



## **ACCESS JOINT COMMITTEE**

MINUTES of a meeting of the ACCESS Joint Committee held at Virtual on Friday, 17th July, 2020.

**PRESENT:** Cllr Mark Kemp-Gee - Chair (Hampshire CC), Cllr Susan Barker – Vice-Chair (Essex CC) Cllr Jonathan Ekins (Northamptonshire CC), Cllr Gerrard Fox (East Sussex CC), Cllr Adrian Axford (Isle of Wight), Cllr Terry Rogers (Cambridgeshire CC), Cllr Judy Oliver (Norfolk), Cllr Ralph Sangster (Hertfordshire CC), Mr Charlie Simkins – (Kent CC) and Cllr Karen Soons (Suffolk CC)

**ALSO PRESENT:** Kevin McDonald (ASU Director), Mark Paget (ASU Contract Manager) and Dawn Butler (ASU Support Officer).

**OFFICERS:** Andrew Boufflower (Hampshire), Jody Evans (Essex), Alison Mings (Kent), Michelle King (East Sussex), Richard Perry (Cambridgeshire), Sharon Tan (Suffolk), Jo Thistlewood (Isle of Wight), Mark Whitby (Northamptonshire), Rachel Wood (West Sussex), George Simon (Norfolk s151 Officer) and Joel Cook (Kent - Clerk)

### **UNRESTRICTED ITEMS**

**191. Apologies/Substitutes.**

*(Item. 1)*

1. Apologies were received from Mr Jeremy Hunt (West Sussex)

RESOLVED that the apologies be noted.

**192. Virtual Meeting Protocols.**

*(Item. 2)*

1. The Clerk explained the virtual protocols, which were based on the Kent County Council approach to managing virtual formal meetings in according with the COVID-19 legislation, confirming that subject to agreement of the Committee, the protocols would apply to all future virtual meetings of the Joint Committee. He advised the committee on the appropriate processes for indicating to speak, microphone and video discipline and clarified the voting and resolution arrangements. The Clerk explained that where no objections were raised by Members, the Chair would take general agreement to the recommendations and the clerk would record the Committee's decision accordingly.

RESOLVED that the virtual protocols be approved.

**193. Declaration of interests in items on the agenda.**

*(Item. 3)*

1. No declarations of interest were made.

**194. Minutes of the meeting held on 9 March 2020.**  
*(Item. 4)*

RESOLVED that the minutes of the meeting held on 9 March 2020 were an accurate record and that they be signed by the Chair.

**195. Business Plan, Budget & Risk Summary.**  
*(Item. 5)*

1. Mr McDonald (ASU Director) provided an update on the Business Plan, Budget and Risk summary. He confirmed that the outturn for 2019/20 was £391,792 below the approved budget level, representing a significant underspend. Mr McDonald advised that this was due in part to the successful embedding of the ASU and consequent reduction in reliance on external support but he commented that this underspend was also due to the delayed commencement of procuring alternatives solutions. This meant that some of the forecast spend would still be required but it would be taken from the 2020/21 budget.
2. Mr McDonald provided a brief update of the risk situation, noting that further detailed information of additional risks would be provided in a later agenda item due to commercial and legal exemption.

RESOLVED that the business plan update, the 2019/20 outturn and 2020/21 budget and the summary risk register be noted.

**196. Joint Committee Secretariat.**  
*(Item. 6)*

1. Mr McDonald advised the Joint Committee that it was proposed that the arrangements for clerking ACCESS meetings, whereby Kent County Council provide the Clerk and secretariat support, be extended again for one year. The Clerk thanked Essex County Council staff for their assistance in preparing for and supporting the meeting in a virtual format.

RESOLVED that the extension to the existing Clerking arrangements supplied by Kent County Council be approved.

**197. Environment, Social & Governance / Responsible Investment position statement.**  
*(Item. 7)*

1. Mr McDonald provided an update on the ongoing activity in relation to Environmental, Social and Governance & Responsible Investment (ESG/RI) matters. He highlighted key workstreams and key points including:
  - Expert advice being commissioned to assist in developing shared guidelines.
  - Link had run a survey with Fund Managers regarding climate change and other ESG considerations (based on survey approach developed by Norfolk Council). The results of this activity. remained under review for incorporation in further work.

- The appointment of Mr McDonald as the ACCESS Officer representative on the SAB / LGA editorial board working the development of the SAB Responsible Investment Guide.
- 2. Members discussed the varying pressures facing administering authorities to make progress on ESG/RI. Mr McDonald highlighted that while ACCESS was focused on developing shared guidelines, it should be remembered that the administering authorities would retain sovereignty over their own core policies. Members debated the importance of balancing the desire to make swift progress with the need to ensure any proposals or approaches are realistic, appropriate and deliverable, The Chair suggested seeking to develop more detailed proposals for consideration at the next meeting to better explore the options.
- 3. Mr McDonald advised that the ASU would work with OWG to ensure all authorities were equally sighted on the current situation with ESG/RI and reports on progress would feature at future meetings.

RESOLVED that the report and the discussion of potential future activity be noted.

**198. Supreme Court Judgement.**  
*(Item. 8)*

1. Kevin McDonald provided an update on the recent Supreme Court Judgement on Palestine Solidarity Campaign: LGPS investment guidance on foreign policy and defence issues. This judgment had raised concerns regarding fiduciary duty, particularly with the Scheme Advisory Board and the Local Government Association. He highlighted that SAB was pleased that the judgment supported the principle of sovereign investment decision-making but he commented that Government may wish to legislate on the issue at a later date.
2. Cllr Oliver suggested that a paper be developed that confirmed the Norfolk position on Fiduciary Duty which could then be shared with the rest of ACCESS.

RESOLVED that the report be noted.

**199. Motion to Exclude the Press and Public.**  
*(Item. 9)*

RESOLVED that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 & 5 of part 1 of Schedule 12A of the Act.

**200. Investment performance update & Annual Report.**  
*(Item. 10)*

1. Sharon Tan (Suffolk) provided an update on Investment performance and an overview of the draft Annual Plan.

2. Members discussed the draft Annual Plan and it was noted that the draft remained subject to financial updates from administering authorities. Ms Tan also confirmed that the intention was for all authorities to publish the Annual Report as part of their own Pension Committee arrangements.

RESOLVED that the performance update be noted and the draft Annual Plan be recommended to the administering authorities (subject to minor clarifications and amendments by Officers).

**201. Sub-fund implementation.**

*(Item. 11)*

1. Andrew Bouflower (Hampshire) provided an update on progress with sub-fund launches, allocation of assets for the ACCESS Authorities.

RESOLVED that the report be noted.

**202. Contract Management update.**

*(Item. 12)*

1. Mark Paget (ASU Contract Manager) provided a detailed update on contract management activity and ongoing engagement with Link as the contracted Operator. He highlighted relevant KPI information and management activity, answered Members' questions and provided relevant assurances to the Joint Committee.

RESOLVED that;

- the contract management update be noted; and
- the proposed amendment to the Operator agreement related to Change Controls be recommended to the administering authorities.

**203. Risk Register detail.**

*(Item. 13)*

1. Mr McDonald (ASU) provided an update on the risk register detail, highlighting where new risks had been added and any significant changes to existing risks. Assurances were provided as to the appropriate management of these risks and that workstreams were in place to address these.

RESOLVED that the risk register update be noted.

**204. Link presentation (to follow).**

*(Item. 14)*

1. Karl Midl (Link) and James Zealander (Link) attended the meeting to deliver a presentation updating ACCESS on key activity and workstreams during lockdown including an overview of remote working arrangements and related COVID-19 response matters.

RESOLVED that the presentation from Link be noted.