

VOTING RIGHTS FOR THE COMMITTEE'S LOCAL GOVERNMENT PENSION SCHEME MEMBER REPRESENTATIVES

Report of the County Solicitor

Please note that the following recommendations are subject to consideration and determination by the Council (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation:

(a) that one Group vote be granted to the 3 Scheme Members and that the Group be requested to appoint a nominated representative to exercise that vote (subject to approval by the County Council); and

(b) that the Pension Fund's Governance Policy and Compliance Statement be amended to reflect the change.

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**1. Background/Introduction**

The question in relation to the voting rights for the nominated Scheme Members has been raised informally on a number of occasions (and was informally declined by them). With recent changes to the Scheme Member Representatives this Report outlines a formal proposal for limited voting rights.

**2. Proposal**

Officers have carried out benchmarking with other Authorities and most other Committees allow Scheme Member voting rights, although not all. A common feature is that the Administering Authority representatives maintain a majority of Members, even when including any District and or Borough elected Members (representing their respective Local Authorities as Employers), other Employer representatives and Scheme representatives.

On that basis, and with the current composition of the Committee, one Group vote is recommended with a nominated person who maintains those voting rights. The appointed nominee would be a matter for the Scheme Members to decide and the Democratic Services Officer (on behalf of the County Solicitor) would need to be informed and updated of any changes.

**3. Options/Alternatives**

The status quo is an option. Permitting full voting rights for each Scheme Member is not recommended for the reason stated in Section 2 of this Report.

**4. Consultations/Representations/Technical Data**

The Scheme Members have been informed about this proposal and have raised no objection.

**5. Financial Considerations**

There are no financial considerations identified.

**6. Legal Considerations**

The Committee / Council has discretion in terms of voting rights in line with the relevant Acts (Housing and Local Government Act 1989 and Superannuation Act 1972). There is no legal impediment to granting voting rights to the Scheme Members.

All Members and Co-opted Members must adhere to the Principles of Public Life as defined in the Council's Constitution.

**7. Environmental Impact Considerations**

There are no environmental considerations identified.

**8. Equality Considerations**

The proposal promotes equality of opportunity by encouraging participation and fosters the current good relations between all Members of the Committee.

**9. Risk Management Considerations**

No risks have been identified. All Members (elected and non-elected) have a fiduciary duty to aim to ensure the best returns for the Fund.

**10. Summary/Conclusions/Reasons for Recommendations**

The proposal to offer limited voting to Scheme Members is in-line with most other Administering Authorities Committees' practice and promotes collegiate working, transparency and accountability and represents good practice.

Jan Shadbolt  
County Solicitor

[Electoral Divisions: All]

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