

Legislation and functions relating to Local Pension Boards

1.1 Public Services Pensions Act 2013 (PSPA 2013)

LGPS regulations must provide for the establishment of a board with responsibility for assisting the scheme manager in relation to the following matters;

- Securing compliance with the scheme regulations and other legislation relating to the governance and administration of the scheme and any statutory pension scheme that is connected with it.
- Securing compliance with requirements imposed in relation to the scheme and any connected scheme by TPR.
- Such other matters as the matters as the scheme regulations may specify.

The above and further requirements under PSPA 2013, were subsequently enacted within the LGPS Regulations 2013.

1.2 Relevant extracts from the Local Government Pension Scheme Regulations 2013 (as amended)

106. (1) Each administering authority shall no later than 1 April 2015 establish a pension board ('a local pension board') responsible for assisting it

(a) to secure compliance with:

- i. These Regulations
- ii. Any other legislation relating to the governance and administration of the Scheme and any connected scheme
- iii. Any requirements imposed by The Pensions Regulator in relation to the Scheme and any connected scheme, and

(b) to ensure the effective and efficient governance and administration of the Scheme and any connected scheme.

106. (7) Except where a local pension board is a committee approved under paragraph (2), no member of a local pension board shall have a right to vote on any question unless that member is an employer representative or a member representative.

106. (8) 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.

106. (9) The expenses of a local pension board are to be regarded as part of the costs of administration of the fund held by the administering authority.

1.3 The LGPS (Investment and Management of Funds) Regulations 2016

- Regulation 8 - This enables the secretary of state to issue a direction if he is satisfied that an administering authority is failing to act in accordance with this guidance.
Before issuing any direction, the secretary of state must consult the administering authority concerned and before reaching a decision, must have regards to all relevant evidence including reports under Section 13 (4) of the Public Service Pensions Act 2013, reports from the scheme advisory board or from the relevant **local pension board**, and any representations made in response to the consultation with the relevant administering authority.