

Pension Advisory Board

7 September 2020

Virtual Meeting Arrangements

Director of Law and Assurance

Summary

In mid-March, at the start of the current Covid-19 public health emergency, all formal meetings at the County Council were cancelled up until the end of April.

The Government issued new Regulations with effect from 4 April, enabling local authority meetings to be held virtually. The requirement is that members attending remotely should be able to hear, and be heard, by others in the meeting and by the public and that public meetings will be webcast.

The County Council's Standing Orders relating to formal meetings were revised through urgent action procedures to reflect these new regulations.

For reasons outlined in para 1.4 in consultation with the Chairman of the Pensions Advisory Board the Board meeting scheduled for 12 June was cancelled. In its place relevant information was despatched to Board members so that they could continue their role in monitoring key pension activity.

Recommendations

The Board is asked to

- 1) Note the steps taken by the County Council to comply with requirements for formal Virtual Meetings.
- 2) Note the documents sent to Board members in June, at Appendix A, that were circulated following the cancellation of June meeting; and ask any outstanding questions if applicable.

1. Background and Context

- 1.1 Prior to the Covid-19 emergency, formal meetings could not be held virtually; members of committees were required to be physically present. However, due to the emergency the Government passed new regulations – the [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) \(Regulations\) 2020](#). These came into effect from 4 April and enable council meetings to be held virtually (by video or by phone). The regulations also allow annual appointments to be delayed until May 2021. The amended regulations cease to apply in May 2021.
- 1.2 A [report](#) went to the 20 May 2020 Governance Committee outlining the new arrangements and reporting that [Standing Orders](#) had been updated via the Urgent Action procedure to allow the County Council to hold formal meetings virtually.

1.3 Following this, formal meetings of the County Council have been held virtually and webcast to adhere to the necessary requirements.

2. Pension Advisory Board

2.1 The Pension Advisory Board scheduled for 12 June 2020 was cancelled in consultation with the Chairman due to the public health emergency. It was determined that there was no time critical or urgent business that the Board needed to hear or discuss. Officers of the County Council remained in contact with the Chairman to up-date on any changes to business requirements.

2.2 Virtual formal meetings of the County Council have worked well under the new requirements. The Chairman has therefore now agreed that meetings of the Pension Advisory Board should resume using virtual technology, as used by the County Council. The Board meetings will follow the same guidelines and requirements as all other formal meetings of the County Council to comply with Standing Orders.

2.3 Following the cancellation of the 12 June meeting; the Chairman instructed officers to send all relevant information direct to Board members so that they could continue their role in monitoring key pension activity.

2.4 The documents, as outlined in Appendix A, were circulated to Board members on 16 June 2020. Board members were invited to raise any queries they had on the papers.

2.5 The Chairman of the Pension Advisory Board also monitored the webcasts of the Pensions Committee, and submitted a summary document to Board Members outlining the meeting content. This ensured all Board Members were kept up-to-date.

2.6 For the 7 September meeting, the Chairman of the Pension Advisory Board was mindful of the agenda length for the Board's first virtual meeting. Therefore the opportunity has been taken to remove the Pensions Committee's minutes and agenda from the Board agenda and circulate these directly to Board members, this follows similar steps taken to manage agenda lengths as per the 22 July Pensions Committee. Board members were invited to raise any queries they had on the approved minutes or the agenda.

3. Scheme Advisory Board

3.1 The Scheme Advisory Board (SAB) released a [statement](#) regarding the cancellation of Local Pension Board Meetings and their concern that an interpretation of the new regulations may not include Local Pension Boards.

3.2 The Statement from the SAB includes the following:

'...the LGPS Regulations states that a local pension board shall have the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. Having taken legal

advice, SAB is satisfied that arranging a virtual meeting of a local pension board would facilitate the discharge of its duty to conduct business during the emergency.'

- 3.3 The Chairman has provided comment to the SAB on the cancellation of the 12 June 2020 meeting and on the steps taken to ensure members of the West Sussex Pension Advisory Board were kept informed and updated on all necessary information.

4. Equality Impact Review

- 4.1 An Equality Impact Review is not required as there are no relevant decisions to be taken.

Tony Kershaw

Director of Law and Assurance

Contact: Adam Chisnall, Democratic Services Officer, 033 022 28314

Appendices

Appendix A – Document List

Background papers

None