

**LOCAL GOVERNMENT PENSION SCHEME (AMENDMENT) (GOVERNANCE)**  
**REGULATIONS 2014 – ESTABLISHMENT OF LOCAL PENSION BOARD**

- To:* Council
- Date:* 24th March 2015
- From:* LGSS Director Law, Property and Governance
- Purpose:* Council is asked to consider proposals to establish a Local Pension Board for Cambridgeshire.
- Recommendation:* Council is recommended to:
- (a) agree the establishment of a Local Pension Board for Cambridgeshire County Council (the Administering Authority);
  - (b) agree the changes to Part 3 of the Council's Constitution (Responsibility for Functions, Part 3B: Committees of Council; Paragraph 9: Pension Fund Board) as set out in Appendix A;
  - (c) agree the changes to Part 4 of the Council's Constitution (Rules of Procedure, Part 4.4: Procedure Rules for Committee and Sub-Committee Meetings) as set out in Appendix B;
  - (d) appoint the two County Councillors to the Local Pension Board as employer representatives;
  - (e) delegate authority to the Monitoring Officer, in consultation with Group Leaders, to appoint the one employer and three member representatives to the remaining positions on the board, following the process set out in section 3; and
  - (f) authorise the Monitoring Officer, in consultation with the Chairman of the Constitution and Ethics Committee, to make any other minor or consequential amendments to the Constitution necessary for, or incidental to, the implementation of these proposals.

<b><i>Officer contact:</i></b>		<b><i>Member contact</i></b>	
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## **1. BACKGROUND**

- 1.1 The Local Government Pension Scheme (LGPS) is a common pension scheme throughout England and Wales, administered locally by 88 separate Administering Authorities. In the context of the UK public service pension schemes, the LGPS is the largest funded occupational pension scheme in the UK.
- 1.2 The Public Services Pensions Act 2013 requires all Public Service Pension Schemes to establish a Local Pension Board to assist the Administering Authority (Cambridgeshire County Council) to:
  - secure compliance with the LGPS regulations and other legislation relating to the governance and administration of the LGPS and also the requirements imposed by the Pensions Regulator in relation to the LGPS; and
  - ensure the effective and efficient governance and administration of the LGPS.
- 1.3 The Local Pension Board is in addition to the existing Pension Fund Board, which will need to be renamed Pension Fund Committee, and the Investment Sub-Committee. It is a non-decision making body and is designed to act as a critical friend to the existing Committee and Sub-Committee.
- 1.4 The Local Government Pension Scheme (Amendment) (Governance) Regulations 2015 relating to the creation and ongoing operation of the local pension boards were laid before Parliament on 28 January 2015 and came into force on 20 February 2015.
- 1.5 The Local Pension Board must be formalised in the County Council's Constitution by 1 April 2015. Established in this context means that the Administering Authority must have approved the establishment of the Local Pension Board, its composition and also the terms of reference, in accordance with its constitution. It does not necessarily mean that the Local Pension Board has to be fully operational by this date. However, it is anticipated that a Local Pension Board should be operational within a reasonably practicable period after 1 April 2015 (being no longer than 4 months).
- 1.6 The Constitution and Ethics Committee considered a report at its meeting on 3rd March 2015. The Committee was asked to give particular consideration to the composition of the Local Pension Board.

## **2. THE COMPOSITION OF THE LOCAL PENSION BOARD**

- 2.1 A Local Pension Board must include an equal number of employer and member representatives with a minimum requirement of no fewer than four in total. In addition, the Regulations do not preclude that other members may also be appointed to the Board. The Constitution and Ethics Committee is proposing that a Pension Board comprising six members (three employer representatives and three member representatives) be established.
- 2.2 No officer or councillor of an Administering Authority who is responsible for the discharge of any function under the Regulations (apart from any function relating to Local Pension Boards or the Scheme Advisory Board) may be a member of the Local Pension Board of that authority. The membership therefore excludes

members of the existing Pension Fund Board (to be renamed Pension Fund Committee).

- 2.3 The officers of the Administering Authority who would be precluded from being a member of the Local Pension Board would be any officer named in the scheme of delegation for that Administering Authority, for example the section 151 officer and the head of investments.
- 2.4 As employer representatives, the Constitution and Ethics Committee is proposing that full Council appoint two Cambridgeshire County Councillors, and that the third representative should be appointed via an open selection process from a non-tax raising organisation such as an admission body or academy that is a Scheme employer within the Cambridgeshire Pension Fund. It should be noted that as the local pension board is not a committee as defined under Section 101 of the Local Government Act 1972, the requirements relating to political balance do not apply.
- 2.5 The Committee was informed of discussions which had taken place with Unison regarding the appointment of three member representatives. It also noted that the GMB had written offering assistance in populating the Board.
- 2.6 In considering the appointment of these representatives, the Committee was mindful of the Local Government Pension Scheme (LGPS) – Guidance on the Creation and Operation of Local Pension Boards in England and Wales. However, it acknowledged that the Guidance was contradictory in that it states the following:

*15.20 An individual's ability to properly represent the interests of employers or members (as appropriate) and channel information back to those persons effectively should also be a key factor in selecting members of the Local Pension Board. This needs to take account of the wide range of membership of the Fund to ensure all employers and members are represented.*

A few paragraphs before this, it makes it very clear that the appointment process must be open to all members:

*15.14 All employers and members within a Fund must have equal opportunity to be nominated for the role of employer or member representative through an open and transparent process.*

Therefore, if the appointments are ring-fenced to a union or unions, it is not possible to comply with 15.14, which appears to be set out in firmer terms than 15.20.

- 2.7 The Committee was informed that Unison was proposing that all three member representatives should be appointed from their membership. In order to meet the Guidance, it would need to go through an open and transparent selection process. The main issue for Unison is that it feels a 'non-Trades Union' person has no consistency and therefore simply cannot meet the core principle requirement of demonstrating a 'capacity to represent members'. Non-Trades Union members would not have the supporting structure to be able to communicate with the scheme membership. Unison has access to the following:

- a dedicated resource at Unison centre;
- independent legal advice;

- research facilities;
- regional structures and resources;
- a branch structure that can ensure consultation with scheme members spread across the employers in each fund;
- representatives on the England/Wales National Advisory Board;
- dedicated web resources;
- training by their union.

- 2.8 Unison officials have also drawn attention to the fact that the union represents all affected staff and not just union members in national and local pay negotiations. It was directly involved in the development of the Local Government Pension Scheme nationally. In order to be representative, officials have acknowledged that they would be seeking a mix of representation covering serving, deferred and retired members in the scheme.
- 2.9 The Committee felt that the importance of paragraph 15.14 of the Guidance outweighed any other considerations. It was acknowledged that any person to be appointed to the local pension board as a member representative must have the capacity to represent members but it was stressed that any interviewee would need to demonstrate this via an open and transparent interview process. The Committee was therefore aware that Unison or any other Union would have the opportunity to apply for any or all three employee representative posts via such a process.
- 2.10 In considering how the selection process would be administered for the one non-county-councillor employer representative and the three member representatives, the Committee proposed to delegate the arrangements to the Monitoring Officer in consultation with Group Leaders.
- 2.11 As indicated in the Regulator's code of practice the Administering Authority will need to consider providing high quality training to appointed members of the Local Pension Board. It will be important to appoint members who have the time to commit to attend meetings, undertake training and effectively represent employers and members (as appropriate).

### **3. RECRUITMENT OF LOCAL PENSION BOARD REPRESENTATIVES**

- 3.1 Following the approval of the local pension board by Full Council, the recruitment and selection of board member representatives will commence. In line with the Shadow Advisory Board guidance it is proposed that where positions are subject to a recruitment and selection process, this will be carried out in an open and transparent manner providing all potential representatives with the ability to take part in the process.
- 3.2 An application pack containing the terms of reference and an outline of the knowledge and understanding and capacity requirements will be made available and advertised to employers and members within the fund in a way that is compliant with the requirements set out above. Following receipt of applications from potential representatives, a short listing and interview process will determine that the representative has the required attributes to carry out the role effectively.
- 3.3 Once these appointments have been made, representatives will be provided with the information they need to be able to carry out their roles effectively, including details on where to access the scheme rules and associated documents. They will

also have the opportunity to attend relevant training courses in preparation for the first meeting of the local pension board and will be able to access ongoing training thereafter.

#### 4. RESPONSIBILITY FOR FUNCTIONS AND RULES OF PROCEDURE

- 4.1 The Committee noted that the Administering Authority when establishing its Local Pension Board should create terms of reference for the Board on the basis that the Board is a stand-alone body. They should be reviewed periodically and at each material change in regulations impacting on Local Pension Boards.
- 4.2 The Board's responsibility for functions and its rules of procedure are attached at **Appendices A and B**. Changes to the current responsibility for functions and rules of procedures are shown in bold for additions and strike through for deletions.

Source Documents	Location
Local Government Pension Scheme (Amendment) (Governance) Regulations 2015	Jo Walton, LGSS Pensions Service Governance and Regulations Manager Tel - 01604 367030 E-mail - <a href="mailto:jwalton@northamptonshire.gov.uk">jwalton@northamptonshire.gov.uk</a>
Reports and minutes of Constitution and Ethics Committee	<a href="http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Committee.aspx?committeeID=59">http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Committee.aspx?committeeID=59</a>



## **Appendix A**

### **9. PENSION FUND ~~BOARD~~ COMMITTEE**

#### **Membership**

<b>Representatives of</b>	<b>Number of seats</b>	<b>Term of Appointment</b>	<b>Method of Appointment</b>
<b>Cambridgeshire County Council Members</b>	6	4 years from County Council elections	Determined by Cambridgeshire County Council Full Council.
<b>All other local authorities, police and fire</b>	2	4 years	Nominations determined by a leaders/chief executives' group. Selection would be linked to the respective employers' election cycle. Details of process to be agreed by the Chairman/woman.
<b>All other employers</b>	1	4 years from 2014	Nominations to be determined by eligible employers. Details of process to be agreed by the Chairman/woman.
<b>Active scheme members</b>	1	4 years from 2014	Determined by Unison. Where Unison fails to nominate a <del>Board</del> <b>Committee</b> Member for any period of 6 months or more, nominations will be requested from all eligible <b>active</b> scheme members and a representative will be picked following interviews. Details of process to be agreed by the Chairman/woman.
<b>Deferred and pensioner scheme members</b>	1	4 years from 2014	Determined by Unison. Where Unison fails to nominate a <del>Board</del> <b>Committee</b> Member for any period of 6 months or more, nominations will be requested from all eligible <b>deferred and pensioner</b> scheme members and a representative will be picked following interviews. Details of process to be agreed by the Chairman/woman.
<b>Total <del>Board</del> Committee Members</b>	11		

Substitutes: Full Council may appoint substitute members to the Pension Fund ~~Board~~ **Committee** in accordance with the scheme of substitution.

The Chairman/woman and Vice-Chairman/woman of the ~~Board~~ **Committee** shall be elected by the Pension Fund ~~Board~~ **Committee**.



Delegated Authority	Statutory Reference/ Condition
<p>Authority to set the pension fund's objectives and determine and maintain appropriate strategies, policies and procedures with ongoing monitoring in relation to the following areas:</p> <ul style="list-style-type: none"><li>• Funding Strategy – ongoing monitoring and management of the liabilities including ensuring appropriate funding plans are in place for all employers in the Fund, overseeing the triennial valuation and interim valuations, and working with the actuary in determining the appropriate level of employer contributions for each employer.</li><li>• Investment strategy – to determine the Fund's investment objectives and to set and review the long-term high level investment strategy to ensure these are aligned with the Fund's specific liability profile and risk appetite.</li><li>• Administration Strategy – the administration of the fund including collecting payments due, calculating and paying benefits, gathering from and providing information to scheme members and employers.</li><li>• Communications Strategy – determining the methods of communications with the various stakeholders including scheme members and employers.</li><li>• Discretions – determining how the various administering authority discretions are operated for the Fund.</li><li>• Governance - the key governance arrangements for the Fund, including representation.</li><li>• Risk Management Strategy – to include regular monitoring of the Fund's key risks and agreeing how they are managed and/or mitigated.</li></ul>	Regulations under the Superannuation Act 1972
Authority to approve and apply the policy on, and to take decisions relating to, employers joining and leaving the Fund. This includes which employers are entitled to join the Fund, any requirements relating to their entry, ongoing monitoring and the basis for leaving the Fund.	As above
Authority to agree the terms and payment of bulk transfers into and out of the Fund in consultation with the S.151 Officer.	As above
Authority to consider and approve business plans at least annually and monitor progress against them and to monitor compliance with the Myners Principles on an annual basis.	As above



<b>Delegated Authority</b>	<b>Statutory Reference/ Condition</b>
Authority to develop and maintain a training policy for all Pension Fund <del>Board</del> <b>Committee</b> and sub-committee members and for all officers of the Fund, including determining the Fund's knowledge and skills framework, identifying training requirements, developing training plans and monitoring attendance at training events.	Regulations under the Superannuation Act 1972
Authority to select, appoint, monitor and where necessary terminate advisors to the Fund not solely relating to investment matters.	As above
Authority to approve and issue Administering Authority responses to consultations on LGPS matters and other matters where they may impact on the Fund or its stakeholders.	As above
Authority to consider and determine where necessary, alternative investment strategies for participating employers.	As above
Authority to oversee the work of the Investment Sub-Committee and consider any matters put to them by the Investment Sub-Committee.	As above
Authority to set up Sub-Committees and Task and Finish Groups including jointly with other LGPS Administering Authorities.	As above
Authority to review and amend the Statement of Investment Principles on an annual basis, in consultation with the S.151 Officer.	As above
Authority to manage any other strategic or key matters pertaining to the Fund not specifically listed above.	As above





## 9.1 PENSION FUND ~~BOARD~~ COMMITTEE INVESTMENT SUB-COMMITTEE

The Pension Fund ~~Board~~ **Committee** shall establish an Investment Sub-Committee with the following membership and powers:-

### Membership

All Investment Sub-Committee Members shall be drawn from ~~Board~~ **Committee** membership. The Chairman/woman and Vice-Chairman/woman of the Investment Sub-Committee shall be the Chairman/woman and Vice-Chairman/woman of the ~~Board~~ **Committee** respectively.

Representatives of	Number of seats	Term of Appointment	Method of Appointment
<b>Cambridgeshire County Council Members</b>	4	As above	Determined by Cambridgeshire County Council representatives on the <del>Board</del> <b>Committee</b> . Details of process to be agreed by the Chairman/woman.
<b>All other employers</b>	2	Up to term of office ceasing in accordance with <del>Board</del> <b>Committee</b> membership or six years whichever is later	Determined by non-Cambridgeshire County Council employer representatives at the <del>Board</del> <b>Committee</b> . Details of process to be agreed by the Chairman/woman.
<b>Scheme member representative</b>	1	Up to term of office ceasing in accordance with <del>Board</del> <b>Committee</b> membership or six years whichever is later	By agreement between Active and Deferred/Pensioner Representatives on <del>Board</del> <b>Committee</b> . Details of process to be agreed by the Chairman/woman.
<b>Total</b>	<b>7</b>		

**Substitutes:** the Pension Fund ~~Board~~ **Committee** may appoint substitute members to the Investment Sub-Committee in accordance with the scheme of substitution. Similarly, substitutes for the representatives of All other employers and of Scheme members may be appointed by eligible employers and by Unison respectively.

Delegated Authority	Statutory Reference/ Condition
Authority to implement the Fund's investment strategy.	Regulations under the Superannuation Act 1972
Authority to review and maintain the detailed asset allocation of the Fund within parameters agreed with the <del>Board</del> <b>Committee</b> .	As above
Authority to appoint and terminate investment managers to the Fund and to monitor the performance of investment managers leading to review and decisions on termination where necessary.	As above



<b>Delegated Authority</b>	<b>Statutory Reference/ Condition</b>
Authority to appoint and monitor and where necessary terminate external advisors and service providers solely relating to investment matters, for example, the Fund Custodian, independent investment advisers, investment consultants and investment managers.	Regulations under the Superannuation Act 1972
Authority to set benchmarks and targets for the Fund's investment managers.	As above
Authority to monitor the risks inherent in the Fund's investment strategy in relation to the Fund's funding level.	As above
Authority to determine operational matters such as rebalancing and the most appropriate methodology for asset transitions within parameters agreed by the Pension Fund <del>Board</del> Committee.	As above
<p>Authority to monitor and review:</p> <ul style="list-style-type: none"> <li>Legislative, financial and economic changes relating to investments and their potential impact on the Fund;</li> <li>The investment management fees paid by the Fund and to implement any actions deemed necessary;</li> <li>The transactions costs incurred by the Fund across its investment mandates and raise relevant issues and concerns with the investment managers as necessary;</li> <li>The investment managers' adoption of socially responsible investment considerations, on an annual basis, including corporate governance matters and a review of compliance with the UK Stewardship Code.</li> </ul>	As above
Authority to receive reports on Interim Manager meetings and other operational meetings.	
Authority to undertake any task as delegated by the Pension Fund <del>Board</del> <b>Committee</b> .	As above
Authority to provide minutes and such other information to the Pension Fund <del>Board</del> <b>Committee</b> as they may request from time to time.	



## 9.2 PENSION FUND BOARD

The Council shall establish a local pension board with the following membership and powers:-

### Membership

Representatives of	Number of seats	Term of Appointment	Method of Appointment
Employers	3	4 Years or until qualification for membership ceases	Two representatives to be appointed by Cambridgeshire County Council Full Council  One representative appointed via an open and transparent selection process.
Scheme Members	3	4 Years or until qualification for membership ceases	To be appointed via an open and transparent selection process.
<b>Total</b>	<b>6</b>		

Delegated Authority	Statutory Reference/ Condition
Authority to assist the administering authority in securing compliance with (i) the Principal 2013 Regulations, (ii) any other legislation, and (iii) requirements imposed by the Pensions Regulator in relation to the Scheme.	Local Government Pension Scheme (Amendment) Regulations 2014 (Regulation 106(1)(a) & (b))
Authority to assist the administering authority in ensuring the effective and efficient governance and administration of the Scheme.	As above (Regulation 106(1)(b))

The Chairman/woman and Vice-Chairman/woman of the Board shall be elected by the Pension Fund Board.



## **Appendix B**

### **PROCEDURE RULES FOR COMMITTEE AND SUB-COMMITTEE MEETINGS**

#### **1. INTRODUCTION**

These rules are designed to ensure meetings run smoothly and are conducted properly. The rules apply to all Committees of the Council except for the following:

- Pension Fund Board ~~Committee~~, and Investment Sub-Committee and **Pension Fund Board** (special rules of procedure apply as shown in Annex 1)
- Cambridgeshire Health and Wellbeing Board (Standing Order applies as shown in Annex 2)
- Joint Committees.

So far as the law allows any of these rules may be suspended at any meeting, either for the whole meeting or for a particular item on the agenda. In order to achieve this, a motion must be moved and seconded and a vote carried.

#### **2. ARRANGEMENTS FOR MEETINGS**

The agenda and papers for meetings must be available at least five clear working days before the meeting.

A special meeting is arranged if the chairman/woman of the relevant committee or any six of its members request such a meeting, or by the Monitoring Officer if he/she considers it necessary.

*Note: If any issues arise at a meeting in relation to interpretation of the procedure rules, the Chairman/woman's decision will be final.*

#### **3. QUORUM**

The quorum of a meeting will be one quarter of the whole number of voting members. During any meeting if the Chairman/woman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman/woman. If the Chairman/woman does not fix a date, the remaining business will be considered at the next ordinary meeting.



## 4 **ORDER OF BUSINESS**

The order of business will usually be:

- at the first meeting after the annual Council meeting, appointing or noting the appointment of the Chairman/woman and Vice-Chairman/woman of the committee
- the choice of a person to preside if the Chairman/woman and Vice-Chairman/woman are absent
- confirmation of the minutes of the last meeting of the committee
- apologies for absence, including reasons
- declarations of interest
- business outstanding from the last meeting
- reports for decision by committee
- reports for information
- agenda plan (if applicable).

## 5. **OTHER POINTS REGARDING THE ORDER OF BUSINESS**

At any time during the meeting the Chairman/woman can adjourn the meeting.

The order of business can be varied at the discretion of the Chairman/woman.

The minutes of ordinary meetings will not normally be confirmed at special meetings.

## 6. **DECLARATIONS OF INTEREST**

Under the Localism Act 2011 and as part of the Code of Member Conduct, Members are required by law to complete a declaration of Disclosable Pecuniary Interests and Non Statutory Disclosable Interests. If a Member is at a meeting that is considering something in which he/she has a Disclosable Pecuniary Interest and that interest has not been registered, he/she must declare the interest and inform the Monitoring Officer within 28 days of the meeting.

Where any Councillor has a Disclosable Pecuniary Interest in any matter, they will declare it and leave the room in which the meeting is being held while the matter is under consideration unless:

- the Monitoring Officer has granted them a dispensation; or
- the matter is only under consideration by the meeting as part of a report of the Minutes of a committee or sub-committee and is not itself the subject of debate.

If the Councillor has chosen to remain within easy reach, that Councillor will be recalled by an appropriate officer before any further business is started.

Any person or officer of the authority who is appointed to do anything in connection with the County Council which enables them to speak at meetings, will make the same disclosures of interests and will withdraw from the room in



which the meeting is being held on the same occasions as they would have to do if they were a County Councillor. This does not apply to members of the public who are entitled to speak at Planning Committee.

## **7. PUBLIC SPEAKING AT COUNTY COUNCIL COMMITTEES**

### **7.1 Public Speaking at County Council Committee Meetings**

The County Council recognises the value that can be added by enabling contributions by the public to meetings of council committees and in order to facilitate this, the Chairman/woman or the person presiding at a meeting of a council committee may, at their absolute discretion, grant permission to a member of the public to speak during the meeting.

Speakers will usually only be permitted to speak once in any debate and speeches will usually be time limited to three minutes. Permission to speak may be refused in circumstances where this is not conducive to the orderly conduct of council business including where it is likely, in the opinion of the Chairman/woman, that defamatory, vexatious, discriminatory or offensive language will be used.

Permission to speak may also be declined if the anticipated contribution is not relevant to the agenda items of the meeting.

In order to assist meeting organisers members of the public\* wishing to speak at a Committee meeting\*\* are asked to make a request in writing no later than 12.00 noon three working days before the meeting via letter to the Democratic Services Officer, Democratic and Members' Services, SH1102, Cambridgeshire County Council, Shire Hall, Cambridge CB3 0AP or via e-mail (this information is available at the bottom of the agenda front sheet) and provide the following details:

- **Name, address and contact details** of the person making a comment or asking a question
- **Details of the request to speak:** The full text of the question to be asked or a list of the main points regarding a comment about a matter on the agenda.

(Requests to speak received after the three day deadline may be permitted, at the discretion of the relevant Committee Chairman/woman.)



## 7.2 Participating in a Committee Meeting

If registered to speak, members of the public should arrive at the venue (usually Shire Hall) at least 15 minutes before the start of the meeting and report to the Democratic Services Officer present. The register of speakers will be kept by Democratic Services and provided to the Chairman/woman in advance of the meeting. No more than three speakers will normally be permitted per subject at a meeting (subject to the Chairman/woman's discretion). Only one question or comment may be allowed per speaker.

When the meeting reaches the agenda item, the Chairman/woman will ask the member of the public to speak. The member of the public is asked to behave appropriately for the nature of the meeting, and show courtesy and respect to everyone present. He/she should not make any remarks which are offensive, defamatory, insulting or discriminatory. The time limit to pose a question or make a comment will be three minutes for each speaker. The Democratic Services Officer will time each speaker to ensure that he/she does not exceed three minutes. The member of the public must cease speaking when so instructed by the Chairman/woman. The Chairman/woman may allow questions from Committee members to the speaker for clarification only.

The Chairman/woman will deal with the question or statement, or request that an appropriate Member or Officer reply orally. If this is not possible, the member of the public will be provided with a written answer using the contact details provided within ten working days.

If there should be a large number of requests for public speaking regarding one or more items on the agenda, the Chairman/woman may take steps to ensure that the meeting can be conducted in an appropriate fashion; for example, move the agenda item to the beginning of the meeting or limit the number of speakers. If the Chairman/woman should decide to limit the number of speakers, the Democratic Services Officer will ensure that all steps are taken to inform the "unsuccessful" speakers in advance and a written reply will be sent within ten working days after the meeting.

This process does not apply to County Councillors as their speaking rights as non-Committee members are covered in the Council's Constitution under Part 4.4, paragraph 18. It also does not apply to employees of the Council except when acting as Trades Union representatives or private individuals, as they have sufficient channels of communication, both internally and through their representative bodies.

- \* *For the purposes of this guide a "member of the public" is defined simply as anyone who lives or works in Cambridgeshire or is affected by a decision made in Cambridgeshire.*
- \*\* *This procedure does not apply to meetings of Full Council and Planning Committee as these meetings have their own procedures.*



## 8. **CONSIDERATION OF RECOMMENDATIONS IN REPORTS**

Officers' recommendations are deemed to be moved and seconded to facilitate a less bureaucratic approach to handling amendments.

Amendments to motions may be moved and seconded without notice but must be provided in writing to the Chairman/woman when being moved.

## 9. **MOTIONS NOT REQUIRING PRIOR WRITTEN NOTICE**

The following motions can be moved and seconded orally to ensure meetings run smoothly and are conducted properly:

- appointment of a Chairman/woman for the meeting in the absence of the Chairman/woman and Vice-Chairman/woman
- request to withdraw a motion
- that the matter be put to a vote
- that the meeting be adjourned
- variation of the order of business
- suspension of the procedure rules
- exclusion of the public
- that a named Councillor should not be heard further.

## 10. **THE RULES OF DEBATE**

If a Councillor wishes to speak they should indicate their intention by raising their hand.

The Chairman/woman will decide the order in which speakers will be heard. Any Councillor who wishes to speak will be given the opportunity to do so unless any of the exceptions contained in these rules of debate apply.

Councillors can speak for a maximum of 5 minutes, subject to any exceptions set out below, and the discretion of the Chairman/woman.

Councillors when speaking must address the Chairman/woman.

Councillors must speak strictly to the subject under discussion.

Any Councillor may at any time during a meeting request that the meeting be adjourned for up to one hour. The Chairman/woman of the meeting has discretion to decide whether to agree the request and, if agreed, to determine the length of any such adjournment.

If the motion has been amended since the Councillor last spoke, that Councillor may move a further amendment to the motion.

A motion may be altered with the consent of the meeting. The meeting's consent will be signified without discussion.





## **11. POINTS OF ORDER AND PERSONAL EXPLANATIONS**

With the consent of the Chairman/woman any Councillor may make a brief comment, ask a question designed to clarify a matter which has been raised, or indicate where they feel the procedure rules have not been followed. They may not introduce new material or make a speech on this.

The Chairman/woman's ruling on this will be final and they may limit such exchanges to maintain the flow of debate.

## **12. AMENDMENTS TO RECOMMENDATIONS AND MOTIONS**

Amendments to a motion can be moved or seconded by any Councillor to leave out words, to add words or both provided that such changes must not have the effect of reversing a proposal (for example to recommend approval instead of refusal) and must be relevant to the original motion.

Amendments must be dealt with and voted on one at a time, subject to the exceptions set out in the Rules of Debate.

If an amendment is not carried following a vote then alternative amendments can be moved.

If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

After an amendment has been carried, the Chairman/woman will advise the meeting of the content of the amended motion before accepting any further amendments, or if there are none, put it to the vote.

## **13. BRINGING DEBATE TO EARLY CLOSURE**

If the Chairman/woman feels there has been sufficient discussion of the issue he/she may put the motion to the vote.

## **14. VOTING**

Votes in committee are to be determined by a show of hands.

Where there is an equal number of votes for and against a motion the Chairman/woman can exercise a second or casting vote.

A recorded vote will be taken if 5 or more Councillors request it. The process will be as follows:

- The names of all Councillors will be called and the vote of each Councillor recorded.
- The Chairman/woman will announce the result.
- The minutes will record how each Councillor voted.



Any Committee member can require, during the item of business, that the minutes of the meeting record how they voted on any decision taken.

## **15. DISORDERLY CONDUCT BY MEMBERS**

If, at any meeting, any Councillor in the opinion of the Chairman/woman of the meeting misbehaves by persistently disregarding their ruling, or by behaving improperly or offensively, or by obstructing the business of the meeting, the Chairman/woman may move ‘that [the Councillor named] should not be further heard’ and the motion, if seconded, will be voted on without discussion.

If any Councillor named continues the misconduct after a ‘should not be further heard’ motion has been carried, the Chairman/woman:

- may request the Councillor to leave the meeting; or
- may adjourn the meeting for any period considered necessary

In the event of a general disturbance which in the opinion of the Chairman/woman makes business impossible, the Chairman/woman may adjourn the meeting for any period considered necessary and/or order that the public leave.

## **16. DISTURBANCE BY PUBLIC**

### **Removal of Member of the Public**

If a member of the public interrupts proceedings, the Chairman/woman will warn the person concerned. If he/she continues to interrupt, the Chairman/woman will order his/her removal from the meeting room.

### **Clearance of Part of Meeting Room**

If there is a general disturbance in any part of the meeting room open to the public, the Chairman/woman may call for that part to be cleared.

## **17. PHOTOGRAPHY AND AUDIO RECORDINGS OF MEETINGS**

The Council supports the principle of transparency and encourages filming, recording and taking photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening, as it happens. These arrangements will operate in accordance with a protocol agreed by the Chairman/woman of the Council and political Group Leaders. This protocol will be published on the Council’s website.



**18. ATTENDANCE OF OTHER COUNTY COUNCILLORS**

Any County Councillor who wishes to attend a meeting of a committee or sub-committee of which they are not a member will be entitled to do so. With the consent of the meeting they will be entitled to speak on any matter affecting their electoral division or its inhabitants, but not to vote.

A County Councillor who attends a meeting in this capacity will be entitled to remain in the meeting when a resolution excluding the public is in force.

These provisions do not apply where a committee or sub-committee is exercising a function which is judicial in nature.

**19. APPOINTMENTS TO COMMITTEES**

Any changes in a committee's membership must be notified by the Group Leader or the majority of their group to the Democratic Services Manager no later than 12.00 noon five (5) clear working days before the relevant meeting.

Democratic Services will ensure that all appointments to committees are reported to the next meeting of the appropriate committee.



## **Annex 1**

### **Rules of Procedure for the Pension Fund Committee, ~~Board~~ and Investment Sub-Committee and Pension Fund Board**

The Council's Rules of Procedure set out in Part 4 of the Constitution apply to the Pension Fund **Committee, ~~Board~~** and the Investment Sub-Committee **and Pension Fund Board** except where they concern the following matters:

- Frequency of meetings
- Appointment of Chairman/woman and Vice Chairman/woman
- Voting Rights
- Quorum
- Training Requirement

in which case the rules are modified as necessary to accommodate the provisions set out in the table below.

<b>Frequency of Meetings</b>	<p>The <b>Committee <del>Board</del></b> will meet a minimum of five times a year. The date, hour and place of routine meetings shall be fixed by the <b>Committee <del>Board</del></b>, but the Chairman/woman may call additional meetings if deemed necessary.</p> <p>The Investment Sub-Committee will meet a minimum of four times a year. The date, hour and place of routine meetings shall be fixed by the <b>Committee <del>Board</del></b>, but the Chairman/woman of the Sub-Committee may call additional meetings if deemed necessary.</p> <p><b>The Board will meet a minimum of four times a year. The date, hour and place of routine meetings shall be fixed by the Board, but the Chairman/woman may call additional meetings if deemed necessary.</b></p>
<b>Chairman and Vice Chairman's Term of Office</b>	<p>The normal term for the Pension Fund <b>Committee and Board's</b> Chairman/woman and Vice Chairman/woman shall be one year subject to earlier removal by vote of the Pension Fund <b>Committee or Board respectively.</b></p>
<b>Voting Rights</b>	<p>All <b>Committee <del>Board</del></b> Members, and Investment Sub-Committee Members <b>and Board Members</b> shall have the right to vote in <b>their respective</b> meetings.</p>



<b>Quorum</b>	<p>5 (1/3 plus 1) <del>Board</del> <b>Committee</b> Members shall form a quorum for meetings of the <b>Committee</b> <del>Board</del>.</p> <p>4 (1/3 plus 1) Investment Sub-Committee Members shall form a quorum for meetings of the Investment Sub-Committee.</p> <p><b>2 (1/3) Board Members shall form a quorum for meetings of the Board (shall include one each from the employer and member sides)</b></p> <p>No business requiring a decision shall be transacted at any meeting of the <b>Committee</b>, <del>Board</del> or Investment Sub-Committee <b>or Board</b> unless the meeting is quorate. If it arises during the course of a meeting that a quorum is no longer present, the Chairman/woman shall either suspend business until a quorum is re-established or declare the meeting at an end and arrange for the completion of the agenda at the next meeting or at a special meeting.</p>
<b>Training Requirements</b>	<p>Members may not take part in meetings of the Pension Fund <b>Committee</b>, <del>Board</del> or Investment Sub-Committee <b>or Board</b> unless they have complied with any training requirements set out by the Chairman/woman of the Pension Fund Committee <b>or for Board members as set out in the Public Services Pensions Act.</b></p>



## **Annex 2**

### **Cambridgeshire Health and Wellbeing Board (Standing Orders)**

#### **1. Co-optees**

The Chairman/woman or the Board will be entitled to appoint, in consultation with the Board via e-mail, up to 3 people at any one time as non-voting co-opted members of the Board. The Board shall determine whether the co-options shall be for a specified period, for specific meetings or for specific items.

Co-options may only be made if the person co-opted has particular knowledge or elected expertise in the functions for which the Board is responsible, or knowledge/responsibility for a geographic or academic agenda issue.

#### **2. Notice of Meetings**

Meetings of the Board will be convened by the County Council, who will also arrange the clerking and recording of meetings (a member of the County Council's Democratic Services Team will act as Clerk).

#### **3. Chairmanship**

The appointment of the Chairman/woman will be determined by full Council at the annual general meeting, or at any subsequent meeting should the need arise; having regard to recommendations from the political Group Leaders.

The Cambridgeshire Health and Wellbeing Board will elect annually a Vice-Chairman/woman who will not represent the County Council.

#### **4. Quorum**

The quorum for all meetings of the Board will be five members (Chairman/woman or Vice-Chairman/woman to be in attendance).

#### **5. Appointment of Substitute Members**

Nominating groups may appoint a substitute member for each position. These members will receive electronic versions of agendas and minutes for all meetings. Notification of a named substitute member must be made in writing or by email to the Clerk. Substitute members may attend meetings after notifying the Clerk of the intended substitution before the start of the meeting either verbally or in writing. Substitute members will have full voting rights when taking the place of the ordinary member for whom they are designated substitute.



## 6. **Decision Making**

It is expected that decisions will be reached by consensus, however, if a vote is required it will be determined by a simple majority of those members present and voting. If there are equal numbers of votes for and against, the Chairman/woman will have a second or casting vote. There will be no restriction on how the Chairman/woman chooses to exercise a casting vote.

## 7. **Meeting Frequency**

The Board will meet **at least** four times a year.

In addition, extraordinary meetings may be called from time to time as and when appropriate. A Board meeting may be called by the Chairman/woman, by any three members of the Board or by the Director of Public Health if he/she considers it necessary or appropriate.

## 8. **Supply of information**

The Health and Wellbeing Board may, for the purpose of enabling or assisting it to perform its functions, request any of the following persons to supply it with such information as may be specified in the request—

- (a) the local authority that established the Health and Wellbeing Board;
- (b) any person who is represented on the Health and Wellbeing Board by virtue of section 194(2)(e) to (g) or (8) of the Health and Social Care Act 2012 (“the 2012 Act”);
- (c) any person who is a member of a Health and Wellbeing Board by virtue of section 194(2)(g) or (8) but is not acting as a representative.

A person who is requested to supply information under (a), (b) and (c) must comply with the request. Information supplied to a Health and Wellbeing Board under this section may be used by the Board only for the purpose of enabling or assisting it to perform its functions.

## 9. **Status of Reports**

Meetings of the Board shall be open to the press and public and the agenda, reports and minutes will be available for inspection at Cambridgeshire County Council’s offices and on the County Council’s website at least five working days in advance of each meeting. [This excludes items of business containing confidential information or information that is exempt from publication in accordance with Part 5A and Schedule 12A to the Local Government Act 1972 as amended.] Other participating organisations may make links from their website to the Board’s papers on Cambridgeshire County Council’s website.



**10. Press Strategy**

An electronic link to agendas for all meetings will be sent to the local media. Cambridgeshire County Council will be responsible for issuing press releases on behalf of the Board and dealing with any press enquiries. Press releases issued on behalf of the Board will be agreed with the Chairman/woman or Vice-Chairman/woman and circulated to all Board members.

**11. Members' Conduct**

Part 5 - Codes and Protocols of the County Council's Constitution applies to all elected and 'co-opted' members of the Board

[http://www.cambridgeshire.gov.uk/info/20050/council\\_structure/288/councils\\_constitution](http://www.cambridgeshire.gov.uk/info/20050/council_structure/288/councils_constitution)

**12. Amendment of the Terms of Reference**

The Board may recommend variations to its Terms of Reference by a simple majority vote by the members provided that prior notice of the nature of the proposed variation is made and included on the agenda for the meeting.

**13. Governance and Accountability**

The Board will be accountable for its actions to its individual member organisations.

There will be sovereignty around decision making processes. Representatives will be accountable through their own organisations for the decisions they take. It is expected that Members of the Board will have delegated authority from their organisations to take decisions within the terms of reference.

Decisions within the terms of reference will be taken at meetings and will not normally be subject to ratification or a formal decision process by partner organisations. However, where decisions are not within the delegated authority of the Board members, these will be subject to ratification by constituent bodies.

It is expected that decisions will be reached by consensus.