

REPORT OF CORPORATE DIRECTOR RESOURCES

AGENDA ITEM: 7

PENSION FUND ANNUAL REVIEW OF FUND POLICIES AND STRATEGIES

Reason for this Report

1. To complete the review of the Communication Policy, Complaints and Compliments Policy and Administration Strategy 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. All three documents were previously considered by the Pension Committee at its meeting on 7 February 2022. The meeting of the Local Pension Board on 24 January 2023 considered updated versions of the Communications Policy, Complaints and Compliments Policy and the Administration Strategy.

Issues

4. Only minor updates are proposed for these documents which are attached as Appendices to this report. Within the Communications Policy the opportunity has been taken to update the information provided about the Wales Pension Partnership (WPP). Plus another paragraph outlining the Local Pension Board arrangements has been added to the Employer information, to match the Scheme Member information.
5. Within both policies and the Administration Strategy contact details have been updated as well as amending the title of the responsible Government department from the Ministry of Housing, Communities and Local Government (MHCLG) to the Department for Levelling Up, Housing and Communities (DLUHC).
6. The updated Communication Policy for the Fund is appended as Appendix 1 with the revised Complaints Policy appended as Appendix 2 and the Administration Strategy as Appendix 3.

Legal Implications

7. Regulation 61 of the Local Government Pension Scheme Regulations 2013 provides that an administering authority must prepare, maintain and publish a written statement setting out its policy concerning communications with members, representatives of members, prospective members and scheme employers. It further provides that the statement must be revised and published by the administering authority following a material change in their policy in relation to certain matters. As such 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 2022-25.

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 integrated 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 Generations (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
 - a) Communications Policy
 - b) Complaints and Compliments Policy
 - c) Administration Strategy

CHRISTOPHER LEE CORPORATE DIRECTOR RESOURCES

Appendix 1 Communications Policy (February 2023)

Appendix 2 Complaints Policy (February 2023)

Appendix 3 Administration Strategy (February 2023)