BOARD

CODE OF CONDUCT & CONFLICT OF INTEREST POLICY

1. Code of conduct

- 1.1 As members of a publicly funded body with a responsibility to discharge public business members the Local Pension Board should have the highest standards of conduct.
- 1.2 Local Pension Board members should have regard to the Seven Principles of Public life:
- Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership
- 1.3 Accordingly Local Pension Board members should:
- Act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
 - You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
 - When carrying out your public duties you must make all choices on merit and must be impartial and seen to be impartial.
 - You must co-operate fully with whatever scrutiny is appropriate to your role.
 - You will on occasions be privy to confidential and sensitive information, such as personal information about someone, or commercially sensitive information which, if disclosed, might harm the commercial interests of the Council or another person or organisation. This information must not be revealed without proper authority.
 - You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
 - You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

- In addition to compliance with the Kent Local Pension Board Code of Conduct & Conflict of Interests Policy, you will sign adherence to the Conflict of Interest Declaration and declare any further potential conflicts of interest that may arise once appointed as a member ;
- You should comply with the Kent Local Pension Board Code of Conduct & Conflict of Interests Policy in addition to existing compliance with any Councillor or Officer Codes of Conduct that may apply to you.

2. Conflict of interest

- 2.1 The Public Service Pensions Act 2013, Section 5(4) requires that any member of a Pension Board must not have a “conflict of interest”, which is defined in Section 5(5) as a “financial or other interest which is likely to prejudice the person’s exercise of functions as a member of the board, but does not include a financial or other interest arising merely by virtue of membership of the scheme or any connected scheme.”
- 2.2 A conflict of interest exists where there is a divergence between the individual interests of a person and their responsibility towards the Local Pension Board, such that it might be reasonably questioned whether the actions or decisions of that person are influenced by their own interests. A conflict of interest would prejudice an individual’s ability to perform their duties and responsibilities towards the Local Pension Board in an objective way.
- 2.3 An example of a potential conflict of interest could be:
- A Local Pension Board member may be required to review a decision which may be, or appear to be, in opposition to another interest or responsibility; e.g(s):
 - a review of a decision which involves the use of departmental resource in the function of the Local Pension Board, whilst at the same time being tasked with reducing this departmental resource by virtue of their employment;
 - a Local Pension Board member could also be employed or have an interest in either privately or as part of the Council in a service area of the Council for which the Local Pension Board has cause to review;
 - an independent member of the Local Pension Board may have a conflict of interest if they are also advising the Scheme Manager.
- 2.4 All prospective Local Pension Board members are required to complete the **Kent Local Pension Board Conflict of interest declaration** before they are appointed to the Local Pension Board.
- 2.5 All appointments to the Local Pension Board should be kept under review by the Local Pension Board.
- 2.5 It is the duty of any appointed Local Pension Board member to declare any potential conflict of interest. This declaration should be made to the Chair of the Local Pension Board in the first instance or to the Scheme Manager and recorded in a register of interests.

- 2.7 The Local Pension Board shall identify and monitor any potential conflict of interests in a register of interests. The register of interests should be circulated to the Local Pension Board and Scheme Manager for review and publication.
- 2.8 If the Local Pension Board suspects any conflict of interest it should report its concerns to the Scheme Manager.
- 2.9 When seeking to prevent a potential conflict of interest becoming detrimental to the conduct of decisions of the Local Pension Board, the Local Pension Board should consider obtaining legal advice when assessing its course of action and response. The Local Pension Board may wish to consult the Director of Legal and Democratic Services in the first instance.
- 2.10 Education on identifying and dealing with conflict of interest will be included in the training plan.
- 3. Alleged breaches of the Code of Conduct and conflict of interest policy**
- 3.1 A process for dealing with the consideration of any alleged breaches, to include any sanctions to be applied, will be agreed by the Scheme Manager and the Local Pension Board.

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From: Chairman Pension Fund Committee
Corporate Director of Finance

To: Pension Fund Committee – 22 June 2022

Subject: Governance Review update

Classification: Unrestricted

Summary:

To advise the Committee of the progress made to date on implementing the recommendations of the review of the Fund's governance, including changes to the Pensions Board membership. This report also covers changes to the non-voting membership of the Committee and includes details of the committee terms of reference and meeting guidelines and documented decision-making procedures.

Recommendation:

The Committee is recommended to note the report and to resolve to approve changes to the non-voting membership:

- a) That a scheme member seat be reallocated to a representative of the non-local council employers in the Fund
- b) That the staff and KARF member seats be redesignated as an active member representative and a pensioner member representative
- c) That dual membership with the Local Pensions Board of any type is not allowed

FOR DECISION

Introduction

1. As previously agreed, the committee will be updated at each meeting on the progress made on the implementation of the Barnett Waddingham recommendations.
2. Since the committee meeting in March work has been undertaken on the proposals for the Pensions Board as well as the committee's terms of reference, their meeting arrangements and documentation of committee decision making procedures.
3. The change of name of the Fund and Committee to Pension Fund and Pension Fund Committee was approved by County Council on 26 May 2022.

4. The intention is that the changes to the Board and Committee terms of reference will be submitted to the Selection and Member Services Committee for their agreement prior to their submission to County Council.
5. Once the membership is agreed then arrangements will be made to recruit the new members to the Board and Committee.

Pensions Board review

6. The Barnett Waddingham recommendations were considered by an informal meeting of the Board on 7 June and members were generally supportive of the proposed changes including a revised terms of reference document and changes to the board membership.
7. The main changes proposed to the board membership are as follows:
 - Increase the total number of members from eight to ten to allow for the appointment of independent members including an independent chair
 - Replace the two employer representatives of the districts / boroughs/ Medway Councils and Fire/Police, with representatives of any non KCC employers including academies and admitted bodies
 - The staff and pensioner categories represented by three of the four scheme member representatives to be include all members with at least one staff and one pensioner representative desirable
 - Dual membership of the board and committee to be disallowed
 - The board will meet four times a year and meetings to be held online as well as in person
 - The meeting quorum to be a third of the voting membership (3) rather than half (4) as presently
8. The board also considered the work programme for the coming year including proposals for enhanced reporting on the performance of the Pensions Admin activity.

Pension Fund Committee Terms of reference

9. As per the review's recommendations the Committee terms of reference contained within the Constitution have been reviewed and a document has been produced collating the key details including Committee members' responsibilities and duties and information such as the term of office, how the chair is chosen, what constitutes a quorum and other operational procedures.

10. It is intended that this document is used for members' reference and training and to assist the Board members and supporting officers to understand the role of the Committee and, in turn, to assist and support them respectively.
11. A copy of the draft terms of reference document is at annex 1. Details of the Committee's role and function and guidelines for committee meetings are included as appendices.

Proposed changes to the non-voting membership

12. Membership of the Committee is set out in the Council's constitution as:
11 Members; plus, as voting members - District/Borough members (appointed by Kent Leaders Group): 3; Medway Council: 1; and as non-voting members - others: 4.
13. At the present time the 4 non-voting members represent scheme members from each of the following groups:
 - 1 Trade Union representative nominated by Unison
 - 1 KCC staff representative
 - 1 representative from non KCC (Medway and District) Councils
 - 1 representative from the Kent Active Retirement Fellowship (KARF)
14. Only the Trade Union seat is occupied with the other seats being vacant following resignations in 2021. The current Unison representative is also on the Pensions Board as a staff representative.
15. Barnett Waddingham undertook a review of the non-voting membership and have made recommendations for change.
16. Members are now asked to consider the following proposed changes:
 - a) That a scheme member seat be reallocated to a representative of the non-local council employers in the Fund to widen representation and employer engagement. Including other types of employers such as admitted bodies or academies would also be best practice. In the Kent Pension Fund just over 60% of active employers are either admitted bodies or academies.
 - b) That the trade union representative be retained with the other member seats being redesignated as an active member representative and a pensioner member representative. Scheme members will be invited to apply for these seats and will be selected by a panel comprising the chair of the Pension Fund Committee, the Corporate Director of Finance (or their nominee), the Head of Pensions and Treasury and the General Counsel (or their nominee)

- c) That to avoid the perception of, or actual, conflict and to make best use of the Pension Board role to assist the Scheme Manager, no dual roles are allowed.

Committee Meeting Guidelines

17. All decisions of the committee must be taken in accordance with the procedures set out in the constitution. The guidelines at appendix 2 to the terms of reference describe the processes for scheduled and urgent meetings as well as where shorter notice needs to be given for meetings, and delegations to officers.
18. It should be noted that all decisions must be made at formal meetings. In the event that a decision is required before the next formal meeting then a delegation may be made to the Corporate Director of Finance after consultation with the Chair of the Pension Fund Committee in respect of a future decision. This decision should then be reported to the next scheduled committee meeting.

Documentation of Committee investment decision making procedures

19. In their review published in December 2019 Internal Audit commented:
- that there is a risk that without a procedure setting out the basic steps that the Committee should take when making an investment decision, turnover of members could mean that decisions might be made without full consideration of all the available information and/or proper advice, causing a similar situation to arise again, affecting reputations and leading to financial loss.*
20. The Barnett Waddingham review recommended that the decision-making process is documented and training in it be given to members. A procedure note could give assurance that the statutory guidance is being met too.
21. Procedures for Investment decision-making and non-investment decision-making have been documented and are at annex 2. These have been agreed with the Council's Monitoring Officer and it is anticipated that these procedures will be used at each committee meeting to ensure they are followed.

Alison Mings, Treasury and Pensions Strategic Advisor

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June 2022

The Kent Pension Fund Committee's terms of reference

Kent County Council Constitution

The Pension Fund Committee's terms of reference are set out in the [Council's Constitution](#). The Constitution records the committee as an *Ordinary Committee* of the Council.

1. Membership of the Committee as set out in Section 17.46 is:

11 Members; plus, as voting members - District/Borough members (appointed by Kent Leaders Group): 3; Medway Council: 1; and as non-voting members - others: 4.
2. The Chair is elected by Members of the County Council only (section 17.47).
3. This Committee discharges the functions of the Council in relation to the control and investment of the Pension Fund (section 17.48). More details of the Committee's Role and Function are at appendix 1.
4. The terms of office of Members is 4 years from the relevant election / date of appointment as set out in section 21.3.
5. Members will at all time observe the Code of Member Conduct set out in Section 21 and to have registered the interests required by that Code.
6. Members are expected to attend at least two meetings of the Committee per year.
7. The Committee's meeting and decision-making procedures follow the common procedures set out in section 15 of the constitution and are set out in more detail in appendices 2 and 3.
8. Members must disclose their interests as per the procedures set out in section 15.25 onwards.
9. The quorum for a meeting is one third of its total voting membership (5) as set out in section 15.31-33.
10. If a Member cannot attend a meeting of the Committee, a nominated spokesperson of their Political Group may nominate a substitute by written notice to the Clerk as per section 15.34-35
11. These terms of reference will be reviewed annually when the Governance Compliance Statement is reviewed for publication in the annual report and accounts, to ensure that they remain up to date and are consistent across the Constitution.

Non-voting members

12. 4 non-voting members

1 representative of non-local council employers to come from nominations from other employers in the Fund (e.g. Academies, Police, Fire and other scheduled or admitted body employers in the Kent Pension Fund).

3 members representing scheme members:

- 1 Trade Union representative nominated by Unison
- 1 active member representative
- 1 pensioner representative

13. Scheme members will be invited to apply for the active and pensioner seats and will be selected by a panel comprising the chair of the Pension Fund Committee, the Corporate Director of Finance (or their nominee), the Head of Pensions and Treasury and the General Counsel (or their nominee)

14. Dual membership with the Local Pensions Board of any type is not allowed

Pension Fund Committee Role and Function

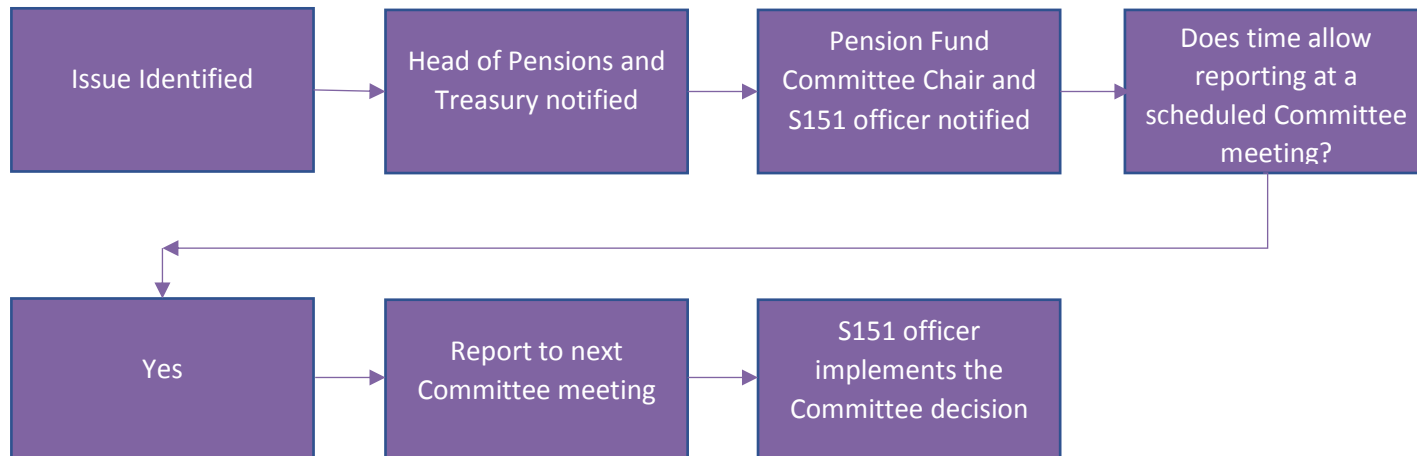
The Pension Fund Committee applies all the powers and duties of Kent County Council (KCC) as the administering authority for the Fund. The committee is responsible for:

- monitoring the administration of the Fund, including compliance with Local Government Pension Scheme (LGPS) and other legislation, ensuring that it delivers best value and compliance with statutory and non-statutory best practise guidance where considered appropriate
- determining pension fund policy regarding employer admission and cessation arrangements
- determining, reviewing, and monitoring the Fund's aims, objectives, strategies, compliance statements and procedures relating to the funding strategy, including approving its Funding Strategy Statement
- determining, reviewing, and monitoring the Fund's other aims, objectives, policies, strategies, compliance statements and procedures for the overall management of the Fund, including but not limited to administration, communication, and governance
- setting investment strategy, carrying out regular reviews, and monitoring the Fund's investments
- appointing the Fund's advisers, including actuaries, governance advisers and specialist lawyers (where required) and to periodically review those arrangements
- appointing professional fund managers relating to the investments of the Fund
- considering the Fund's financial statements
- approving an Annual Report on the activities of the Fund in line with legislation and guidance

Committee Meeting Guidelines

All decisions of the Committee must be taken in accordance with the decision-making procedures set out in the [Council's Constitution](#).

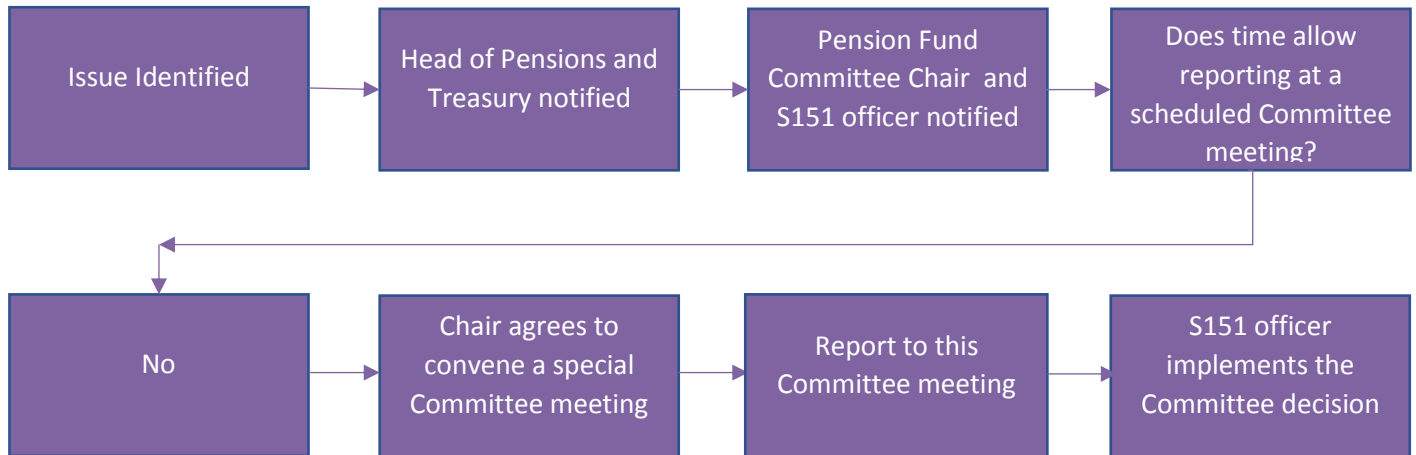
1. Scheduled Committee meeting cycle
 - 1.1 The Committee meets five / six times a year including four quarterly meetings to receive regular reports, with an additional meeting set for February which is available for other purposes or items. Additional meetings may be called as required.
 - 1.2 The majority of decisions required to be made by the Pension Fund Committee are tabled sufficiently in advance to allow members to receive appropriate briefings and make the decision within the normal meeting cycle.
 - 1.3 At least 5 clear working days are required for the notice of meetings, publication of the agenda and reports.
 - 1.4 The following process is used when there is time to allow a decision to be made at the next scheduled Committee:



2 Special / urgent meetings

- 2.1 The Fund recognises that good governance requires that on occasion the Committee can respond to urgent matters by taking decisions promptly outside of the scheduled meeting cycle. On such occasions the following processes may be adopted.
- 2.2 At least 5 clear working days are required for the notice of meetings, publication of the agenda and reports

2.3 The process to be used when the Chair agrees to convene a special Committee meeting:



3 Shorter notice of meetings

3.1 A meeting may be convened at shorter notice than 5 working days and a copy of the agenda and associated reports must be available to members when the meeting is convened. Where an item is added to the agenda after it is published then an amended agenda and any report must be available when that item is added to the agenda.

4 Delegation to officers

4.1 All decisions must be made at formal meetings and cannot be made for example by email.

4.2 Should a decision be required before the next formal meeting is scheduled or it is not possible to convene a special meeting then according to the constitution decisions relating to the County Council's Pension Fund may be delegated to Officers by the Pension Fund Committee.

4.3 The Committee may discuss an issue and resolve that a delegation be made to the Corporate Director of Finance, after consultation with the Chair of the Pension Fund Committee in respect of a future decision. This decision should then be reported to the next scheduled committee meeting.

4.4 The Council scheme of delegation is set out in Section 10 of the Constitution (section 10.9 onwards). This scheme also sets out the process for urgent decisions where it had not been possible to put a delegation in place by the Committee.

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Kent Pension Fund Committee decision making procedures

1. LGPS 2016 regulations
- 1.1 The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 includes expectations around decision making as follows:

When making investment decisions, administering authorities must take proper advice and act prudently. In the context of the local government pension scheme, a prudent approach to investment can be described as a duty to discharge statutory responsibilities with care, skill, prudence and diligence. This approach is the standard that those responsible for making investment decisions must operate.

Administering authorities are expected to be able to demonstrate that those responsible for making investment decisions have taken and acted on proper advice and that diversification decisions have been taken in the best long term interest of scheme beneficiaries.

2. All decisions of the Committee must be taken in accordance with the decision-making procedures set out in the [Council's Constitution](#).
3. The Committee should follow the procedures as set out below when making decisions for the Fund:

Kent Pension Fund Committee investment decision making procedure

- Identify / clarify the issue.
- Conflicts of interest have been declared and recorded in the minutes. ⁽¹⁾

Committee members may have other roles and responsibilities which cause them to have other personal, business, or other interests which could affect their fiduciary duty to act in the best interest of the Fund. By declaring these conflicts and recording them in the minutes of the meeting, it provides an accurate record and clarity around who was involved in the decision.

- Viewed all available information and supporting papers from officers relevant to the decision which needs to be made. ⁽¹⁾

The Council's Constitution requires that decisions are made based on *all* relevant information/evidence. By reviewing supporting papers from the finance function, the committee is ensuring that it follows procedure and continues to represent good practice. This also allows for decisions to be made using

accurate, up-to-date, unbiased information, ensuring the Committee is acting in the best interests of the Fund.

Guidance given in weekly meetings with the Chair should be passed on to other Committee members.

- The Fund's independent investment advisors (Mercer) attend each meeting. Advice is commissioned prior to making any investment decisions.

Mercer are expert advisors who can provide advice on a range of issues, including how to manage risks, responsible investment, investment strategy and much more. By commissioning advice from Mercer, the Committee can ensure it is well informed prior to making any decisions. They provide an objective view of the Fund and any risks to it and may pick up on information which may have been missed elsewhere.

- Guidance received from Officers regarding exit strategies and segregated mandates.

Segregated mandates are run exclusively for clients and so they will be customised to the investment objectives of each Fund. This means that the Officers of the Fund may be better placed to provide guidance/advice surrounding issues of these mandates.

- Members have the opportunity to speak and ask questions. ⁽¹⁾

- Risk register has been reviewed and updated to show current risks and/or changes to the Fund.

The fundamental responsibility of the Fund is to ensure it has adequate monies available to pay pensions as they fall due. To fulfil this responsibility, it is important to ensure that all risks are managed effectively and kept up to date. The risk register helps to identify potential risks and to stay on top of any potential issues which could prevent the Fund from being able to meet its duties.

- Decisions have been recorded in the minutes of the meeting. ⁽¹⁾

- Minutes signed and non-exempt minutes published on the website. ⁽¹⁾

⁽¹⁾ Procedure set out in the Council's constitution

Kent Pension Fund Committee Non - Investment decision making procedure

Identify / clarify the issue.

Conflicts of interest have been declared and recorded in the minutes. ⁽¹⁾

Committee members may have other roles and responsibilities which cause them to have other personal, business, or other interests which could affect their fiduciary duty to act in the best interest of the Fund. By declaring these conflicts and recording them in the minutes of the meeting, it provides an accurate record and clarity around who was involved in the decision.

Viewed all available information and supporting papers from officers relevant to the decision which needs to be made. ⁽¹⁾

The Council's Constitution requires that decisions are made based on *all* relevant information/evidence. By reviewing supporting papers from the finance function, the committee is ensuring that it follows procedure and continues to represent good practice. This also allows for decisions to be made using accurate, up-to-date, unbiased information, ensuring the Committee is acting in the best interests of the Fund.

Guidance given in weekly meetings with the Chair should be passed on to other Committee members.

Admission matters: advice received from the Fund's actuary (Barnett Waddingham)

To carry out their role effectively the committee must have access to expert professional advisers

Admission and other legal matters: advice received from the Fund's legal advisors (Invicta Law) or other appropriate advisor

To carry out their role effectively the committee must have access to expert professional advisers

Members have the opportunity to speak and ask questions. ⁽¹⁾

Risk register has been reviewed and updated to show current risks and/or changes to the Fund.

The fundamental responsibility of the Fund is to ensure it has adequate monies available to pay pensions as they fall due. To fulfil this responsibility, it is important to ensure that all risks are managed effectively and kept up to date. The risk register helps to identify potential risks and to stay on top of any potential issues which could prevent the Fund from being able to meet its duties.

Decisions have been recorded in the minutes of the meeting. ⁽¹⁾

Minutes signed and non-exempt minutes published on the website. ⁽¹⁾

⁽²⁾ Procedure set out in the Council's constitution

From: Ben Watts, General Counsel
To: Selection and Member Services Committee, 29 June 2022
Subject: Member Development and Support
Status: Unrestricted

1. Introduction

- a) In my updates to this Committee which have looked forward to the medium term, the focus has often been on the actions which have been required as mitigations to deal with the Covid-19 pandemic. Members and Officers will not return to working practices identical to those before the first lockdown, and as there begins to be more certainty around these, there is the opportunity now to look forward as to how the Governance, Law and Democracy function can best work with Members in the new context.
- b) Within the constraints of the resources available, this paper considers some of the things being done and some of the plans for improvement being developed regarding Member development and support.

2. Member Support

- a) This Committee has previously received a presentation on the Member KNet pages¹. It is already a good starting point all Members seeking information, support, or another enquiry. The next part of this paper provides a guide to the pages.
- b) Some Member enquiries will be able to be provided automatically or accessed through these KNet pages acting as a portal. This portal will of course be maintained by Officers and/or direct Members to the most appropriate Officer to assist them.
- c) All Members have a core role as local representatives. With the division of responsibilities within KCC, there are different, and distinct, roles that Members undertake. Mirroring these, there are different Officers and methods of support. Each Member works differently and emphasises a different aspect of the wider Member role. For the division to work efficiently and effectively, the optimum balance needs to be found between providing 81 bespoke support services and identifying where there are commonalities where a clearly identified type or level of service is appropriate.
- d) To help us better design the services to which this portal can link to, it would be useful to gather information from Members as to the type and nature of support services which they would most value. It will not be possible to deliver everything, but this would be a starting point. I am proposing therefore to survey Members on this topic and am asking this Committee to provide

¹ 25 November 2021,

suggestions as to the areas it should cover. In addition, I will arrange workshops over the summer to explore further.

3. Member KNet Overview

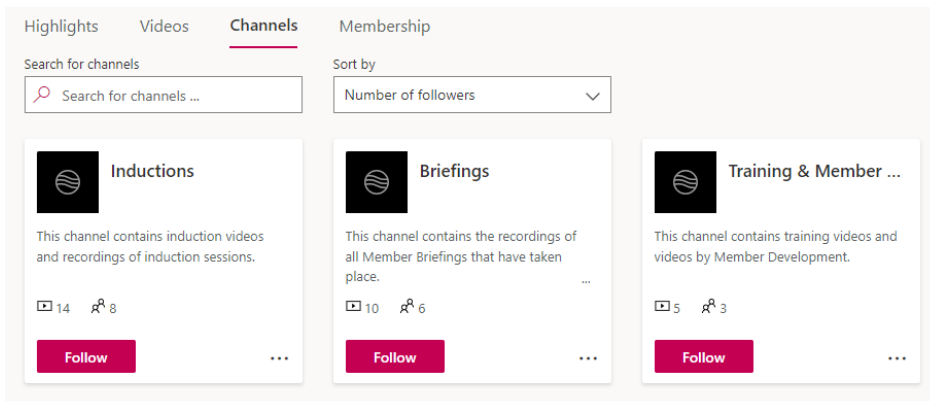
- a) **The Carousel** - The Member KNet pages are reviewed on a weekly basis, and new stories are added to the carousel most weeks. When stories are taken off of the carousel, if the information is still relevant, it is moved to the Advice and Guidance column, beneath the resources bar.



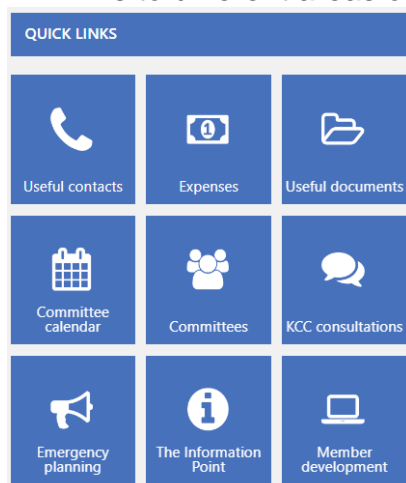
- b) **Resources** - The resources bar beneath the carousel contains quick links to useful resources. During 2020 and 2021 there was a link to a regularly updated summary of Covid-19 related news and policies. This has recently been updated, and the Covid-19 updates have been replaced with links to the most recent briefing presentations and papers for the Strategic Reset Programme.



- c) The resources bar also contains a link to the Members' video area which contains recordings of briefings, inductions, and training sessions which can be watched back at any time. There is also a link to the presentation library, which contains the presentations from Member briefings for reference purposes.



d) **Quick Links** - The quick links section on the main Member KNet page contains links to different areas of KNet and to external pages.



e) The internal pages are:

- Useful contacts: Contact information is provided by each directorate and is refreshed periodically. A refresh of this information is currently underway at the time of writing.
- Expenses: Contains the information needed to submit an expenses claim.
- Useful documents: Contains documents relating to IT support, Member grants, KCC policies and general documents such as the KCC Constitution, and the Disclosable Pecuniary Interests form.
- Committees: Contains links to each Committee's Kent.gov page.
- The Information Point: Contains further information on the service the Information Point can provide.
- Emergency Planning: Gives an overview of KCC's role in emergency planning and contains KCC's emergency plans.

f) The following links redirect to external pages:

- Committee calendar: This link redirects to the modern.gov calendar which holds all the formal and informal meetings, training sessions and events.
- KCC consultations: This link redirects to the Let's Talk Kent page, where all open consultations and consultation reports can be found.
- Member development: Currently redirects to Delta, KCC's e-learning platform.

g) **Further Information** - The Member KNet pages also have the KCC News and Media Hub sections which are also on the main KNet homepage.

h) **Future Development** - As the next step in the development of the Member KNet pages, we are keen to continue developing them to ensure they meet the requirements of Members and would welcome further feedback on how to do this. One priority area that has been identified is around Member development, as set out in the next section.

4. Member Development

- a) As set out in the KNet pages overview, there are links to the Members' video area which has material on past briefings as well as on training and development topic. Currently, the "Member Development" tab on the "Quick Links" section of the page leads directly to the Member specific section of the Delta website. As discussed at previous meetings, Member development and training are being actively looked out – this Committee's Member Development Sub-Committee now has the formal membership agreed and this will allow it to develop the framework around Member development. This Sub-Committee will be asked to consider the Member development aspects of the KNet Member pages.

5. Civic Functions

- a) One of the themes that came out of the Member induction survey carried out last year was the lack of opportunity for Members to get to know each other (and Officers) in the less formal ways that virtual meetings do not really allow. As discussed by this Committee, virtual meetings have an important part to play and will continue to do so. The scheduled programme of formal (and physical) meetings has enabled some Members to get to know each other, though this has been necessarily focused on the business being considered at Committee. Apart from full Council meetings, where again the formal business of the Council is the focus, there are few opportunities for Members to come together in larger numbers to be able to build the relationships which strengthen the sense of being one Council.
- b) I would therefore like to invite comments on the idea of arranging more civic events throughout the year which all Members would have the opportunity to attend. These would need to have a clear purpose to ensure the time of Members was being spent effectively.

6. Recommendation

The Selection and Member Services Committee is asked to:

- a) Comment on the proposal to survey Members on their support needs;
- b) Provide further feedback on the Member KNet pages and ask the Member Development Sub-Committee to consider the Member development content; and
- c) Comment on the idea of organising civic events.

7. Background Documents

None.

8. Report Author and Relevant Director

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