

PENSION FUND COMMUNICATION AND COMPLAINTS POLICY

Reason for this Report

1. To complete the review of the Communication and Complaints Policies for the Pension Fund.

Background

2. Regulation 61 of the LGPS Regulations 2013 states that Administering Authorities must prepare and publish a Communication Policy. The Pension Regulator had previously recommended that the Cardiff and Vale of Glamorgan Pension Fund develop and implement a Communication Policy.
3. The Communication Policy was approved by the Pension Committee at its meeting on 8 February 2021 with the Complaints Policy being approved by the Committee at its meeting on 30 May 2019. The meeting of the Local Pension Board on 18 January 2022 considered both the updated Communications Policy and an updated Complaints Policy.

Issues

4. With the Communications Policy a paragraph has been inserted to reference the Pension Administration Strategy, which was also approved by the Pension Committee in 2021. The document has also been amended to include text to incorporate communication via Member Self Service (MSS), which is now up and running for Active members and will become an increasingly important communications tool for the fund moving forward.
5. With the Complaints Policy changes to some contact numbers and organisational names have been updated in particular The Pension Advisory Service (TPAS) changing to the Money and Pension Service (MaPS). In the Policy the opportunity has also been taken to delete the telephone number for the Council's Freedom of Information team as their preferred method of contact is now through email to reflect the current working from home arrangements.
6. The updated Communication Policy for the Fund is appended as Appendix 1 with the revised Complaints Policy appended as Appendix 2.

Legal Implications

7. This report does not raise any direct legal implications however the general legal advice set out below should be considered.
8. General Legal Advice

Any decision must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its tax payers; and (h) be reasonable and proper in all the circumstances and comply with any equalities legislation.

The Council also has to satisfy its public sector duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.

The Well-Being of Future Generations (Wales) Act 2015 ("the Act") places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales – a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.

In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2021-24.

The well-being duty also requires the Council to act in accordance with 'sustainable development principle'. This principle requires the Council to act in a way, which seeks to ensure that the needs of the present are met without comprising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:

- Look to the long term
- Focus on prevention by understanding the root causes of problems
- Deliver an integrates approach to achieving the 7 national well-being goals
- Work in collaboration with others to find shared sustainable solutions
- Involve people from all sections of the community in the decisions which affect them

The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact

upon the Welsh language, the report and Equality Impact Assessment deals with all these obligations. The Council has to consider the Well-being of Future Guidance (Wales) Act 2015 and how this strategy may improve the social, economic, environmental and cultural well-being of Wales.

Financial Implications

9. There are no financial implications arising directly from this report.

Recommendations

10. That the Committee approves the updated Communications Policy and Complaints Policy.

CHRISTOPHER LEE
CORPORATE DIRECTOR RESOURCES

Appendix 1 Communications Policy (February 2022)

Appendix 2 Complaints Policy (February 2022)