

## Report to Pensions Committee

January 2021

### Election Process for Scheduled Bodies Employer Representative

#### Report by Director of Law and Assurance

Electoral division: Not applicable

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#### Summary

The Pensions Committee has three co-opted member places for representatives of the West Sussex Pension Fund. One place, for a Scheduled Body Employer representative, has been vacant for some time.

A proposal for a nomination and election process to fill this vacancy is attached for consideration at Appendix 1.

#### Recommendation

- (1) That the proposed nomination and election process for a Scheduled Body Employer Representative be approved.
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#### Proposal

##### 1 Background and context

1.1 There has been a vacancy on the Pensions Committee for a scheduled body representative for some time. This was previously taken up by the Police and Crime Commissioner's Office which decided several years ago that it no longer wished to use this seat. The other two representative places are for a representative of district and borough councils and for a member of the West Sussex Pension Scheme. Both are currently filled.

1.2 The Constitution of the Pensions Committee states that:

'It is not part of the Administering Authority's remit to administer the selection process for the borough and district, scheduled body or employee members sitting on the Pensions Committee or to ensure their attendance at meetings, **unless they wish to do so**, but instead to determine what sectors or groups are to be invited to sit on the Pensions Committee and to make places available.

However, as far as possible, employer representatives should have a democratic mandate in addition to the mandate from their governing body or equivalent.'

1.3 As there has been a vacancy some time, the Committee is asked to consider whether it wishes to administer the selection process for the Scheduled Body Employer representative to ensure the vacant position is filled.

1.4 There are around 100 Scheduled Body Employers, mostly comprising school academies and higher education bodies.

## **2 Proposal details**

2.1 It is proposed to ask the education establishments who are Scheduled Body Employers (Higher Education Colleges and Academies) to agree to nominate a shared representative. Appendix 1 sets out the proposed criteria for applications and an election process that can be run if more than one nomination comes forward.

## **3 Other options considered (and reasons for not proposing)**

3.1 As there has been a vacancy for several years now, this appears to be the fairest approach to seek a representative from the Scheduled Bodies sector.

3.2 An alternative would be to simply write to the Scheduled Body Employers to ask for a representative, but this would not encourage the employers to work collectively and there would not be a mechanism to resolve multiple applications, hence the election approach is recommended.

## **4 Consultation, engagement and advice**

4.1 Scheduled Body Employers from the above group will be contacted if the Committee approves the proposed process, and will be informed of the process.

## **5 Finance**

5.1 The costs of running an electronic election will be minimal and will be met within existing resources within Democratic Services.

## **6 Risk implications and mitigations**

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
That the process does not lead to a successful appointment.	The establishment of a nomination and election process should ensure that the seat is filled. If this does not happen the process will be reviewed to identify impediments

## **7 Policy alignment and compliance**

7.1 Not applicable.

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### **Appendices**

Appendix A - Draft Election Process

### **Background papers**

None.