

LONDON BOROUGH OF CROYDON

REPORT:	PENSION COMMITTEE	
DATE OF DECISION	19 MARCH 2024	
REPORT TITLE:	Pension Fund Governance: Pension Fund Communications Policy Statement	
CORPORATE DIRECTOR / DIRECTOR:	Jane West, Corporate Director of Resources (Section 151 Officer)	
LEAD OFFICER:	Matthew Hallett – Acting Head of Pensions and Treasury	
CONTAINS EXEMPT INFORMATION?	NO	
WARDS AFFECTED:	N/A	

1. SUMMARY OF REPORT

- 1.1 This report asks the Committee to consider and agree the Fund’s Communications Policy Statement, prepared in accordance with Regulations, Guidance and best practice, as attached as Appendix A.

2. RECOMMENDATIONS

The Pension Committee is recommended:

- 2.1 to consider and agree the Fund’s Communications Policy Statement.

3. REASONS FOR RECOMMENDATIONS

- 3.1 In accordance with Regulations, Guidance and best practice it is important for the Pension Committee to consider and agree an up-to-date version of the Fund’s Communications Policy Statement.

4. BACKGROUND AND DETAILS

- 4.1 Regulation 61 of The Local Government Pension Scheme Regulations 2013 requires that:

(1) An administering authority must prepare, maintain and publish a written statement setting out its policy concerning communications with-

(a) members;

(b) representatives of members;

(c) prospective members; and

(d) Scheme employers.

(2) In particular the statement must set out its policy on-

(a) the provision of information and publicity about the Scheme to members, representatives of members and Scheme employers;

(b) the format, frequency and method of distributing such information or publicity; and

(c) the promotion of the Scheme to prospective members and their employers.

4.2 The current version of the Policy was agreed by the Pension Committee on 17 September 2019 with some drafting amendments agreed by the Board on 12 January 2023.

4.3 Attached as Appendix A is the recommended version of the Policy updated to reflect the following:

- Further details of legislative background;
- Details of Guidance provided by The Pensions Regulator and the Scheme Advisory Board;
- Expansion of objectives, assessment and risks;
- Expansion of stakeholders' list;
- Inclusion of Data Protection and National Fraud Initiative statements;
- Availability of fund publications; and
- Expansion of various sections and drafting amendments

4.4 The Committee are invited to consider and agree the Pension Fund Communications Policy Statement attached as Appendix A.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 N/A

6. CONSULTATION

6.1 The Pension Funds Governance Adviser, Aon, has been consulted alongside the formal process.

7. CONTRIBUTION TO COUNCIL PRIORITIES

7.1 Ensuring regulatory compliance, good stewardship and best practise are applied to the Council's Pension Fund.

8. IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

8.1.1. There are no direct financial implications arising from this report.

8.1.2. Comments approved by Andrew Lord, Interim Finance Consultant on behalf of Allister Bannin, the Director of Finance. (Date 06/03/2024).

8.2 LEGAL IMPLICATIONS

8.2.1. Burges Salmon LLP (a law firm appointed as an advisor to the Fund) note that preparing, maintaining and publishing a written statement is a legal requirement under regulation 61 of the Local Government Pension Scheme Regulations 2013. It also supports the Committee's governance requirements, including in connection with the risk of pension scams (where appropriate member communications are very important).

8.2.2. Comments approved by Burges Salmon LLP. (Date 06/03/2024)

8.3 EQUALITIES IMPLICATIONS

8.3.1. Under the Public Sector Equality Duty of the Equality Act 2010, decision makers must evidence consideration of any potential impacts of proposals on groups who share the protected characteristics, before decisions are taken.

8.3.2. Section 149 of the Act requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

8.3.3. Protected characteristics defined by law include race and ethnicity, disability, sex, gender reassignment, age, sexual orientation, pregnancy and maternity, and religion or belief.

8.3.4. Having due regard means there is a requirement to consciously address the three tenets of the Equality Duty within decision-making processes.

8.3.5. By law, assessments must be carried out throughout planning and delivery and contain sufficient information to enable the local authority to show it has paid 'due regard' to the equality's duties; and identified methods for mitigating or avoiding adverse impact on people sharing protected characteristics.

8.3.6. This is an update to the existing Policy. The Council will need to ensure that an EQIA with full mitigation is provided in regard to the protected groups of Disability, Age and Race, should the Committee agree.

8.3.7. Comments approved by Felisha Dussard, Senior Communities Officer on behalf of Helen Reeves, Head of Strategy & Policy. (Date 04/03/2024).

8.4 HUMAN RESOURCES IMPLICATIONS

8.4.1. There are no direct workforce implications arising from this report other than the Fund's Communications Policy Statement should be clearly written, easy to understand and accessible to employees.

8.4.2. Comments approved by: Dean Shoemith, Chief People Officer (Date 29/2/2024).

9. APPENDICES

9.1 A London Borough of Croydon Pension Fund Communications Policy Statement.

10. BACKGROUND DOCUMENTS

10.1 None