

NORTH YORKSHIRE COUNTY COUNCIL

PENSION FUND COMMITTEE

10 JULY 2014

GOVERNANCE ARRANGEMENTS

Report of the Treasurer

1.0 PURPOSE OF REPORT

- 1.1 To seek Committee approval of certain governance documents required to accompany the Statement of Final Accounts of the Pension Fund.
- 1.2 To present to the Committee the findings of the Independent Professional Observer on the Fund's governance arrangements.

2.0 BACKGROUND

- 2.1 As Members will be aware from reports to previous meetings, the Final Accounts of the Pension Fund have to be audited as if the Pension Fund was an entity separate from the County Council.
- 2.2 Given the regulatory requirements relating to local authority Final Accounts, it is necessary:
 - (a) for the Audit Committee (not the Executive) of the County Council to approve the Final Accounts for submission to the External Auditor, and
 - (b) for the Final Accounts to be accompanied by an Annual Governance Statement
 - (c) and therefore, the arrangements in (a) and (b) have to be applied to the NYPF.
- 2.3 In relation to 2013/14, the Audit Committee met on 26 June 2014 and received:
 - (a) a draft Annual Governance Statement (AGS) for the County Council
 - (b) a draft set of Governance papers relating to NYPF (see **paragraph 3** below)
- 2.4 Also in relation to 2013/14, at its meeting on 17 July 2014 the Audit Committee will receive:
 - (a) a draft Statement of Final Accounts for the County Council
 - (b) a draft Statement of Final Accounts for the NYPF (see separate item on this agenda)

3.0 GOVERNANCE ARRANGEMENTS FOR NYPF

- 3.1 The Governance arrangements for NYPF fall into two categories:-
 - (i) those that govern the processes and procedures of NYPF because it is "hosted" by the County Council. Thus the operating arrangements for this Committee, the procedure

rules for appointing fund managers etc are all based on those operated within the County Council.

To that extent they will be covered, for year-end purposes, by the Annual Governance Statement (AGS) that is prepared for the County Council as a whole.

(ii) those that relate specifically to NYPF. A full set of these documents is to be found in **Appendix 1**.

3.2 At its meeting on 28 June 2013, the Committee approved a full set of NYPF governance documents for the purposes of submission to the Audit Committee in relation to the 2012/13 Final Accounts. Since then, some of these documents have been updated, but others remain unchanged or have received only minor amendments. These changes include, where appropriate, responding to views expressed at the Audit Committee meeting on 26 June 2014.

3.3 There have been either no or minor amendments to the following documents in **Appendix 1**:

1. **Statement of Investment Principles (Part A)**
2. **Governance Compliance Statement (Part B)**
3. **Communication Policy Statement (Part F)**
4. **Pensions Administration Strategy (Part G)**
5. **Treasury Management SLA (Part H)**

These documents usually only need significant revisions following certain events such as a major change in legislation or changes to the investment strategy, but no significant revisions are required at this time. In addition:

6. the **Communication Strategy 2014/15 (Part D)** which described the strategy for communicating with members and employers for the year was approved by the PFC on 22 May 2014
7. the **Funding Strategy Statement (Part E)** was approved by the PFC on 20 February 2014 as part of the Triennial Valuation process.

3.4 The **Risk Register (Part C)** describes the key risks faced by the Fund. There are two risks ranked as red, four as amber and two as green. None of these risks have increased in category in the last year. The assessment of the highest ranked risks is primarily driven by the financial impact each could have, if each risk actually occurred.

3.5 Pension Fund solvency remains a red risk due to the unpredictable and volatile nature of global financial markets on which both investment returns and certain market based actuarial assumptions used to value liabilities are based. The potential consequence of the risk occurring is a significant increase in contribution rates for the Fund's employers and/or an extension to the deficit recovery period. Recently however, Fund solvency increased; from 67% at the March 2010 valuation to 73% at the March 2013 valuation, and was 84% as at March 2014, the highest it has ever been.

3.6 The investment strategy remains a red risk. Although solvency has increased significantly over recent years the strategy remains focussed on generating additional outperformance over liabilities in order to recover the remaining deficit. This inevitably means that the Fund is required to invest in assets exposed to significant market risk such as equities and property which can perform poorly particularly in times of a crisis in financial markets. However the strategy has been exceptionally effective at taking advantage of the improvements in these markets over recent years. NYPF's investment performance was ranked 1st within the local authority universe (WM Performance Services) for the five year period to March 2014.

4.0 **GOVERNANCE COMPLIANCE UPDATE – REPORT OF THE INDEPENDENT PROFESSIONAL OBSERVER**

- 4.1 The remit of the Independent Professional Observer, Peter Scales, is to provide advisory services on governance and compliance to the NYPF. To this purpose, he has conducted a review of these arrangements as they operated during each financial year and has made a number of recommendations, all of which have been incorporated into the governance documents of the Fund.
- 4.2 This latest report (attached as **Appendix 2**) provides an update of his review of the current governance compliance arrangements for the Fund, and comments on the evolving regulatory environment.
- 4.3 Governance is described as of a “high standard” and that NYPF continues to be “fully compliant with all the regulatory requirements currently in force”.
- 4.4 NYPF will be required to make arrangements for a “pension board” to operate from April 2015, some of the options for which, subject to the anticipated regulations and guidance from Government, were presented to the PFC at its meeting on 28 June 2013. As the report from the IPO explains, one year on, the draft regulations and accompanying guidance have still not been issued. However, this information is expected imminently and a proposal will be taken to the PFC meeting in September 2014. One point of particular note in the last paragraph of page 2 of the IPO’s report is that indications are that the administering authority may not appoint employee or employer representatives to the pension board.
- 4.5 The IPO’s report also comments on the consultation on the future structure of the LGPS. A draft NYPF response to the consultation is included in a separate item on the agenda for this meeting.

5.0 **RECOMMENDATIONS**

- 5.1 Members to approve the set of governance documents in **Appendix 1**.
- 5.2 Members note the report of the Independent Professional Observer in **Appendix 2**.

GARY FIELDING
Treasurer
Corporate Director – Strategic Resources
County Hall
Northallerton

27 June 2014

Background documents : None

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GOVERNANCE DOCUMENTS OF THE NORTH YORKSHIRE PENSION FUND

Part	Document Title	Colour
A	Statement of Investment Principles	Gold
B	Governance Compliance Statement	Lilac
C	Risk Register	Pal Blue
D	Communications Strategy 2014/15	Pale Green
E	Funding Strategy Statement	Ivory
F	Communications Policy Statement	Bright Yellow
G	Pensions Administrations Strategy	Rose
H	Treasury Management SLA	Dark Green

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NORTH YORKSHIRE PENSION FUND

STATEMENT OF INVESTMENT PRINCIPLES

TABLE OF CONTENTS

Section		Page
1	INTRODUCTION	2
2	INVESTMENT DECISION MAKING PROCESS	2
3	TYPES OF INVESTMENTS TO BE HELD	2
4	BALANCE BETWEEN DIFFERENT TYPES OF INVESTMENTS	3
5	RISK	4
6	EXPECTED RETURN ON ASSETS	4
7	REALISATION OF INVESTMENTS	4
8	SOCIALLY RESPONSIBLE INVESTMENTS	5
9	SHAREHOLDER GOVERNANCE	5
10	STOCK LENDING	5
11	COMPLIANCE WITH GUIDANCE FROM THE SECRETARY OF STATE	5

1.0 INTRODUCTION

- 1.1 The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 require administering authorities to prepare, publish and maintain a Statement of Investment Principles (SIP). This document is the SIP of the North Yorkshire Pension Fund (NYPF) for which North Yorkshire County Council (NYCC) is the administering authority. In preparing this Statement consideration has been given to the professional advice received from the various advisers and investment managers of the Fund.

2.0 INVESTMENT DECISION MAKING PROCESS

- 2.1 The Council has delegated all its functions as the administering authority of NYPF to the Pension Fund Committee (PFC). The Corporate Director Strategic Resources, who reports to the Chief Executive, has day to day control of the management of all aspects of the Fund's activities.
- 2.2 The PFC determines the investment policy of the Fund and has ultimate responsibility for the investment strategy. The committee undertakes its responsibilities through taking appropriate advice from external advisers. Scheduled meetings take place each quarter with additional meetings convened as required.

3.0 TYPES OF INVESTMENTS TO BE HELD

- 3.1 The following categories of investment have been approved as suitable for the NYPF.

UK Equities provide a share in the assets and profitability of public companies floated on UK stock exchanges. Capital gains and losses arise as share prices change to reflect investor expectations at the market, sector and stock levels. Income is derived from dividends.

Overseas Equities are similar to UK Equities but allow greater diversification amongst markets, sectors and stocks. Valuations are affected by exposure to movements in the relative value of the foreign currencies in which investments are made against sterling. Exchange rates are likely to reflect differentials in inflation so should not affect returns materially over the long term, but over the short term currency movements may significantly add to or subtract from returns. Equities are expected to provide high returns compared to other asset classes (the "equity-risk premium"); to address the NYPF deficit position a high proportion of assets will be held in equities.

UK Bonds are debt instruments issues by the UK Government and other borrowers. Bonds provide a fixed rate of interest and are usually redeemed at a fixed price on a known future date. Valuations primarily reflect the fixed level of interest, the period to redemption and the overall return demanded by investors. They are vulnerable to rising inflation and correspondingly benefit from falling inflation.

Overseas Bonds are similar to UK Bonds but have exposure to currency exchange rate fluctuations. As with UK bonds they are influenced by local inflation rates.

Index Linked Bonds are bonds that provide interest and a redemption value directly linked to a measure of inflation, usually the Retail

Price Index or a similar index. The returns from this asset class act as a useful proxy for movements in liability values.

Diversified Growth Funds are an alternative way of investing in shares, bonds, property and other asset classes. These funds are managed by specialist multi-asset managers and target returns slightly below that of equities but with significantly reduced volatility due to the diversification of their constituent parts.

UK Property is an investment in buildings, indirectly through pooled vehicles. Capital gains and losses occur as prices fluctuate in line with rental levels and investor demand. Income is generated from rents collected from tenants. The nature of rental agreements gives property some of the characteristics of bonds, whilst growth and inflation provide some of the characteristics of equities. It is, therefore, a useful diversifying asset class.

Derivative Instruments such as options and futures are mechanisms through which the Fund can be protected from sudden changes in share prices or exchange rates. Although not income producing they can result in capital gains and losses. They may be used to hedge the Fund's exposure to particular markets.

Cash is invested in authorised institutions in accordance with the treasury management policy of the Council under the terms of a Service Level Agreement and attracts interest at market rates.

4.0 BALANCE BETWEEN DIFFERENT TYPES OF INVESTMENTS

- 4.1 The LGPS regulations require that administering authorities should “have regard to the need for diversification of investments” in order to reduce the risk of over concentration in one or more asset classes where performance may be highly correlated. The aim of diversification is to reduce short term volatility, particularly to mitigate the negative effects of one asset class or market performing badly. Property (2012) and Diversified Growth Funds (2013) are the most recent additions to further address this issue.
- 4.2 The Investment Strategy Review, carried out periodically, establishes a benchmark asset mix against which actual Fund performance can be measured. The last Review took place in 2013. This provides a framework designed to produce the returns the Fund requires over the long term to meet its future liabilities. Each asset class is allocated a range and rebalancing takes place when values stray beyond them due to market conditions. Further rebalancing may take place based on strategic views of the Fund's advisers.
- 4.3 The largest proportion of the Fund's investments are in equities which is aimed at growing the value of assets over the long term. Other return seeking asset classes complement this goal, with the allocation to liability matching assets providing a measure of protection against rising liability valuations.
- 4.4 The range of permitted investment in each asset class, expressed as a percentage of the Fund is as follows:

	Minimum %	Maximum %
Equities	50	75
Diversified Growth Funds	5	10
Property	5	10
Fixed Income	15	30

- 4.5 Each asset class is sub-divided into two or more mandates with different investment managers and operating to different benchmarks, further increasing the diversification of the Fund's investments.

5.0 RISK

- 5.1 The Fund's custodian, BNY Mellon, holds the assets of the Fund that are invested on a segregated basis. Assets invested through pooled funds are held by the Funds investment managers. Agreements are in place protecting the Fund against fraudulent loss and in addition regular checks are undertaken by independent auditors of the custodian's and investment managers' systems. These organisations have internal compliance teams which also monitor and report on risk. Cash balances belonging to the Fund are held and invested in accordance with a Service Level Agreement with NYCC. Risk is further controlled through continuous monitoring and periodic reviews of the custodial and investment management arrangements.
- 5.2 The LGPS Management and Investment of Funds Regulations 2009 set out certain restrictions as to individual investments, which are intended to limit the risk exposure of an LGPS Fund. The Fund's asset risk is reduced through diversifying investments within these limits, across asset classes, geographical areas, market sectors and at the stock specific level. Investment Management Agreements include further restrictions on the investment processes managers are required to follow.
- 5.3 The Investment Strategy aims to ensure that the Fund has enough Assets to pay the benefits earned by scheme members. An Asset Liability Modelling study undertaken by the Fund's Investment Consultant looked at the risk and reward of the current (and possible alternative) asset allocations compared with the actual liabilities of the Fund arising from the 2013 Triennial Valuation. The associated workshops explored the risk/reward relationship and the most appropriate asset allocation strategy. The results of this exercise form the basis of the investment benchmark.
- 5.4 Ongoing monitoring of the Fund's risk profile takes place including reassessing its appropriateness when the Investment Strategy is reviewed at the quarterly PFC meetings or as appropriate. Close regard is paid to the ongoing risks which may arise through a developing mismatch, over time, between the assets of the Fund and its liabilities, together with the risks which may arise from any lack of balance/ diversification of the investment of those assets.

6.0 EXPECTED RETURN ON ASSETS

- 6.1 The long-term objective of the Investment Strategy is to have sufficient money available to meet the cost of future pension payments. The Asset Liability Modelling study described in **paragraph 5.3** establishes an expected level of return and is incorporated into each Triennial Valuation and the associated Funding Strategy Statement (FSS).
- 6.2 The expected return on assets at the Fund level is a blend of the benchmarks for the individual investment managers and their mandates. All of the Fund's assets are actively managed by external investment managers, each with their own performance target. This equates to an out-performance target over liabilities (calculated on a gilts basis) of 2.4%; this return expectation is one of the key assumptions used in determining employer contributions at the Triennial Valuation.

7.0 REALISATION OF INVESTMENTS

- 7.1 The majority of the Fund's investments are in fixed interest securities, equities and other investments that are quoted on recognised stock markets and may quickly be realised if required. Less than 1% of investments are in illiquid asset classes.

8.0 SOCIALLY RESPONSIBLE INVESTMENTS

- 8.1 The PFC takes the view that its overriding obligation is to act in the best financial interests of the Scheme and its beneficiaries.
- 8.2 However, as a responsible investor, NYPF wishes to promote corporate social responsibility, good practice and improved performance amongst all companies in which it invests. The Fund therefore monitors investee companies to ensure they meet standards of best practice in relation to their key stakeholders.
- 8.3 The Fund considers that the pursuit of such standards fully aligns the interests of Fund members and beneficiaries with those of stakeholders and society as a whole over the long term. In furtherance of this policy, the Fund supports standards of best practice on disclosure and management of corporate social responsibility issues by companies and pursues constructive shareholder engagement with companies on these issues consistent with the Fund's fiduciary responsibilities.
- 8.4 In accordance with this policy, the Fund will seek where necessary to use its own efforts, those of its investment managers, and alliances with other investors, to pursue these goals. To this end the Fund is a member of the Local Authority Pension Fund Forum (LAPFF).
- 8.5 In addition, the Fund continues to pursue an active corporate governance policy, including using its voting rights, in accordance with its own policies, as determined from time to time (see **paragraph 9** below).

9.0 SHAREHOLDER GOVERNANCE

- 9.1 The policy on corporate governance is that NYPF has instructed Pension Investment Research Consultants Limited (PIRC) to execute voting rights for all segregated UK Equities held by the Fund, and non UK where practicable. Votes are executed by PIRC according to predetermined Shareholder Voting Guidelines agreed by the PFC, available on www.nypf.org.uk.
- 9.2 The scope of the policy described in **paragraph 9.1** above is periodically reviewed with the intention of extending the geographical range where NYPF's interest can be voted.

10.0 STOCK LENDING

- 10.1 The Fund has not released stock to a third party under a stock lending arrangement within a regulated market during the financial year 2013/14 or in any previous years.

11.0 COMPLIANCE WITH GUIDANCE FROM THE SECRETARY OF STATE

- 11.1 The original Myners Review in 2001 established 10 principles of investment for defined benefit schemes. In October 2008, the Government published their response to consultation on updating the Myners Review and restructured the original principles into 6 new high level principles, provided guidance to pension funds on recommended best practice for applying the principles, and identified tools to provide practical help and support to trustees and their advisers.
- 11.2 NYPF carried out a self-assessment of its position, supported by a review by an independent professional observer, and implemented arrangements in order to address the principles. The extent to which NYPF has adopted the investment principles is described in the following paragraphs.

Effective decision making – full compliance

- 11.3 Administering authorities should ensure that decisions are taken by persons or organisations with the skills, knowledge, advice and resources necessary to take them effectively and monitor their implementation, and those persons or organisations should have sufficient expertise to be able to evaluate and challenge the advice they receive, and manage conflicts of interest.

Clear objectives – full compliance

- 11.4 An overall investment objective(s) should be set out for the Fund that takes account of the scheme's liabilities, the potential impact on local tax payers, the strength of the covenant for non-local authority employers, and the attitude to risk of both the administering authority and scheme employers, and these should be clearly communicated to advisors and investment managers.

Risks and liabilities – full compliance

- 11.5 In setting and reviewing their investment strategy, administering authorities should take account of the form and structure of liabilities. These include the implications for local tax payers, the strength of the covenant for participating employers, the risk of their default and longevity risk.

Performance assessment – full compliance

- 11.6 Arrangements should be in place for the formal measurement of performance of the investments, investment managers and advisers. Administering authorities should also periodically make a formal assessment of their own effectiveness as a decision-making body and report on this to scheme members.

Responsible ownership – full compliance

- 11.7 Administering authorities should adopt, or ensure their investment managers adopt, the Institutional Shareholders' Committee Statement of Principles on the responsibilities of shareholders and agents, include a statement of their policy on responsible ownership in the Statement of Investment Principles, and report periodically to scheme members on the discharge of such responsibilities.

Transparency and reporting – full compliance

- 11.8 Administering authorities should act in a transparent manner, communicating with stakeholders on issues relating to their management of investment, its governance and risks, including performance against stated objectives, and provide regular communication to scheme members in the form they consider most appropriate.

June 2014

NORTH YORKSHIRE PENSION FUND

GOVERNANCE COMPLIANCE STATEMENT

TABLE OF CONTENTS

Section		Page
1	INTRODUCTION	2
2	GOVERNANCE ARRANGEMENTS	2
3	REPRESENTATION AND MEETINGS	4
4	OPERATIONAL PROCEDRES	5
5	KEY POLICY / STRATEGY DOCUMENTS	6
5	ASSESSMENT OF COMPLIANCE WITH BEST PRACTICE PRINCIPLES	6

1.0 INTRODUCTION

- 1.1 This Statement has been prepared by North Yorkshire County Council (NYCC, or “the Council”) as administering authority of the North Yorkshire Pension Fund (NYPF, or “the Fund”) in accordance with the requirements of the provisions of the Local Government Pension Scheme (Amendment) (No.3) Regulations 2007.
- 1.2 These Regulations describe the governance arrangements of the Fund and assess them against a set of best practice principles, either confirming compliance or providing an explanation of the reasons for non-compliance as appropriate.

2.0 GOVERNANCE ARRANGEMENTS

Pension Fund Committee

- 2.1 Overall responsibility for the governance of the LGPS, as it is organised and operated in North Yorkshire resides with the Pension Fund Committee (PFC), a committee of the Council, which has been delegated the following powers:
 - 2.1.1 To exercise the powers of the Council to invest monies forming part of the Pension Fund, including:
 - to determine and periodically review the Investment Strategy of the Fund
 - to appoint managers to manage and invest Fund monies on the Council's behalf
 - to receive reports from the appointed managers, at least once every three months, setting out the action they have taken under their appointment
 - to receive reports, at least once every three months from the Investment Adviser, Investment Consultant and the Performance Measurer, regarding the investment performance of the appointed investment managers and the Fund overall
 - from time to time to consider the desirability of continuing or terminating the appointments of any organisations involved in the investment of the monies of the Fund and / or advising / reporting thereon
 - to approve a Statement of Final Accounts and associated governance statements for submission to the Audit Committee
 - from time to time reporting to the Executive
 - 2.1.2 To exercise all the Council's powers as administering authority for the North Yorkshire Pension Fund, subject to any specific instructions that might be given from time to time by the Council.
 - 2.1.3 To carry out the Council's functions relating to local government pensions scheme (LGPS) under the regulations.

Advisory Panel

2.2 NYPF has established an Advisory Panel with its own terms of reference which widens representation amongst the Fund's stakeholders. The Panel's terms of reference as follows:

- to represent all stakeholders of the North Yorkshire Pension Fund, in particular the contributing Employing Bodies to the Fund
- to express the views of stakeholders to the PFC on matters of policy
- to liaise with the North Yorkshire Pension Fund Officers Group (NYPFOG)

Independent Professional Observer

2.3 In order to provide an independent assessment of the Fund's governance arrangements the PFC has appointed an Independent Professional Observer (IPO). The IPO reports annually to the PFC on the level of compliance of the Fund against the CLG's best practice principles, and also offer advice on governance related matters.

Functions Delegated to Officers

2.4 The Council's constitution sets out the duties of the Corporate Director – Strategic Resources in relation to the Fund. Essentially, the Corporate Director acts as the Treasurer of the Fund (and is referred to as such in the remainder of this Statement) providing information and advice to the Committee whilst also managing the day to day affairs of the Fund.

2.5 In particular the Treasurer is required to manage from day to day the Fund, including:

- the exercise of the Council's function as administering authority, where such exercise does not involve use of discretion
- the power to seek professional advice and to devolve day to day handling of the Fund to professional advisers within the scope of LGPS regulations
- to change the mandate of a fund manager, in consultation with the Chairman and at least one other Member of the PFC, in circumstances when not to do so would lead to a real, or potential, loss in value of the Fund's investments. Any such action to be reported to the PFC as soon as practicable

2.8 In undertaking these duties detailed above, the Treasurer is not empowered to change the fund manager structure of the Fund without the approval of the PFC.

NYPFOG

2.7 The North Yorkshire Pension Fund Officer Group (NYPFOG) meets periodically to provide an opportunity for officer representatives of all employers to meet NYPF officers and address any issues related to the administrative arrangements of the Fund.

3.0 REPRESENTATION AND MEETINGS

Representation

- 3.1 The current membership of the PFC is as follows (as at June 2014)
- (a) seven elected Members representing the administering authority who each hold one vote on the Committee.
 - (b) two further elected Members representing the Fund's other largest employing bodies each holding one vote. One Member represents the City of York Council, the other is the District Councils' representative of Local Government North Yorkshire and York
 - (c) in addition, a number of substitute Members have been nominated to attend in the absence of each of the main Committee Members
 - (d) an invitation is also extended to allow three union representatives to attend every Committee Meeting. No voting rights are allocated to these positions
 - (e) the Chairman of the Advisory Panel is invited to attend all PFC meetings, in a non-voting capacity
 - (f) the quorum required for Committee Meetings is three.
- 3.2 Advisory Panel membership consists of representatives of each employer group, pensioner members, and union representatives on behalf of active members.

Meetings

- 3.3 The PFC is governed by the decision making procedures defined in the Constitution of the Council, being a full Committee of the Council. These are fully compliant with the terms of the Local Government Act 2000. In addition, the PFC complies with the procedural requirements defined in LGPS regulations.
- 3.4 Papers for all meetings of the PFC are provided to all the Members identified in **paragraph 3.1** above, including substitute members, union representatives and Advisory Panel Members. In addition, the Investment Adviser and Investment Consultant (who also attend every meeting), Fund Managers and the Fund Actuary are given the opportunity to view all items on the public agenda of each meeting.
- 3.5 PFC papers are also publicly available on the Council's website. The Communication Policy Statement explains in more detail the arrangements for engagement with all stakeholders.
- 3.6 The PFC convenes once each quarter, at County Hall in Northallerton. The Fund's investment managers are scheduled to attend additional meetings where the PFC specifically considers fund manager performance and related matters. Six supplementary meetings a year are normally held for this purpose. In attendance at each meeting are the Investment Adviser, the Investment Consultant, the Treasurer and representative members of his staff involved with the NYPF (eg Operations Manager, Fund Accountant), an observer from City of York Council and a Committee Clerk (NYCC).

- 3.7 The PFC has also included a specific meeting in July in its programme. This is in order to consider the draft Statement of Final Accounts and the set of updated governance documents, in addition to any other business requiring attention at that time.
- 3.8 Advisory Panel meetings are synchronised with PFC meetings and consider the same quarterly agenda plus any other relevant information. There is no formal voting procedure, rather each member of the Panel is entitled to express their view. The Chairman of the Panel attends PFC meetings to pass on these views and then reports back to the Panel resulting comments and actions, as appropriate.

4.0 OPERATIONAL PROCEDURES

Training

- 4.1 Myners first principle recommends that “decisions should be taken only by persons or organisations with the skills, information and resources necessary to take them effectively”. There are also legal requirements set out in the LGPS regulations and other relevant legislation, as well as best practice guidance published by CIPFA and other professional and regulatory bodies.
- 4.2 The Fund arranges a programme of internal and external training events and access to other resources such as the on-line CIPFA Knowledge and Skills Toolkit designed to meet these requirements, recommendations and best practice guidance principles for Members of the PFC. A register of all training events is maintained and reported at each PFC meeting.
- 4.3 The costs incurred by Members of the PFC in attending training sessions are met by the Fund in accordance with the policies of the administering authority.
- 4.4 Advisory Panel members are afforded the same training opportunities as are members of the PFC. Costs and expenses are met in accordance with the policy described in the County Council’s “Guidance and Toolkit for Managers and Head-teachers on Recruiting and Working with Volunteers”.

Reporting and Monitoring

- 4.5 The PFC has a clearly defined Work Plan that is agreed at the start of each financial year which is reviewed regularly and is included in the Agenda papers for each meeting.
- 4.6 In relation to investment matters, the Investment Adviser, Investment Consultant and each Investment Manager for the Fund is required to submit a quarterly report to the PFC summarising the investment activities within the Fund’s portfolios during the preceding quarter and reporting the value and performance of the investments at the end of each such quarter. In addition, the Fund Custodian presents an independent report on the overall investment performance of the Fund, together with details relating to individual managers and different classes of asset.
- 4.7 In addition, the Treasurer will present reports to every PFC meeting detailing performance in relation to the administration activities of the Fund and other

significant matters for Members' attention as determined by the Work Plan; topics will include reports on the budget position, updates on the Regulations, communication with stakeholders, training events and Admission Agreements, etc.

4.8 Outside of this periodic reporting to the PFC

- (a) the activities of the Benefits Administration Team are regularly monitored by the Treasurer as part of the ongoing performance monitoring arrangements operated with the Central Services directorate of the Council. In addition, the Fund participates in benchmarking and related value for money exercises with other Funds
- (b) the performance of the investment managers is monitored on an ongoing basis by the Investment Consultant, Investment Adviser and the Treasurer. Meetings are held with the investment managers on a routine basis and/or when particular issues arise (eg staff changes) that may affect the performance of that manager on behalf of the Fund.

5.0 KEY POLICY / STRATEGY DOCUMENTS

5.1 In addition to the range of documents produced by the Fund explaining the benefits of the LGPS for scheme members and employers, the Fund publishes on www.nypf.org.uk a number of other key documents relating to the administration and governance of the Fund. In addition to this Governance Compliance Statement, these additional documents are as follows:

- Funding Strategy Statement (FSS)
- Statement of Investment Principles (SIP)
- Communications Policy Statement
- Annual Communication Strategy + related Action Plan
- Pensions Administration Strategy
- Risk Register
- Treasury Management SLA
- Annual Report

6.0 COMPLIANCE WITH BEST PRACTICE PINCIPLES

6.1 Structure

a	The Management of the administration of benefits and strategic management of fund assets clearly rests with the main committee established by the appointing Council	Fully compliant
b	That representatives of participating LGPS employers, admitted bodies and scheme members (including pensioner and deferred members) are members of either the main or secondary committee established to underpin the work of the main committee	Fully compliant

c	That where a secondary committee or panel has been established, the structure ensures effective communication across both levels	Fully compliant
d	That where a secondary committee or panel has been established, at least one seat on the main committee is allocated for a member from the secondary committee or panel	Fully compliant

6.2 Representation

a	That all key stakeholders are afforded the opportunity to be represented within the main or secondary committee structure. These include: i) employing authorities (including non-scheme employers, eg admitted bodies ii) scheme members (including deferred and pensioner scheme members) iii) where appropriate, independent professional observers iv) expert advisers	Fully compliant
b	That where lay members sit on a main or secondary committee, they are treated equally in terms of access to papers, meetings and training and are given full opportunity to contribute to the decision making process, with or without voting rights	Fully compliant

6.3 Selection and Role of Lay Members

a	That committee or panel members are made fully aware of the status, role and function they are required to perform on either a main or secondary committee	Fully compliant
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6.4 Voting

a	The policy of individual administering authorities on voting rights is clear and transparent, including the justification for not extending voting rights to each body or group represented on main LGPS committees	Fully compliant
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Voting rights on the PFC are limited to representatives of the administering authority which is answerable for the effective and prudent management of the Scheme, and to representatives of the Fund's major employers. This arrangement provides an optimal number in terms of decision making effectiveness, therefore voting rights have not been extended to other stakeholders.

6.5 Training / Facility Time / Expenses

a	That in relation to the way in which statutory and related decisions are taken by the administering authority, there is a clear policy on training, facility time and reimbursement of expenses in respect of members involved in the decision-making process	Fully compliant
b	That where such a policy exists, it applies equally to all members of committees, sub-committees, advisory panels or any other form of secondary forum	Fully compliant

6.6 Meetings (Frequency/Quorum)

a	That an administering authority's main committee or committees meet at least quarterly	Fully compliant
b	That an administering authority's secondary committee or panel meet at least twice a year and is synchronised with the dates when the main committee sits	Fully compliant
c	That administering authorities who do not include lay members in their formal governance arrangements, provide a forum outside of those arrangements by which the interests of key stakeholders can be represented	Fully compliant

6.7 Access

a	That subject to any rules in the Council's constitution, all members of main and secondary committees or panels have equal access to committee papers, documents and advice that falls to be considered at meetings of the main committee	Fully compliant
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6.8 Scope

a	That administering authorities have taken steps to bring wider scheme issues within the scope of their governance arrangements	Fully compliant
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6.9 Publicity

a	That administering authorities have published details of their governance arrangements in such a way that stakeholders with an interest in the way in which the scheme is governed can express an interest in wanting to be part of those arrangements	Fully compliant
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CSD SR Pension Fund

Risk Register: June 2014 Review – detailed
Report Date: 4th June 2014 (pww)

Phase 1 - Identification												
Risk Number	44/4	Risk Title	44/4 - Pension Fund Solvency				Risk Owner	CD SR	Manager	CSD SR Int Fin PA		
Description	Solvency deteriorates due to liability growth exceeding expectations and / or underperforming investment returns, over optimistic actuarial assumptions, or adverse market conditions requiring a review of employer contributions, additional payments or extended recovery period					Risk Group	Financial	Risk Type	CSD SR 32/24			
Phase 2 - Current Assessment												
Current Control Measures			Deficit recovery period, adopt prudent actuarial assumptions, all assumptions reviewed every 3 years, measure liabilities against investment returns on a quarterly basis, regular reports to PFC,						Effectiveness			
Probability	M	Objectives	M	Financial	H	Services	L	Reputation	M	Category	2	
Phase 3 - Risk Reduction Actions												
							Action Manager	Action by	Completed	%		
Reduction	44/5 - Carry out triennial valuation of the fund						CSD SR Int Fin PA	Fri-28-Feb-14	Fri-28-Feb-14	100%		
Reduction	44/6 - Regular consultation with Actuary re assumptions used and discuss and carry out action plan for outcomes positively (ongoing)						CSD SR Int Fin PA	Tue-30-Jun-15		0%		
Reduction	44/7 - Regular review of investment strategy to maximise investments (ongoing)						CSD SR Int Fin PA	Tue-30-Jun-15		0%		
Reduction	44/8 - Regular consultation with employers re cost of the scheme (ongoing)						CSD SR Int Fin PA CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Reduction	44/145 - Introduction of revised scheme ie. LGPS 14						CSD SR Pensions Mgr	Tue-1-Apr-14	Tue-1-Apr-14	100%		
Phase 4 - Post Risk Reduction Assessment												
Probability	M	Objectives	M	Financial	H	Services	L	Reputation	M	Category	2	
Phase 5 - Fallback Plan												
										Action Manager		
Fallback Plan	44/428 - Increased contribution rate from employers and/or extend recovery period										CSD SR Int Fin PA CSD SR Pensions Mgr	

CSD SR Pension Fund

Risk Register: June 2014 Review – detailed
Report Date: 4th June 2014 (pww)

Phase 1 - Identification											
Risk Number	44/8	Risk Title	44/8 - Investment Strategy				Risk Owner	CD SR		Manager	CSD SR Int Fin PA
Description	Failure of the investment strategy to maximise returns from investments					Risk Group	Strategic		Risk Type		
Phase 2 - Current Assessment											
Current Control Measures		Strategy reviewed through asset/liability modelling, risk budgeting, experience and knowledge of the market and suitable forms of investment, Member training, Independent Investment Adviser and Consultant reports, PFC workshops and sign off of strategy, regular monitoring of investment performance							Effectiveness		
Probability	M	Objectives	M	Financial	H	Services	L	Reputation	M	Category	2
Phase 3 - Risk Reduction Actions											
							Action Manager	Action by	Completed	%	
Reduction	44/1876 - Continual review of the investment strategy and implement the recommendations						CSD SR Int Fin PA	Tue-30-Jun-15		0%	
Reduction	44/1877 - Monitor the risk budget						CSD SR Int Fin PA	Tue-30-Jun-15		0%	
Reduction	44/1878 - Monitor appropriateness of strategy against prevailing market conditions						CSD SR Int Fin PA	Tue-30-Jun-15		0%	
Reduction	44/1879 - Monitor the Advisor and Consultants reports and act on professional advice						CSD SR Int Fin PA	Tue-30-Jun-15		0%	
Phase 4 - Post Risk Reduction Assessment											
Probability	M	Objectives	M	Financial	H	Services	L	Reputation	M	Category	2
Phase 5 - Fallback Plan											
									Action Manager		
Fallback Plan	44/430 - Review the strategy and implement changes as necessary based on the forward assessment of financial markets									CSD SR Int Fin PA	

CSD SR Pension Fund

Risk Register: June 2014 Review – detailed
Report Date: 4th June 2014 (pww)

Phase 1 - Identification											
Risk Number	44/7	Risk Title	44/7 - Investment Manager				Risk Owner	CD SR		Manager	CSD SR Int Fin PA
Description	Failure of a pension fund investment manager to meet adequate performance levels resulting in reduced financial returns, re-tendering exercise					Risk Group	Performance		Risk Type		
Phase 2 - Current Assessment											
Current Control Measures		Qrtly review of investment mgr targets, std terms and conds re termination of contract, ext advisers monitor mgrs perf, qrtly repts to Pension Fund Comm, benchmarking against other approp comparators, investment strategy review, risk budgeting exercise via Aon, reporting by Custodian, fund mgr attend at PFC, Member training, best practice procurement process,						Effectiveness			
Probability	L	Objectives	M	Financial	H	Services	L	Reputation	M	Category	3
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed	%		
Reduction	44/1873 - Continue to monitor and report on investment returns on a regular basis					CSD SR Int Fin PA		Tue-30-Jun-15		0%	
Reduction	44/1874 - Continue to meet/report to PFC by Fund Managers and assess critical analysis by independent advisers					CSD SR Int Fin PA		Tue-30-Jun-15		0%	
Reduction	44/1875 - Carry out when appropriate, a tender exercise and use best practice procurement process to ensure positive outcome re new investment manager(s)					CSD SR Int Fin PA		Tue-30-Jun-15		0%	
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	H	Services	L	Reputation	M	Category	3
Phase 5 - Fallback Plan											
									Action Manager		
Fallback Plan	44/429 - Change Fund Manager and redistribute funds, potentially transfer to temporary passive Fund Manager								CSD SR Int Fin PA		

CSD SR Pension Fund

Risk Register: June 2014 Review – detailed
Report Date: 4th June 2014 (pv)

Phase 1 - Identification											
Risk Number	44/20	Risk Title	44/20 - Fraud				Risk Owner	CD SR		Manager	CSD SR Int Fin PA
Description	Internal and/or external fraud as a result of inappropriate pension administration, investment activity and cash reconciliation results in financial loss, loss of reputation					Risk Group	Pers/Capacity		Risk Type		
Phase 2 - Current Assessment											
Current Control Measures			Internal Audit, internal checking and authorisation procedures and levels in both pension section and finance, split between administration and finance, all third parties have regular audits and regulated by FCA, legally binding contracts in place, governance arrangements for the delegation of duties, use of BACS payments, monthly mortality monitoring, participate in National Fraud Initiative					Effectiveness			
Probability	L	Objectives	L	Financial	H	Services	L	Reputation	M	Category	3
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed	%		
Reduction	44/1887 - Continually review processes and procedures including authorisation levels					CSD SR Int Fin PA CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Reduction	44/1888 - Ongoing internal audit assessment and annual review by external auditors					CSD SR Int Fin PA CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Reduction	44/1890 - Annual independent external audit of pension fund (separate from County Council) and carry out appropriate recommendations					CSD SR Int Fin PA CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	L	Financial	H	Services	L	Reputation	M	Category	3
Phase 5 - Fallback Plan											
Fallback Plan	44/434 - Review incident and update procedures/processes accordingly							Action Manager			
								CSD SR Pensions Mgr CSD SR Int Fin PA			

CSD SR Pension Fund

Risk Register: June 2014 Review – detailed

Report Date: 4th June 2014 (pv)

Phase 1 - Identification											
Risk Number	44/10	Risk Title	44/10 - LGPS Regulations and Employer Related Legislation				Risk Owner	CD SR	Manager	CSD SR Pensions Mgr	
Description	LGPS Regulations and Employer Related Legislation not interpreted and implemented correctly including implementation of the LGPS 2014 resulting in legal challenge					Risk Group	Performance	Risk Type	Int Fin 30/189		
Phase 2 - Current Assessment											
Current Control Measures			Specialist knowledge, designated members of staff, regular updates & comms with CLG, LGPC, Actuarial advice, Employers Forums, NEPOF, section training by specialist staff, specialist software, advice on calculations interpretations, investment mgmt agreement, awareness of overriding legislation, broadening of knowledge across MT, LGE advice, nat. technical pension group provide advice, Trustees knowledge and understanding toolkit.					Effectiveness			
Probability	M	Objectives	L	Financial	L	Services	L	Reputation	M	Category	4
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed	%		
Reduction	44/157 - Enhance staff training programme					CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Reduction	44/158 - Implement the communication strategy to ensure continued customer awareness of LGPS 2014					CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Reduction	44/322 - Review the structure of the Pensions Administration team					CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Reduction	44/1897 - Work with supplier to achieve business as usual position on use of pensions administration system					CSD SR Pensions Mgr	Tue-30-Sep-14		0%		
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	L	Financial	L	Services	L	Reputation	M	Category	5
Phase 5 - Fallback Plan											
								Action Manager			
Fallback Plan	44/437 - Review existing interpretations, take legal advice and amend procedures as required							CSD SR Int Fin PA CSD SR Pensions Mgr			

CSD SR Pension Fund

Risk Register: June 2014 Review – detailed
Report Date: 4th June 2014 (pv)

Phase 1 - Identification											
Risk Number	44/11	Risk Title	44/11 - Benefit Payments				Risk Owner	CD SR		Manager	CSD SR Pensions Mgr
Description	Incorrect/late benefits and payments to members resulting in criticism, customer dissatisfaction, under/over payments					Risk Group	Performance		Risk Type		
Phase 2 - Current Assessment											
Current Control Measures			Up to date procedures and procedural checking, pension software up to date, workflow system, authorisation procedures, pro formas, staff training, audit trail, internal and external audits, Pensions Administration Strategy, Manuals available for calculation procedure, action plan for clean data requirements						Effectiveness		
Probability	M	Objectives	L	Financial	L	Services	L	Reputation	M	Category	4
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed	%		
Reduction	44/1893 - Effective communication with employers					CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Reduction	44/1895 - Development of Task Management checklists					CSD SR Pensions Mgr	Mon-30-Jun-14	Sat-31-May-14	100%		
Reduction	44/1896 - Regular liaison with ESS regarding operational arrangements					CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	L	Financial	L	Services	L	Reputation	M	Category	5
Phase 5 - Fallback Plan											
									Action Manager		
Fallback Plan	44/435 - Correct errors and review and amend existing procedures								CSD SR Pensions Mgr		

CSD SR Pension Fund

Risk Register: June 2014 Review – detailed

Report Date: 4th June 2014 (pwr)

Phase 1 - Identification											
Risk Number	44/14	Risk Title	44/14 - IT Systems				Risk Owner	CD SR		Manager	CSD SR Pensions Mgr
Description	Failure of IT Pension system or other IT systems including transfer to 2020 Finance for more than 2 days (or a critical time) resulting in backlog, incorrect payments, increased overtime, criticism					Risk Group	Technological		Risk Type		
Phase 2 - Current Assessment											
Current Control Measures			Manual payments, DR plan and tested, contracts for server maintenance, backups off site, major external providers have DR plans, manual calculation procedures, administration manuals, annual financial check, contingency plan in place,					Effectiveness			
Probability	L	Objectives	M	Financial	L	Services	M	Reputation	M	Category	5
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed	%		
Reduction	44/1884 - Regular review of contingency planning arrangements					CSD SR Pensions Mgr	Tue-30-Jun-15		0%		
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	L	Services	M	Reputation	M	Category	5
Phase 5 - Fallback Plan											
								Action Manager			
Fallback Plan	44/433 - Recourse to manual calculations and payments, Liaise with software provider to restore system, find alternative supplier							CSD SR Pensions Mgr			

CSD SR Pension Fund

Risk Register: June 2014 Review – detailed
Report Date: 4th June 2014 (pww)

Phase 1 - Identification											
Risk Number	44/16	Risk Title	44/16 - Key Personnel				Risk Owner	CD SR	Manager	CSD SR Pensions Mgr	
Description	Loss and unavailability of key personnel e.g. Treasurer, Pensions Manager, leading to incorrect interpretation of regulations, incorrect calculations/data, incorrect payments, resulting in complaints, compensation claims					Risk Group	Capacity/performance	Risk Type			
Phase 2 - Current Assessment											
Current Control Measures			Procedure notes, knowledge sharing, file management, deputies, co-operation between departments, pensions management meetings, comprehensive training matrix, PFC action notes, professional advisors,				Effectiveness				
Probability	L	Objectives	M	Financial	L	Services	M	Reputation	L	Category	5
Phase 3 - Risk Reduction Actions											
						Action Manager	Action by	Completed	%		
Reduction	44/1907 - To forward plan with managers/CD SR on a regular basis to share ideas and strategy from both sides (on going)					CSD SR Int Fin PA CSD SR Pensions Mgr	Tue-30- Jun-15		0%		
Reduction	44/1908 - Ensure inclusion of key managers with relevant external advisers or feedback from such meetings/telephone calls (on going)					CSD SR Int Fin PA CSD SR Pensions Mgr	Tue-30- Jun-15		0%		
Phase 4 - Post Risk Reduction Assessment											
Probability	L	Objectives	M	Financial	L	Services	M	Reputation	L	Category	5
Phase 5 - Fallback Plan											
Fallback Plan	44/441 - Identify temporary cover arrangements plus additional resources where required							Action Manager			
								CSD SR Int Fin PA CSD SR Pensions Mgr			



North Yorkshire Pension Fund

North Yorkshire Pension Fund Communications Strategy

2014 / 2015

Index

Section	Page
Introduction	3
Goals	4
Stakeholders	5
Summary of progress against 2013/14 Strategy	6
Items for Action in 2014/15	7

Introduction

The Local Government Pension Scheme (LGPS) underwent a fundamental change on 1 April 2014, from a final salary pension scheme to a career average pension scheme. Through its communications strategy, the NYPF has been building towards this moment and preparing all its stakeholders for the change. In 2014/2015, NYPF's strategy will reflect the changing needs of stakeholders throughout the transition period as the new landscape is established by the following means:

- continuing to raise awareness of the benefits of the new scheme generally amongst stakeholders, while going into much greater detail with those Fund members who are approaching and planning their retirement
- establishing a communications framework that provides timely, pertinent messages which are meaningful for the different groups of stakeholders and will often be communicated in partnership with NYPF employing authorities
- continuing the drive to encourage 'self-service', to use electronic communications and to use the NYPF website as the 'hub' for providing communications material, and for supporting employing authorities with employee processes around auto-enrolment and switching to and from the new 50/50 scheme
- monitoring the cost-effectiveness of all communication, and developing our activities accordingly
- continuing our commitment to regional and national initiatives, taking advantage of partnership working and innovative communication methods developed and tested elsewhere, and sharing our own experience in return

The theme for this year's NYPF Communications Strategy, therefore, will be **'Establishing the new communication framework to support the new LGPS'**.

Goals

Goals have been set in relation to the categories of LGPS stakeholders.

Theme A – ‘Establishing the new communication framework for active members’:

The aim is to establish a structure, working with employing authorities, which allows the NYPF membership generally to understand the main changes to the LGPS and the continuing / improving benefits, while targeting those close to retirement with information and assistance to help with the range of options now available. A key message will be that the ‘cliff edge’ need no longer be the norm, and that a managed, phased retirement may have benefits for all parties. The NYPF ‘self-service’ facility, housed on the NYPF website, will be key to this aim, but face-to-face appointments will also have a role to play.

Theme B – ‘Establishing the new communication framework for employers’:

The new scheme puts much greater onus on employing authorities, so the intention is to support them to meet those responsibilities. This will be achieved by working directly with their representatives, as well as providing timely, pertinent, issue-specific messages and supporting with on-line initiatives via the NYPF website. The employers’ ability to meet the requirements of the new scheme will be key to its successful introduction, so we have identified the establishment of a more collaborative relationship with employers as a top priority.

Theme C – ‘Establishing the new communication framework for pensioners’

Having withdrawn the costly ‘Everybody Benefits’ facility and advertised some alternate options, established the Pensioners’ Representative’s website page and issued the new annual newsletter in March, the 2014/15 strategy will focus mostly on active members and employers. However, efforts to further promote retired members’ on-line facilities, as well as pursuing an initiative around better communication with pensioners abroad, are on the agenda.

Theme D – ‘Establishing the new communication framework for deferred members’

The goal will be to put in place methods of communicating the changes for these members and providing guidance on accessing pension benefits early. It is also intended to assess a national initiative to help people who have moved jobs, locations and even industries to find any missing ‘pension pots’ that belong to them.

The action points relating to these goals are set out at the end of this document under ‘Items for Action 2014/2015’.

Review of this Strategy

This Strategy is prepared and considered by the Pension Fund Committee on an annual basis. However, within the spirit of the Pensions Administration Strategy, employers are at liberty, at any time, to suggest improvements to the Communications Strategy of the Fund.

Stakeholders

This Communications Strategy applies to all the NYPF stakeholders who are defined as follows:

- Employers
 - Scheduled Bodies
 - Admitted Bodies
- Scheme Members (including councillor scheme members)
 - Active members (contributors)
 - Retired members and Dependents
 - Deferred members
- Eligible employees working for Fund employers but not currently contributing
- AVC provider (Prudential)
- Actuary
- Legal Adviser
- Pensions Administration Software Provider
- Members of the Pension Fund Committee
- Members of the Advisory Panel
- Officers in the Pension Section
- Other NYCC officers undertaking work on behalf of the Fund

Summary of progress against 2013/14 Strategy

Items in 2013/14 Strategy	Summary of 2013/14 Progress	Year End Status
<p>Theme A ‘Building a new communications framework’ for active members:</p>	<ol style="list-style-type: none"> 1. Identify processes, collaboration with partners, for delivering timely, succinct and pertinent messages. 2. A communication campaign focussing on ‘Your Pensions and Your Retirement – Understanding Your Choices’ 3. A continual drive to encourage the use of the NYPF website to carry out ‘self-service’ calculations and make use of the information on the website. 4. Tailor communication methods in relation to needs of active members based on ability to use the website, how complex their circumstances are and how close a member is to retirement 5. Use of national innovations such as podcasts and DVDs 6. Ties-ins with national websites e.g. national LGPS 2014 website, State Pension age calculator, Money Advice Service Financial Health Check facility 	<p>All targets achieved, other than 2 and 4 which were dependent upon the provision of the delayed Transitional Regs. They are now built in to 2014/15 and progress is now being made.</p>
<p>Theme B ‘Building a new communications framework’ for employers:</p>	<ol style="list-style-type: none"> 1. Use employers’ internal emailing facilities to communicate with active members 2. Agree with employers joint, appropriate, communications regarding the LGPS to go out to Scheme members 3. Issue regular electronic ‘News Alert’ communications to employers to deliver timely, succinct and pertinent messages rather than a regular ‘round-up’ employer newsletter. 4. Obtain employers’ views on developments to the NYPF website which employers will find useful for their own administration purposes 5. Monitor effectiveness of communications methods via regular contact with employers such as ‘keep in touch’ phone calls 	<p>All targets achieved</p>
<p>Theme C ‘Building a new communications framework’ for pensioners:</p>	<ol style="list-style-type: none"> 1. Send out a simplified version of the annual pensioner newsletter (posted to those without access to online methods of communication) 2. Advertise lifestyle and other helpful websites for pensioners via pensioners’ newsletter and NYPF website 3. Encourage e-communications where possible 4. Include specific information on the NYPF website in Pensioner Representative area 	<p>All targets achieved</p>

Items for Action 2014/2015

The focus for this year's Strategy will be **'Establishing the new communication framework'**. Key actions will be –

Theme A – 'Establishing the new communication framework for active members':

- Establish the a process developed last year for providing, in conjunction with employers and other partners such as The Prudential, targeted, regular communications which utilise electronic means wherever possible to deliver timely, succinct and pertinent messages.
- Roll out a communication campaign focussing on 'Your Pensions and Your Retirement – Understanding Your Choices' to provide positive messages about the LGPS and the benefits of planning for retirement at a time when the State Pension age is increasing
- Maintain the drive to encourage the use of the improved NYPF website to carry out 'self-service' calculations, building in the LGPS 2014 changes, and make use of the information on the website.
- Tailor communication methods in relation to needs of active members based on ability to use the website, how complex their circumstances are and how close a member is to retirement, potentially including on site 'surgeries'
- Communicate directly with councillor members of the LGPS about the phased withdrawal of access to the scheme
- Improve the Pension Helpline call management facilities to ensure that Fund members receive prompt and relevant responses
- Develop an on-line version of the feedback form completed by leavers going through the retirement process
- Continue to provide on-line Annual Benefit Statements, with the option for paper if requested
- Continue to benefit from tie-ins with LGA and DCLG websites and others e.g. LGPS 2014 website, State Pension age calculator, Money Advice Service Financial Health Check facility

Theme B – 'Establishing the new communication framework for employers':

- Issue regular electronic 'News Alert' communications to employers to deliver timely, succinct and pertinent messages rather than a regular 'round-up' employer newsletter. The News Alerts will be stored on the NYPF website for future reference by employers

- Work with employers' to communicate key messages to Fund members in their employment via their internal emailing facilities, chief officer messages and their e-magazines
- Support employers to deliver general communications events and presentations to Fund members in their employment themselves.
- Run extra NYPFOG workshop events, at which employers will be more involved in actively sharing and discussing their experience with LGPS 2014 and learning from each other
- Obtain employers' views and feedback on developments in NYPF communications methods in order to continually improve what we do

Theme C – 'Establishing the new communication framework for pensioners'

- Continue with the simplified version of the annual pensioner newsletter, posted to those without access to online methods of communication
- Look to increase the database of email addresses to save further on printing and postage costs
- Maintain the Retired Members' are of the website, particularly ensuring through collaboration with the Pensioners' Representative that his page is kept relevant and up to date
- Pursue, in collaboration with NYCC Business Support Services, an alternative method of paying pensioners abroad that builds in more robust continued eligibility checks

Theme D – 'Establishing the new communication framework for deferred members'

- Communicate the changes in the LGPS 2014 which are relevant to deferred members via a newsletter
- Develop a process for deferred members to access personal calculations of the pension benefits available from age 55 onwards and put in place a process for applying for the payment of pension benefits before age 60, using electronic means as far as possible
- Assess a national initiative to help people who have moved jobs, locations and even industries to find any missing 'pension pots' that belong to them
- Continue to provide on-line Annual Benefit Statements, with the option for paper if requested

NORTH YORKSHIRE PENSION FUND (NYPF)

2013 Funding Strategy Statement (FSS)

This Statement has been prepared by North Yorkshire County Council (the Administering Authority) to set out the funding strategy for the North Yorkshire Pension Fund (the NYPF), in accordance with Regulation 35 of the Local Government Pension Scheme (Administration) Regulations 2008 (as amended) and the guidance paper issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) Pensions Panel.

1. INTRODUCTION

The Local Government Pension Scheme (Administration) Regulations 2008 (as amended) (“the Administration Regulations”) provide the statutory framework from which the Administering Authority is required to prepare a FSS. The key requirements for preparing the FSS can be summarised as follows:

- After consultation with all relevant interested parties involved with the Fund, the Administering Authority will prepare and publish their funding strategy.
- In preparing the FSS, the Administering Authority must have regard to :-
 - the guidance issued by CIPFA for this purpose; and
 - the Statement of Investment Principles (SIP) for the NYPF published under Regulation 12 of the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 (as amended);
- The FSS must be revised and published whenever there is a material change in either the policy on the matters set out in the FSS or the Statement of Investment Principles.

Benefits payable under the NYPF are guaranteed by statute (s.29 LGPS (Administration) Regulations, as amended) and thereby the pensions promise is secure. The FSS addresses the issue of managing the need to fund those benefits over the long term, whilst at the same time, facilitating scrutiny and accountability through improved transparency and disclosure.

The Scheme is a defined benefit arrangement with principally final salary related benefits from contributing members up to 1 April 2014 and Career Averaged Revalued Earnings (“CARE”) benefits earned thereafter. There is also the introduction of a “50:50 Scheme Option”, where members can elect to accrue 50% of the full scheme benefits and pay 50% of the normal member contribution.

The benefits provided by the NYPF are specified in the governing legislation (the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) (“the BMC Regulations”) and the Administration Regulations referred to above. New legislation contained in the Local Government Pension Scheme Regulations 2013 (“the 2013 Regulations”) governs the NYPF from 1 April 2014. The required levels of employee contributions from 1 April 2014 are also specified in the 2013 Regulations.

Employer contributions are determined in accordance with the Administration Regulations which require that an actuarial valuation is completed every three years by the actuary, including a rates and adjustments certificate. Contributions to the NYPF should be set so as to “secure its solvency”, whilst the actuary must also have regard to maintaining as nearly constant a rate of contribution as possible. The actuary must have regard to the FSS in carrying out the valuation.

2. PURPOSE OF THE FSS IN POLICY TERMS

Funding is the making of advance provision to meet the cost of accruing benefit promises. Decisions taken regarding the approach to funding will therefore determine the rate or pace at which this advance provision is made. Although the Regulations specify the fundamental principles on which funding contributions should be assessed, implementation of the funding strategy is the responsibility of the Administering Authority, acting on the professional advice provided by the actuary.

The purpose of this Funding Strategy Statement is:

- to establish a clear and transparent fund-specific strategy which will identify how employers' pension liabilities are best met going forward;
- to support the regulatory requirement to maintain as nearly constant employer contribution rates as possible; and
- to take a prudent longer-term view of funding those liabilities.

The intention is for this strategy to be both cohesive and comprehensive for the NYPF as a whole, recognising that there will be conflicting objectives which need to be balanced and reconciled. Whilst the position of individual employers must be reflected in the statement, it must remain a single strategy for the Administering Authority to implement and maintain.

3. AIMS AND PURPOSE OF THE NYPF

The aims of the Fund are to:

- enable employer contribution rates to be kept as nearly constant as possible and at reasonable cost to the taxpayers, scheduled, resolution and admitted bodies
- manage employers' liabilities effectively
- ensure that sufficient resources are available to meet all liabilities as they fall due, and
- maximise the returns from investments within reasonable risk parameters.

The purpose of the Fund is to:

- receive monies in respect of contributions, transfer values and investment income,
- and pay out monies in respect of scheme benefits, transfer values, costs, charges and expenses as defined in the Local Government Pension Scheme (Administration) Regulations 2008 (as amended), the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as

amended), the 2013 Regulations and in the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009.

4. RESPONSIBILITIES OF THE KEY PARTIES

The Administering Authority should:

- collect employer and employee contributions
- invest surplus monies in accordance with the Regulations
- ensure that cash is available to meet liabilities as and when they fall due
- manage the valuation process in consultation with the NYPF's actuary
- prepare and maintain an FSS and a SIP, both after due consultation with interested parties, and
- monitor all aspects of the NYPF's performance and funding and amend FSS/SIP.

The Individual Employer should:

- deduct contributions from employees' pay correctly after determining the appropriate employee contribution rate (in accordance with the Regulations)
- pay all contributions, including their own as determined by the actuary, promptly by the due date
- exercise discretions within the regulatory framework
- make additional contributions in accordance with agreed arrangements in respect of, for example, augmentation of scheme benefits, early retirement strain, and
- notify the Administering Authority promptly of all changes to membership or, as may be proposed, which affect future funding.

The Fund actuary should:

- prepare valuations including the setting of employers' contribution rates after agreeing assumptions with the Administering Authority and having regard to the FSS
- prepare advice and calculations in connection with bulk transfers and individual benefit-related matters,
- advise on funding strategy, the preparation of the FSS, and the inter-relationship between the FSS and the SIP.

5. SOLVENCY ISSUES AND TARGET FUNDING LEVELS

Funding Objective

To meet the requirements of the Administration Regulations the Administering Authority's long term funding objective is for the Fund to achieve and then maintain sufficient assets to cover 100% of projected accrued liabilities (the "**funding target**") assessed on an ongoing past service basis including allowance for projected final pay. In the long term, the employer rate would ultimately revert to the Future Service Rate.

Determination of the Funding Target and Recovery Period

The principal method and assumptions to be used in the calculation of the funding target are set out in Appendix 1.

Underlying these assumptions are the following two tenets:

- that the Scheme is expected to continue for the foreseeable future; and
- favourable investment performance can play a valuable role in achieving adequate funding over the longer term.

This allows us to take a longer term view when assessing the contribution requirements for certain employers. As part of this valuation when looking to potentially stabilise contribution requirements we will consider whether we can build into the funding plan the following:-

- some allowance for changes in market conditions that have occurred since the valuation date;
- some further allowance for interest rates and bond yields to revert to higher levels over the medium to long term.

In considering this the Administering Authority, based on the advice of the Actuary, will consider if this results in a reasonable likelihood that the funding plan will be successful.

As part of each valuation separate employer contribution rates are assessed by the actuary for each participating employer or group of employers. These rates are assessed taking into account the experience and circumstances of each employer, following a principle of no cross-subsidy between the distinct employers in the Scheme.

In attributing the overall investment performance obtained on the assets of the Scheme to each employer a pro-rata principle is adopted. This approach is effectively one of applying a notional individual employer investment strategy identical to that adopted for the Scheme as a whole (except where an employer adopts a bespoke investment strategy – see below).

The Administering Authority, following consultation with the participating employers, has adopted the following objectives for setting the individual employer contribution rates arising from the 2013 actuarial valuation:

- A default recovery period of 21 years will apply.
- In addition, at the discretion of the Administering authority, a maximum deficit recovery period of 27 years will apply. Employers will have the freedom to adopt a recovery plan on the basis of a shorter period if they so wish. A shorter period may be applied in respect of particular employers where the Administering Authority considers this to be warranted (see Deficit Recovery Plan below).
- In the current circumstances, as a general rule, the Fund does not believe it appropriate for contribution reductions to apply compared to the 2010 funding plan where substantial deficits remain. Contribution reductions may only apply if an employer's deficit recovery period is at most 15 years.
- For any open employers assessed to be in surplus, their individual contribution requirements will be adjusted to such an extent that any surplus is used (ie run-off) over a 15 year period (if surpluses are sufficiently large, contribution requirements

will be set to a minimum nil total amount). The current level of contributions will be phased down as appropriate.

- The employer contributions will be expressed and certified as two separate elements:
 - a percentage of pensionable payroll in respect of the future accrual of benefit
 - a schedule of lump sum amounts over 2014/17 in respect of the past service deficit subject to the review from April 2017 based on the results of the 2016 actuarial valuation.
- On the cessation of an employer's participation in the Scheme, the actuary will be asked to make a termination assessment. Any deficit in the Scheme in respect of the employer will be due to the Scheme as a termination contribution, unless it is agreed by the Administering Authority and the other parties involved that the assets and liabilities relating to the employer will transfer within the Scheme to another participating employer. The full termination policy is set out in Appendix 3.

However, the Administering Authority has ultimate discretion where the particular circumstances of any given Employer warrant a variation from these objectives.

In determining the above objectives the Administering Authority has had regard to:

- the responses made to the consultation with employers on the FSS principles
- relevant guidance issued by the CIPFA Pensions Panel
- the need to balance a desire to attain the target as soon as possible against the short-term cash requirements which a shorter period would impose, and
- the Administering Authority's views on the strength of the participating employers' covenants in achieving the objective.

Deficit Recovery Plan

If the assets of the scheme relating to an employer are less than the funding target at the effective date of any actuarial valuation, a recovery plan will be put in place, which requires additional contributions from the employer to meet the shortfall.

Additional contributions will be expressed as annual monetary lump sums, subject to review based on the results of each actuarial valuation.

In determining the actual recovery period to apply for any particular employer to employer grouping, the Administering Authority may take into account some or all of the following factors:

- the size of the funding shortfall;
- the business plans of the employer;
- the assessment of the financial covenant of the Employer; and the security of future income streams
- any contingent security available to the Fund or offered by the Employer such as guarantor or bond arrangements, charge over assets, etc.
- length of expected period of participation in the Fund.

The assumptions to be used in these Recovery Plan calculations are set out in Appendix 2

It is acknowledged by the Administering Authority that, whilst posing a relatively low risk to the Fund as a whole, a number of smaller employers may be faced with significant contribution increases that could seriously affect their ability to function in the future. The Administering Authority therefore, after specific agreement has been obtained by Fund Officers from the North Yorkshire Pension Fund Committee, would be willing to use its discretion to negotiate an **evidence based** affordable level of contributions for the organisation for the three years 2014/17. Any application of this option is at the ultimate discretion of the Administering Authority and will only be considered after the provision of the appropriate evidence.

The Normal Cost of the Scheme (Future Service Contribution Rate)

In addition to any contributions required to rectify a shortfall of assets below the funding target, contributions will be required to meet the cost of future accrual of benefits for members after the valuation date (the “normal cost”). The method and assumptions for assessing these contributions are also set out in Appendix 1.

6. LINK TO INVESTMENT POLICY SET OUT IN THE STATEMENT OF INVESTMENT PRINCIPLES

The results of the 2013 valuation show the liabilities at 31 March 2013 to be 73% covered by the current assets, with the funding deficit of 27% being covered by future deficit contributions.

In assessing the value of the NYPF’s liabilities in the valuation, allowance has been made for asset out-performance as described in Appendix 1, taking into account the investment strategy adopted by the NYPF, as set out in the SIP.

It is not possible to construct a portfolio of investments which produces a stream of income exactly matching the expected liability outgo. However, it is possible to construct a portfolio which closely matches the liabilities and represents the least risk investment position. Such a portfolio would consist of a mixture of long-term index-linked and fixed interest gilts. Investment of the NYPF’s assets in line with the least risk portfolio would minimise fluctuations in the NYPF’s ongoing funding level between successive actuarial valuations.

Departure from a least risk investment strategy, in particular to include equity type investments, gives the prospect that out-performance by the assets will, over time, reduce the contribution requirements. The funding target might in practice therefore be achieved by a range of combinations of funding plan, investment strategy and investment performance.

The current benchmark investment strategy, as set out in the SIP, is:

Asset Class (Summary)	%
Equities	50-75
Liability matching	15-30
Alternatives(excluding property)	5-10
Property	5-10
TOTAL	100

The funding strategy adopted for the 2013 valuation is based on an assumed asset out-performance of 1.6% per annum.

Bespoke Investment Strategy

The Investment Strategy adopted by NYPF is determined for the Fund as a whole. This Strategy takes into account the characteristics of NYPF as a whole, and therefore those of the constituent employers as an aggregated entity - it does not seek to distinguish between the individual liability profiles of different employers. The Strategy adopted to date, as reflected in the current SIP, is to invest a significant proportion of the assets in equities. Such investments offer a higher expected return, but also carry a higher level of risk.

NYPF is prepared to offer any employer the opportunity to adopt a Bespoke Investment Strategy (eg 100% bonds). However, to the extent that any Bespoke Investment Strategy will necessitate different investment return assumptions to those used by the Actuary for NYPF overall, there may be a consequential impact on the contribution rate calculated for that employer.

In addition, if an employer opts for a Bespoke Investment Strategy, NYPF reserves the right to determine the most appropriate way of arranging for the investment of the relevant share of the assets according to that Bespoke Strategy.

7. IDENTIFICATION OF RISKS AND COUNTER MEASURES

The funding of defined benefits is by its nature uncertain. Funding of the NYPF is based on both financial and demographic assumptions. These assumptions are specified in the Appendices and the actuarial valuation report. When actual experience is not in line with the assumptions adopted a surplus or shortfall will emerge at the next actuarial assessment and will require a subsequent contribution adjustment to bring the funding back into line with the target.

The Administering Authority has been advised by the actuary that the greatest risk to the NYPF's funding is the investment risk inherent in the predominantly equity (or return seeking) based strategy, so that actual asset out-performance between successive valuations could diverge significantly from the overall out performance assumed in the long term.

What are the Risks?

Financial

- Investment markets fail to perform in line with expectations
- Market yields move at variance with assumptions
- Investment Fund Managers fail to achieve performance targets over the longer term
- Asset re-allocations in volatile markets may lock in past losses
- Pay and price inflation significantly more or less than anticipated
- Effect of possible increase in employer's contribution rate on service delivery and admitted/scheduled bodies

Demographic

- Longevity horizon continues to expand
- Deteriorating pattern of early retirements (including those granted on the grounds of ill health)

Insurance of certain benefits

The contributions for any employer may be varied as agreed by the Actuary and Administering Authority to reflect any changes in contribution requirements as a result of any benefit costs being insured with a third party or internally within the Fund.

Regulatory

- Further changes to Regulations, e.g. more favourable benefits package, potential new entrants to scheme, e.g. part-time employees
- Changes to national pension requirements and/or HMRC rules

Governance

- Administering Authority unaware of structural changes in employer's membership (e.g. large fall in employee numbers, large number of retirements)
- Administering Authority not advised of an employer closing to new entrants
- An employer ceasing to exist with insufficient funding or adequacy of a bond.
- Changes in Committee membership.

8. MONITORING AND REVIEW

The Administering Authority has taken advice from the actuary in preparing this Statement, and has also consulted with employing organisations.

A full review of this Statement will occur no less frequently than every three years, to coincide with completion of a full actuarial valuation. Any review will take account of then current economic conditions and will also reflect any legislative changes.

The Administering Authority will monitor the progress of the funding strategy between full actuarial valuations. If considered appropriate, the funding strategy will be reviewed (other than as part of the triennial valuation process), for example:

- if there has been a significant change in market conditions, and/or deviation in the progress of the funding strategy
- if there have been significant changes to the NYPF membership, or LGPS benefits
- if there have been changes to the circumstances of any of the employing authorities to such an extent that they impact on or warrant a change in the funding strategy e.g. closure to new entrants
- if there have been any significant special contributions paid into the NYPF

**North Yorkshire County Council
as administering authority for the North Yorkshire Pension Fund**

ACTUARIAL VALUATION AS AT 31 MARCH 2013**Method and assumptions used in calculating the funding target****Method**

The actuarial method to be used in the calculation of the funding target is the Projected Unit method, under which the salary increases assumed for each member are projected until that member is assumed to leave active service by death, retirement or withdrawal from service. This method implicitly allows for new entrants to the scheme on the basis that the overall age profile of the active membership will remain stable. As a result, for those employers which are closed to new entrants, an alternative method is adopted (the Attained Age method), which makes advance allowance for the anticipated future ageing and decline of the current closed membership group.

Financial assumptions***Investment return (discount rate)***

A yield based on market returns on UK Government gilt stocks and other instruments which reflects a market consistent discount rate for the profile and duration of the Scheme's accrued liabilities, plus an Asset Out-performance Assumption ("AOA") 1.6% per annum .

The asset out-performance assumptions represent the allowance made, in calculating the funding target, for the long term additional investment performance on the assets of the Fund relative to the yields available on long dated gilt stocks as at the valuation date.

Inflation (Consumer Prices Index)

The inflation assumption will be taken to be the investment market's expectation for RPI inflation as indicated by the difference between yields derived from market instruments, principally conventional and index-linked UK Government gilts as at the valuation date, reflecting the profile and duration of the Scheme's accrued liabilities, but subject to the following two adjustments:

- an allowance for supply/demand distortions in the bond market is incorporated, and
- due to retirement pensions being increased annually by the change in the Consumer Price Index rather than the Retail Price Index, The overall reduction to RPI inflation implied by the market at the valuation date is 1.0% per annum.

Salary increases

The assumption for real salary increases (salary increases in excess of price inflation) in the long term will be determined by an allowance of 1.5% p.a. over the inflation assumption as described above. This includes allowance for promotional increases. In addition to the long term salary increase assumption allowance has been made for expected short term pay restraint for all employers in the fund. This results in a total salary increase of 1% per annum for 2 years and in line with assumed CPI Inflation of 2.6% per annum for 3 years.

Pension increases/Indexation of CARE benefits

Increases to pensions are assumed to be in line with the inflation (CPI) assumption described above. This is modified appropriately to reflect any benefits which are not fully indexed in line with the RPI (e.g. Guaranteed Minimum Pensions in respect of service prior to April 1997).

Demographic assumptions***Mortality***

The mortality in retirement assumptions will be based on up-to-date information in relation to self-administered pension schemes published by the Continuous Mortality Investigation (CMI), making allowance for future improvements in longevity and the experience of the scheme. The mortality tables used are set out below, with a loading reflecting NYPF specific experience. The derivation of the mortality assumption is set out in a separate paper as supplied by the Actuary. Current members who retire on the grounds of ill health are assumed to exhibit average mortality equivalent to that for a good health retiree at an age 4 years older whereas for existing ill health retirees we assume this is at an age 3 years older. For all members, it is assumed that the accelerated trend in longevity seen in recent years will continue in the longer term and as such, the assumptions build in a minimum level of longevity 'improvement' year on year in the future in line with the CMI projections subject to a minimum rate of improvement of 1.5% per annum.

The mortality before retirement has also been adjusted based on LGPS wide experience.

Commutation

It has been assumed that, on average, 50% of retiring members will take the maximum tax-free cash available at retirement and 50% will take the standard 3/80ths cash sum. The option which members have to commute part of their pension at retirement in return for a lump sum is a rate of £12 cash for each £1 p.a. of pension given up.

Other Demographics

Following an analysis of Fund experience carried out by the Actuary, the incidence of retirement in normal health and in ill health and the proportions married/civil partnership assumption have been modified from the last valuation. Other assumptions are as per the last valuation.

Expenses

Expenses are met out the Fund, in accordance with the Regulations. This is allowed for by adding 0.4% of pensionable pay to the contributions as required from participating employers. This addition is reassessed at each valuation. Investment expenses have been allowed for implicitly in determining the discount rates.

Discretionary Benefits

The costs of any discretion exercised by an employer in order to enhance benefits for a member through the Fund will be subject to additional contributions from the employer as required by the Regulations as and when the event occurs. As a result, no allowance for such discretionary benefits has been made in the valuation

Method and assumptions used in calculating the cost of future accrual

The cost of future accrual (normal cost) will be calculated using the same actuarial method and assumptions as used to calculate the funding target except that the financial assumptions adopted will be as described below.

The financial assumptions for assessing the future service contribution rate should take account of the following points:

- contributions will be invested in market conditions applying at future dates, which are unknown at the effective date of the valuation, and which are not directly linked to market conditions at the valuation date; and
- the future service liabilities for which these contributions will be paid have a longer average duration than the past service liabilities.

The financial assumptions in relation to future service (i.e. the normal cost) are not specifically linked to investment conditions as at the valuation date itself, and are based on an overall assumed real return (i.e. return in excess of price inflation) of 3.0% per annum, with a long term average assumption for consumer price inflation of 2.6% per annum. These two assumptions give rise to an overall discount rate of 5.6% p.a (i.e. 3.0% plus 2.6%).

Adopting this approach the future service rate is not subject to variation solely due to different market conditions applying at each successive valuation, which reflects the requirement in the Regulations for stability in the “Common Rate” of contributions. In market conditions at the effective date of the 2013 valuation this approach gives rise to a slightly more optimistic stance (i.e. allows for a higher AOA) in relation to the cost of accrual of future benefits compared to the market related basis used for the assessment of the funding target.

At each valuation the cost of the benefits accrued since the previous valuation will become a past service liability. At that time any mismatch against gilt yields and the asset out-performance assumptions used for the funding target is fully taken into account in assessing the funding position.

Summary of key whole Fund assumptions used for calculating funding target and cost of future accrual (the “normal cost”) for the 2013 actuarial valuation

Long-term gilt yields	
Fixed interest	3.2% p.a.
Index linked	-0.4% p.a.
Past service Funding Target financial assumptions	
Investment return/Discount Rate	4.8% p.a.
CPI price inflation	2.6% p.a.
Long Term Salary increases	4.1% p.a.
Pension increases/indexation of CARE benefits	2.6% p.a.
Future service accrual financial assumptions	
Investment return	5.6% p.a.
CPI price inflation	2.6% p.a.
Long Term Salary increases	4.1% p.a.
Pension increases/indexation of CARE benefits	2.6% p.a.

Demographic assumptions

The post retirement mortality tables adopted for this valuation are as follows:

Life expectancy at 65 in 2013		Base table	Adjustment	Improvement model	Long term rate
CURRENT ANNUITANTS	Normal health	S1PxA	97% / 96%	CMI_2012	1.5%
	Ill health	S1PxA	Normal health + 3 years	CMI_2012	1.5%
	Dependants	S1PMA/S1DFA	156% / 109%	CMI_2012	1.5%
	Future dependants	S1PMA/S1DFA	109% / 99%	CMI_2012	1.5%
CURRENT ACTIVES / DEFERREDS	Actives normal health	S1PxA	97% / 96%	CMI_2012	1.5%
	Actives ill health	S1PxA	Normal health + 4 years	CMI_2012	1.5%
	Deferreds	S1PxA	97% / 96%	CMI_2012	1.5%
	Future dependants	S1PMA/S1DFA	109% / 99%	CMI_2012	1.5%

Other demographic assumptions are noted below:

Withdrawal	As for 2010 valuation
Other demographics	Based on LG scheme specific experience.
50:50 Option	No allowance

APPENDIX 2**Assumptions used in calculating contributions payable under the recovery plan**

The contributions payable under the recovery plan are calculated using the same assumptions as those used to calculate the funding target, with the exception that, for certain employers which are considered by the Administering Authority to provide a high level of financial covenant and are required to increase contributions (compared to the 2014/15 levels that would have been payable under the previous funding plan), an allowance may be made as part of the recovery plan for interest rates and bond yields to revert to higher levels over a period of 10 years.

In isolation, the effect of this increase in yields is to reduce the funding deficit by primarily lowering the value of the fund's liabilities over time, thus reducing the level of deficit contributions required by the employer during the recovery period.

Increases in yields on fixed and index linked gilts

A maximum increase in fixed and index linked gilt yields of 0.4% p.a. reflecting expected increases in gilt yields over a 10 year period.

As indicated above, this variation to the assumptions in relation to the recovery plan can only be applied for those employers which the Administering Authority deems to be of sufficiently high financial covenant to support the anticipation of increased gilt yields over the entire duration of the recovery period. No such variation in the assumptions will apply in any case to any employer which does not have a funding deficit at the valuation (and therefore for which no recovery plan is applicable). Where a funding deficit exists the impact of the anticipated increases in gilt yields will be limited so that the total employer contributions emerging from the valuation will be no less the 2014/15 levels that would have been payable under the previous funding plan.

North Yorkshire Pension Fund

Admissions and Terminations Funding Policy

1 Introduction

- 1.1 This document details the North Yorkshire Pension Fund's (NYPF) policy on admissions into the Fund, the methodology for assessment of a termination payment on the cessation of an admission body's participation in the NYPF, and considerations for current admission bodies. It supplements the general funding policy of the Fund as set out in the Funding Strategy Statement (FSS).
- 1.2 Admission bodies are required to have an "admission agreement" with the Fund. In conjunction with the Regulations, the admission agreement sets out the conditions of participation of the admission body including which employees (or categories of employees) are eligible to be members of the Fund.
- 1.3 A standard data base of all current admission bodies participating in the NYPF, recording relevant details of the admission agreement and funding arrangements for each body, is maintained by the Fund. This data base is a live document and will be updated as new bodies are admitted to the NYPF.
- 1.4 This document is reviewed periodically and updated where changes are required, either in line with statutory requirements or where pragmatic solutions have been identified to deal with new scenarios or approaches.

2 Principles

Termination of an admission agreement

- 2.1 When an admission agreement comes to its end, or is prematurely terminated for any reason, employees may transfer to another employer, either within the Fund or elsewhere. If this is not the case the employees will retain pension rights within the Fund i.e. either deferred benefits or immediate retirement benefits.
- 2.2 In addition to any liabilities for current employees the Fund will also retain liability for payment of benefits to former employees, i.e. to existing deferred and pensioner members.
- 2.3 In the event that unfunded liabilities arise that cannot be recovered from the admission body, these will normally fall to be met by the Fund as a whole (i.e. all employers) unless there is a guarantor or successor body within the Fund.
- 2.4 The NYPF's policy is that a termination assessment will be made based on a least risk (i.e. "matched") funding basis, **unless** the admission body has a guarantor within the Fund or a successor body exists to take over the admission body's liabilities (including those for former employees). This is to protect the other employers in the Fund as, at termination, the admitted

body's liabilities will become "orphan liabilities" within the Fund, and there will be no recourse to the admission body if a shortfall emerges in the future (after the admission has terminated).

- 2.5 If, instead, the admission body has a guarantor within the Fund or a successor body exists to take over the admission body's liabilities, the NYPF's policy is that the Triennial Valuation funding basis will be used for the termination assessment. The guarantor or successor body will then, following any termination payment made, subsume the assets and liabilities of the admission body within the Fund (sometimes known as the "novation" of the admission agreement). This may, if agreed by the successor body, include the novation to the successor of any funding deficit on closure, in place of a termination payment being required of the admission body itself.
- 2.6 The LGPS (Miscellaneous) Regulations 2012 allow for Scheme Employers to be subject to a deficit payment on termination. The Administering Authority will decide the actuarial funding basis to apply for such a termination assessment after taking advice from the actuary to the NYPF and considering the particular circumstances of the Scheme Employer.

Funding basis / Controlled Flexibility

- 2.7 An admission body may choose to pre-fund for termination i.e. to amend their funding approach to a matched methodology and assumptions. This will substantially reduce the risk of an uncertain and potentially large debt being due to the Fund at termination. However, it is also likely to give rise to a substantial increase in contribution requirements, when assessed on the matched basis.
- 2.8 For any admission bodies funding on such a matched strategy a notional investment strategy will be assumed as a match to the liabilities. In particular the admission body's notional asset share of the Fund will be credited with an investment return in line with the matched funding assumptions adopted rather than the actual (largely equity related) investment return generated by the actual asset portfolio of the Fund. The Fund reserves the right to modify this approach in any case where it might materially affect the finances of the Scheme, or depending on any case specific circumstances.

Administering Authority options

- 2.9 The preference of the NYPF is for the Administering Authority to commission a risk assessment from the actuary to the NYPF on behalf of the potential admitted body, in line with the LGPS (Miscellaneous) Regulations 2012, effective from 1 October 2012, which requires a risk assessment to be carried out to the satisfaction of the Administering Authority. Where the potential admission body instead insists on carrying out the risk assessment (either themselves or by commissioning a third party), this must be done to the satisfaction of the Administering Authority (and the transferring employer where appropriate).
- 2.10 In order to protect other Fund employers, when considering applications for admission body status the Administering Authority's clear preference is that there should be a guarantor within the Fund. However, where there is no

guarantor within the Fund, the Administering Authority will consider other applications on a case-by-case basis and can determine that:

- The admission body must pre-fund for termination with contribution requirements assessed using the matched methodology and assumptions; and/or
- The admission body must have a bond or indemnity from an appropriate third party in place. The actuary to the NYPF will be asked to carry out a risk assessment as per paragraph 2.9, with the level of any bond requirement being determined by the Administering Authority; and/or
- The admission body may be subject to any other requirements, such as monitoring specific factors, as the Administering Authority may decide; or
- The admission body's application may be refused.

2.11 Some aspects that the Administering Authority may consider when deciding whether to apply any of the options under 2.10 above, in the absence of a guarantor, are:

- Uncertainty over the security of the organisation's funding sources e.g. the admission body relies on voluntary or charitable sources of income or has no external funding guarantee/reserves;
- If the admission body has an expected limited lifespan of participation in the Fund;
- The average age of employees to be admitted and whether the admission is closed to new joiners.

3 Implementation

New admissions (admitted on or after 26/5/2011)

3.1 With effect from 26 May 2011 the NYPF will apply the above principles to the admission of new bodies into the Fund and to the methodology for assessment of a termination payment on the cessation of such an admission body's participation in the NYPF.

Transferee admission bodies (TABs)

- 3.2 Transferee admission bodies generally will have a guarantor in the Fund since the Regulations require that, in the event of any unfunded liabilities on the termination of the admission, the contribution rate for the relevant Scheme Employer should be revised. Accordingly, in general, the matched approach to funding and termination will not apply for TABs.
- 3.3 On termination of a TAB admission, any orphan liabilities in the Fund will be subsumed by the relevant Scheme Employer.
- 3.4 An assessment of the level of risk on premature termination of the contract will be carried out, as detailed in paragraph 2.9. As the Scheme Employer is effectively the ultimate guarantor for these admissions to the NYPF the

decision over the level (if any) of any bond requirement for the transferee admission body is the responsibility of the Scheme Employer, and should be agreed by the contractor and Scheme Employer as part of the commercial negotiation, to the satisfaction of the Administering Authority.

- 3.5 Deficit recovery periods for TABs will be set in line with the Fund's general policy as set out in the FSS.
- 3.6 An exception to the above policy applies if the guarantor is not a participating employer within the NYPF, including if the guarantor is a participating employer within another LGPS Fund. In order to protect other employers within the NYPF the Administering Authority may in this case treat the admission body as if it has no guarantor.

Community admission bodies (CABs)

- 3.7 From 1 October 2012, as per the requirements of the LGPS (Miscellaneous) Regulations 2012, paragraph 2.9 will apply for the admission of a CAB.
- 3.8 The NYPF's policy is to consider applications on a case-by-case basis, in line with the principles set out above. In general, a guarantor will be required to the Admission Agreement. If a guarantor (of sufficient standing acceptable to the Fund) is not forthcoming the admission will either not be approved or the Administering Authority may, if it deems appropriate, accept the admission subject to the requirements as described in paragraph 2.10 above. If required, any bond amount will be subject to review on a regular basis.

In the case of some bodies such as housing management or leisure facilities which are set up under a trust arrangement and effectively have a council as a guarantor under the Admission Agreement, then the admission will be approved and no risk assessment will be required.

- 3.9 In a similar way, with effect from 1 April 2008, new town and parish councils entering the Fund will be treated as follows:
 - If a guarantor (of sufficient standing acceptable to the Fund) is forthcoming then the admission will be approved with the valuation funding basis used for the termination assessment and calculation of ongoing contribution requirements.
 - If there is no guarantor then the admission body must pre-fund for termination with contribution requirements assessed using the matched methodology and assumptions.
- 3.10 Deficit recovery periods will be determined consistent with the policy set out in the FSS. Alternatively, the Administering Authority may determine an employer specific deficit recovery period will apply.

Existing admissions (admitted prior to 26/5/2011)

- 3.11 A review of all current admission bodies participating in the NYPF has been conducted with the relevant details documented in the data base maintained by the Fund.

- 3.12 The NYPF policy is that these existing admissions will be notionally “ring-fenced” with the valuation funding basis used for the termination assessment and calculation of ongoing contribution requirements. In the event that unfunded liabilities arise that cannot be recovered from the admission body at termination and in the absence of a guarantor or successor body, these will fall to be met by the Fund as a whole.

Notification of Termination

- 3.13 In many cases, termination of the admission is an event that can be foreseen, for example, because the organisation’s operations may be planned to be discontinued. In this case admission bodies are required to open a dialogue with the Fund to commence planning for the termination as early as possible. Where termination is disclosed in advance the Fund will operate procedures to reduce the sizeable volatility risks to the debt amount in the run up to actual termination of the admission. Effectively, this will be achieved by “locking in” to financial conditions for the termination prior to that date, and the hypothecation of a notionally matched investment strategy. The Fund reserves the right to modify this approach in any case where it might materially affect the finances of the Scheme, or depending on any case specific circumstances.

Grouped bodies

- 3.14 The NYPF currently groups the following types of employers for contribution rate setting purposes:

- Grouped Scheduled Bodies (Town and Parish Councils admitted prior to 31 March 2008).
- NYCC - Local Management of Schools (NYCC LMS) Pool
- City of York – Local Management of Schools (COY LMS) Pool

Further details of these groupings are set out below.

Grouped Scheduled Bodies

- 3.15 The NYPF policy is that, on termination of participation within the grouped scheduled bodies, the termination assessment is based on a simplified share of deficit approach. This involves disaggregating the outgoing body from the group by calculating the notional deficit share as at the last actuarial valuation of the Fund, in proportion to the respective payrolls for the body and the group as a whole, and then adjusting to the date of exit. The adjustment to the date of exit will normally be made in line with the assumptions adopted as at the last actuarial valuation unless the actuary and Administering Authority consider that the circumstances warrant a different treatment, for example, to allow for actual investment returns over the period from the last actuarial valuation to exit.
- 3.16 In line with the NYPF’s policy for existing admission bodies, the share of deficit will be assessed based on the ongoing valuation funding basis for the group as a whole at the last actuarial valuation.

- 3.17 Any unfunded liability that cannot be reclaimed from the outgoing body will be underwritten by the group and not all employers in the Fund.
- 3.18 Following the termination of a grouped body, any residual liabilities and assets in respect of that body will be subsumed by any guarantor body for the group, or in the absence of a guarantor, subsumed by the Fund as a whole.

Local Management of Schools (LMS) Pool

- 3.19 The LMS pool refers to the grouping of some transferee admission bodies relating to catering and cleaning contracts within schools. On the admission of each such body to the Fund, the Assistant Director, Finance & Central Services for CYPS appropriate assistant director at North Yorkshire County Council will determine whether they should be included in the LMS pool.
- 3.20 Employers in the LMS pool will pay the same contribution rate as that payable by North Yorkshire County Council or City of York depending on which pool they are in.
- 3.21 At each triennial actuarial valuation, for the purpose of determining the contributions, the Actuary will pool together the assets and liabilities in respect of the Council and all other employers included in that Council's LMS pool. The contribution rate so determined will be payable by all the employer members of that Council's LMS pool.
- 3.22 On termination of an admission body within the LMS pool, no termination valuation will be calculated. The assets and liabilities relating to the employees will be subsumed by North Yorkshire County Council or City of York depending on which pool they are in.

Communications Policy Statement June 2014

If you require this information in an alternative language or another format such as large type, audio cassette or Braille, please contact the Pensions Help & Information Line on 01609 536335

INDEX

Section Content

1 Background

2 Objectives

3 Stakeholders

4 Methods of Communication

5 Annual Communications Strategy

6 Key Policy / Strategy documents

7 Review of this Policy Statement

8 Further information

COMMUNICATIONS POLICY STATEMENT

1.0 BACKGROUND

1.1 All Local Government Pension Scheme (LGPS) Funds in England and Wales are required to publish a Statement under the LGPS (Amendment) (No 2) Regulations 2005 relating to the Communications Strategy for the Fund.

1.2 The key requirements for preparing the Statement are summarised as follows:

(a) the Administering Authority will prepare, publish and review a policy statement setting out its communication strategy for communicating with members, members' representatives, prospective members and employing authorities; and for the promotion of the Scheme to prospective members and their employing authorities.

(b) the statement must be revised and published whenever there is a material change in the policy.

1.3 North Yorkshire County Council (NYCC) as the administering authority for the North Yorkshire Pension Fund (NYPF) has published this Statement in accordance with these Regulations. This Statement has been prepared in consultation with appropriate interested parties.

2.0 OBJECTIVES

2.1 The Fund's objectives in communicating with stakeholders (as defined in **Section 3** below) are:

- to keep all stakeholders informed about the management and administration of the NYPF
- to inform stakeholders to enable them to make the decisions they need to make regarding pensions and the NYPF
- to consult major stakeholders on changes to regulations, policies and procedures that affect the NYPF
- to promote the Local Government Pension Scheme as an important tool in recruitment and as a benefit to scheme members
- to use the most effective ways of communicating with stakeholders
- to seek continuous improvement in the way we communicate

2.2 The Fund also needs to ensure that Stakeholders find it easy and convenient to communicate with the Fund.

3.0 STAKEHOLDERS

3.1 The key stakeholders for the NYPF are:

- **the County Council's Pension Fund Committee** who make decisions about the way the Pension Fund and pension benefits are managed and administered
- the **Advisory Panel** of employer representatives and other stakeholders which has been established to advise the Pension Fund Committee on policy matters as well as provide a scrutiny function
- **scheme employers** who use the scheme to help recruit, retain and support employees and who themselves contribute to the Fund
- **scheme members** (current contributors, deferred and retired members) and their representatives who are ultimately the recipients of the benefits of the pension scheme
- **prospective scheme members** who are eligible to benefit from the scheme but have not yet joined
- **staff employed by the County Council and other employers who are responsible for the management and operation** of the Pension Fund and pension benefits

3.2 Other stakeholders who contribute to the NYPF include –

- the Fund Actuary
- the Investment Adviser
- the Investment Consultant
- the Independent Professional Observer

- investment managers
- the asset custodian
- the AVC provider
- the Fund Solicitor

3.3 Because the stakeholders referred to in **paragraph 3.2** above are the providers of services to the Fund, it is important that communication with them exists both to and from the Fund. Thus they must be made aware of changes affecting the Fund as well as have the ability and the means to provide advice / feedback, etc, to the Fund.

4.0 METHODS OF COMMUNICATION

4.1 There are a variety of methods of communication adopted by the Fund. These are identified below with reference to each of the key stakeholders listed in **Section 3** above.

4.2 The items marked with an * are available on the NYPF website.

Pension Fund Committee

4.3 The following are used to provide information to Committee Members:

- agenda papers – these are prepared for each Committee meeting and cover all matters (ie benefit administration and investment of the Fund’s assets) relating to policy and performance of the Fund
- newsletters* - Committee Members receive copies of all newsletters issued by NYPF
- workshops – organised for specific purposes usually linked to the review of a major piece of NYPF policy (eg Investment Strategy)
- third party training sessions – details are circulated to all Members on a regular basis

Advisory Panel

4.4 The Panel receives the same information as provided to Committee members (see **paragraph 4.3** above)

Scheme Employers

4.5 The following will be provided to all Scheme Employers:

- newsletter* – updates delivered electronically
- technical material – any information connected with the Scheme and its administration is issued to Employer nominated liaison officer(s)
- consultation – opportunities for NYPF/Employer consultation wherever a collaborative approach is appropriate or policy changes are proposed or required

- website – including discrete area for ‘employer only’ information
- Pension Fund Officer Group (NYPFOG) – regular meetings held between NYPF and Employer representatives
- one to one employer meetings – dealing with any matters arising between NYPFOG meetings including training employers’ staff engaged in pension administration activities
- Employers Guide* – detailing pension administration processes
- Pensions Administration Strategy* – agreed protocol setting out the respective responsibilities of NYCC (as the administering authority of the Fund) and the Fund’s Employing Authorities
- Communications Strategy setting out the current communication arrangements and future developments
- Employer access to employee data – a means of providing data on line including starters, leavers, amendments and contributions
- Admission Agreements – provide advice, process management and data analysis for any prospective employer pursuing admitted body status

Scheme Members

4.6 The following will be provided to active, deferred and retired members –

- Scheme Guide (short guide)* – downloaded by new members of the Scheme or provided in hard copy on request by employers
- Scheme Guide (full)* - provided on request
- Membership Certificate (Statutory Notice) – confirmation of participation in the LGPS following the commencement of employment
- estimate of benefits* – calculated by members online or provided on request in appropriate cases
- annual benefit statement* – provided on-line for active and deferred members or can be provided in hard copy on request
- newsletter* – as appropriate for active members (but not less frequently than annual) and once per year for retired members
- pre-retirement courses – support for employer led courses as required up to 6 times per year
- membership data on-line* – personal data securely available to active and deferred members
- satisfaction surveys – conduct surveys for qualitative assessments on such matters as payment of retirement benefits, satisfaction with call-handling etc
- pay advice (sent to pensioners)
- replies to any correspondence by letter or e-mail
- helpline – contact available via telephone during office hours or voicemail out of office hours
- website – including online benefits calculator and other self-service facilities

Prospective Scheme Members

4.7 The following will be available to prospective members:

- Scheme Guide (short guide)* - distributed via the employers to all new employees or downloaded from the website
- direct promotion – will assist the employer in promoting the Scheme via employer communication systems eg pay advice, newsletters, induction seminars, etc
- helpline – contact available via telephone during office hours or voicemail out of office hours
- website – including Scheme guides to the LGPS

5.0 ANNUAL COMMUNICATIONS STRATEGY (incorporating Action Plan)

5.1 In consultation with Scheme employers and other stakeholders, via the Advisory Panel and NYFPOG, the County Council prepares an **Annual Communications Strategy** for the NYPF detailing the current arrangements for communication with its stakeholders together with future communication developments. The Communications Strategy is subject to annual review and is presented to the Pension Fund Committee for approval at the start of each financial year.

5.2 The Strategy includes the following -

- commentary on current operating context for the Fund
- progress on actions included in previous Annual Strategy
- details of proposed actions for next year with costs
- details of any Satisfaction Surveys undertaken in previous year and proposed for next year

6.0 KEY POLICY / STRATEGY DOCUMENTS

6.1 In addition to the range of documents produced by the Fund explaining the benefits of the LGPS, for Scheme members and employers (see **paragraphs 4.5 to 4.7 above**), the Fund publishes a number of other key documents relating to the administration and governance of the Fund. These are as follows -

- Funding Strategy Statement (FSS)
- Statement of Investment Principles (SIP)
- Annual Report
- Annual Communications Strategy
- Pensions Administration Strategy
- Governance Compliance Statement

6.2 All of these documents are available on the NYPF website.

7.0 REVIEW OF THIS POLICY STATEMENT

7.1 The Policy Statement will be reviewed annually to coincide with the approval of the **Annual Communications Strategy** as referred to in **Section 5**.

8.0 FURTHER INFORMATION

8.1 If you would like to know more about our communications, or have a query about any aspect of the North Yorkshire Pension Fund, you can contact us in the following ways:

in writing

North Yorkshire Pension Fund
County Hall
Northallerton
North Yorkshire
DL7 8AL

by telephone

Pensions Help and Information Line
01609 536335

by email

pensions@northyorks.gov.uk

8.2 Further information can also be found on the NYPF website at <http://www.nypf.org.uk>



North Yorkshire Pension Fund

Pensions Administration Strategy

February 2013



If you require this information in an alternative language or another format such as large type, audio cassette or Braille, please contact the Pensions Help & Information Line on 01609 536335

INDEX

Section	Content
1	Purpose of Strategy
2	Regulatory Background
3	Review of the Strategy
4	Performance Levels
5	Responsibilities and duties of the Employer
6	Responsibilities and duties of NYPF
7	Contribution Rates and Administration Costs
8	Communications
9	Agreement



PENSIONS ADMINISTRATION STRATEGY

1.0 PURPOSE OF STRATEGY

- 1.1 This Strategy sets out the administration protocols that have been agreed between employers and the North Yorkshire Pension Fund (NYPF). The protocols aim to ensure the smooth running of the Local Government Pension Scheme (LGPS) in North Yorkshire and must be followed at all times.
- 1.2 For the purpose of this Strategy no practical distinction is drawn between the statutory role of North Yorkshire County Council as the Administering Authority for the NYPF, its Pension Fund Committee, the Pension Administration Section or other sections of the Central Services Directorate all of whom play a role in the administration of NYPF – the term NYPF is used collectively to reflect all of the above roles within NYCC.

2.0 REGULATORY BACKGROUND

- 2.1 The protocols are concerned with routine yet important responsibilities and duties and they cannot override any provision or requirement in the Regulations outlined below or in any other relevant legislation.
- 2.2 The principal Regulations underpinning this document are:
 - The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (and any amendments thereto)
 - The Local Government Pension Scheme (Administration) Regulations 2007
 - The Local Government Pension Scheme (Transitional Provisions) Regulations 2007
 - The Local Government Pension Scheme (Transitional Provisions) Regulations 1997 (and any amendments thereto)
 - The Local Government Pension Scheme Regulations 1997 (and any amendments thereto)
 - The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (and any amendments thereto)
 - The Occupational Pension Schemes (Disclosure of Information) Regulations 1996 (and any amendments thereto).

3.0 REVIEW OF THE STRATEGY

- 3.1 This Strategy will be kept under ongoing review by NYPF.
- 3.2 Employers may submit suggestions to improve any aspect of this Strategy at any time.
- 3.3 NYPF OG will be asked by NYPF to formally review the Strategy from time to time.

4.0 PERFORMANCE LEVELS

- 4.1 Performance level agreements are set out in this document for both employers and NYPF; these will be reviewed from time to time and only changed with agreement of employers via NYPF OG meetings and the agreement of NYPF.
- 4.2 This Strategy is the agreement between NYCC and employers about the levels of performance and associated matters

5.0 RESPONSIBILITIES AND DUTIES OF THE EMPLOYER

Contact Person

- 5.1 The employer will nominate a person to act as the primary contact with NYPF. The employer will notify the Pensions Manager of NYPF who that person is and ensure that changes of nominated person are notified to NYPF immediately.

Member details – Employer performance levels

- 5.2 The employer must forward notifications (or approved alternatives) to NYPF as follows:
 - (i) New starters (Form PEN11) – within one month of the employee joining
 - (ii) Change in member details – within 6 weeks of the event
 - (iii) Early leavers (Form SU5) – within 6 weeks of the employee leaving
 - (iv) For retirements, NYPF aims to pay lump sums to the member on the first Friday after retirement. Due to changes in the Regulations that govern the operation of the LGPS, certain decisions on the nature of benefits to be taken have to be made prior to retirement. To enable this to happen, retirement notifications (Form ADNOT) should be received by NYPF at least 30 days before the last day of employment. When the Form SU5 is not provided prior to retirement, it should be forwarded no later than 2 weeks following retirement.
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The Occupational Pension Schemes (Disclosure of Information) Regulations 1996 require that Form SU5 for a retirement before age 65 must be received no later than one month after retirement and for retirements at age 65 no later than 10 working days after the date of retirement. Great care must be taken to avoid contravening these regulations (see **paragraph 5.20** below).

- (v) Death in membership must be notified by the employer to the NYPF within 3 working days of the death of the member.

Employee's Guide

- 5.3 Under the Occupational Pension Schemes (Disclosure of Information) Regulations 1996 the employer must ensure that all new employees eligible to join the LGPS receive a copy of the Employees' Guide to the Scheme within 1 month¹ of becoming employed.

Year-end information

- 5.4 The employer (or their payroll contractor/agency for which the employer is responsible) shall provide NYPF with year-end information as at 31 March each year in a notified format no later than 31 May or the next working day. When it is a Triennial Valuation year, the deadline will be 30 April or the next working day.
 - 5.4.1 NYPF's Accountancy Department also require separate information . After completion of the March contribution sheets, Employers are required to review their full year contribution summary (contained within the same Excel document). All contributions for the year should be reconciled back to the organisational payroll and the relevant declaration is to be signed and dated before being returned to pension.contributions@northyorks.gov.uk
 - 5.4.2 Employers still operating older contribution sheets will be required to compile the full year contribution summary themselves and return it with a relevant declaration to the same email address. The year-end information should be accompanied by a statement, duly signed by an authorised officer, balancing the amounts paid over during the year with the totals on the year-end return certifying that the amounts paid reflect the contributions deducted from employees during the year. The information should identify separately those amounts representing deductions for voluntary contributions and the standard deductions for basic scheme contributions.

Contribution deductions

- 5.5 The employer will ensure that member and employer contributions are deducted at the correct rate, including contributions due on leave of absence with reduced or no pay, maternity, paternity and adoption leave and any additional contributions NYPF request the employer to collect.
-

Payment of contributions to NYPF

- 5.6 Contributions (but not Prudential Additional Voluntary Contributions) should be paid each month to NYPF.

Payment dates

- 5.7 All funds due to the NYPF in respect of employees and employers contributions must be cleared in the NYPF Bank Account by 19th of the month (or the last working day before where the 19th is not a working day) following the month the contributions relate to. Any employer wishing to pay by cheque must therefore ensure the cheque is received by NYPF by the 14th of the month (or the last working day before where the 14th is not a working day).

Late Payment

- 5.8 A penalty system will apply for employers failing to meet the deadlines, as stated in **paragraph 5.7** with a one month grace period for a 'first offence'. The penalty will be based on the number of days after the 19th of the month that the payment due is received in the NYPF bank account. This will take the form of a fixed penalty (£50) plus a daily interest surcharge for the period the amount is outstanding. The interest rate to be used will be 1% above the bank base rate as prescribed in the Regulations. For persistent breaches of this protocol, the employer would be reported to the Pensions Regulator.

Payment method

- 5.9 The employer can choose to pay either by cheque, payable to "North Yorkshire Pension Fund" or preferably by BACS direct to NYPF's bank account subject to the payment date guidance outlined above.

Remittance Advices

- 5.10 The employer must submit an advice form, preferably in an electronic format, in advance of their payment. The form must state the employers name and reference number, the period and the amount of the payment split between employees and employers contributions. In addition, it should include the total pensionable pay, details of added-years contributions and any other payroll related adjustments.

AVC Contributions

- 5.11 The employer will pay additional voluntary contributions to the AVC Provider within one week of them being deducted. Under the Pensions Act 1995 the Pensions Regulator may be notified if contributions are not received before the 19th of the month following that in which they were deducted. The employer will submit the schedule of AVCs in an agreed format directly to Prudential ahead of the actual remittance.

Discretionary Powers

- 5.12 It is a mandatory requirement that each employer is responsible for exercising
-

the discretionary powers given to them by the Regulations. These Regulations extend to requiring the employer to publish its policy in respect of the key discretions as described by the Regulations to its employees. Copies of the relevant employer policies should also be lodged with the NYPF.

Employer Decisions

- 5.13 Certain aspects of the Regulations require an employer decision. The employer is responsible for implementing such areas correctly, (eg deduction of contributions at the correct rate).

Independent Medical Practitioner

- 5.14 The employer is responsible for determining and employing their own appropriately qualified independent medical practitioner and providing details of those practitioners to the NYPF (see also **paragraph 6.9**).

Employer responsibility for information provided to NYPF and/or work undertaken internally

- 5.15 NYPF is not responsible for verifying the accuracy of any information provided by the employer for the purpose of calculating benefits under the provisions of the Local Government Pension Scheme and the Discretionary Payments Regulations. That responsibility rests solely with the employer.
- 5.16 Any over payment made by NYPF resulting from inaccurate information supplied by the employer shall be recovered by NYPF from the employer.
- 5.17 The employer is responsible for any work carried out on its behalf by another section of their organisation or by a contractor appointed by that organisation (eg Pay or Human Resource sections).

Data Protection

- 5.18 Under the Data Protection Act 1998, the employer will protect from improper disclosure any information about a member contained (where applicable) on any item sent from NYPF. It will also only use information supplied or made available by NYPF for the operation of the Local Government Pension Scheme.

Internal Dispute Procedure

- 5.19 The employer must identify a 'nominated person' for any instances where an Internal Dispute Resolution Procedure (IDRP) application is submitted against the employer and meet the associated costs.

Fines imposed on NYPF

- 5.20 In the event of NYPF being fined by the Pensions Regulator, this fine will be passed on to the relevant employer where that employer's action or inaction (e.g. the failure to notify a retirement within the time limits described above), caused the fine.
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Charges to the employer

- 5.21 NYPF will under certain circumstances consider giving written notice to employing authorities under regulation 43(2) on account of the authority's unsatisfactory performance in carrying out its Scheme functions when measured against levels of performance established under **paragraph 5.2** above. The written notice may include charges imposed by NYPF for chasing employing authorities for outstanding information as detailed in **paragraph 7.5**.

6.0 RESPONSIBILITIES AND DUTIES OF NYPF

Regulatory Issues

- 6.1 NYPF will administer the Pension Fund in accordance with the LGPS Regulations and any overriding legislation including employer discretions.
- 6.2 NYPF will issue a membership certificate to members; this provides notification to members that they have joined NYPF.
- 6.3 NYPF is responsible for exercising the discretionary powers given to it by the regulations. NYPF is also responsible for publishing its policy in respect of the key discretions as required by the regulations.

NYPF Performance Levels

- 6.4 NYPF agrees to meet the following performance targets in relation to the day to day administration of the fund:

Letter detailing transfer in	10 days
Letter detailing quote of transfer out value	10 days
Letter notifying estimated retirement benefit amount	10 days
Letter notifying actual retirement benefit amount	10 days

Support to Employers

- 6.5 NYPF will support employers in running the Local Government Pension Scheme by:
- providing information, advice and assistance on the scheme and its administration
 - distributing regular technical information

See the **Communications Policy Statement** and **Annual Communications Strategy** for full details.

- 6.6 NYPF will supply any information to employers necessary to ensure the smooth running of the pension fund.
- 6.7 NYPF will work with employers to ensure that retirement is as smooth a process for the member and employer as possible.

Independent Medical Practitioner

- 6.8 NYPF will verify the individuals nominated by the employer (in accordance with **paragraph 5.14**) as independent medical practitioners are appropriately qualified to deal with ill health retirement cases.

Services to Members

- 6.9 NYPF will produce benefit statements for members each year where the employer has submitted useable and accurate year-end financial data.
- 6.10 NYPF will provide a service to members that meets the requirements of the Occupational Pension Schemes (Disclosure of Information) Regulations 1996.
- 6.11 In addition, NYPF will communicate with members through appropriate media and encourage at all times the development and use of self-service facilities. Full details are provided in the **Communications Policy Statement** and **Annual Communications Strategy**.

Multiple Language Literature

- 6.12 The process for providing multiple language literature has been established and certain NYPF documents have been amended to include reference to how to obtain an alternative version. In response to the need to work towards achievement of the Local Government Equalities Standard additional documents used by the NYPF will be amended to refer to the availability of alternative versions.

Data Protection

- 6.13 Under the Data Protection Act 1998, NYPF will protect from improper disclosure any information held about a member. Information held will only be used by NYPF for the operation of the Local Government Pension Scheme.

Internal Dispute Resolution

- 6.14 NYPF must identify a 'nominated person' for any instances where an Internal Dispute Resolution Application (IDRP) application is submitted against the Administering Authority and meeting the associated costs.

7.0 CONTRIBUTION RATES AND ADMINISTRATION COSTS

- 7.1 The Members' contribution rates are fixed within bands by the Regulations.
- 7.2 Employers contribution rates are determined by a triennial valuation process. Employers are required to pay whatever is necessary to ensure that the portion of the Fund relating to that employer is sufficient to meet its liabilities over the agreed term.
- 7.3 NYPF is valued every 3 years by the Fund Actuary. The Actuary balances the assets and liabilities in respect of each employer and assesses the necessary
-

contribution rate for each employer. Employer contribution rates apply for 3 years except that an Admission Agreement may determine that reassessment should take place on a more frequent basis.

7.4 The administrative costs of running NYPF are charged by NYCC directly to the Fund and the Actuary takes these costs into account in assessing the employer contribution rate.

7.5 If NYPF undertakes work specifically on behalf of the employer, the employer will be charged directly for the cost of that work e.g.

- Non receipt of new entrant documentation requiring NYPF to set up temporary data and/or complete documentation on behalf of the employer
- Non receipt of leaver details requiring NYPF to interrogate payroll or other systems on the employers behalf
- Chasing outstanding information following one reminder
- FRS17 valuations
- ad hoc actuarial & legal advice (eg TUPE transfer)
- ad hoc technical advice, (where re-charging is deemed appropriate because the advice is not of general benefit to the Fund overall)

8.0 **COMMUNICATIONS**

8.1 In accordance with the Fund's Communications Policy Statement and its Annual Communications Strategy, NYPF will work with employers to communicate relevant information to members.



North

Yorkshire County Council

Service Level Agreement

North Yorkshire County Council

And

North Yorkshire Pension Fund

Provision of Treasury Management Services

May 2010

1.0 **This Agreement is made on 1 April 2010**

1.1 **Between**

Central Services, **North Yorkshire County Council**, County Hall, Racecourse Lane, Northallerton, North Yorkshire, DL7 8AL (“NYCC”)

and

North Yorkshire Pension Fund, North Yorkshire County Council, County Hall, Racecourse Lane, Northallerton, North Yorkshire, DL7 8AL (“NYPF”)

1.2 **It Is Agreed** as follows:

Services Provided

The treasury management team of Integrated Finance (IF) will provide treasury management services (see **Appendix A**) for the NYPF; IF is part of the Central Services Directorate of NYCC. NYCC is the Administering Authority for the NYPF.

Term of the Agreement

The agreement will commence on 1 April 2010 and will be reviewed annually as part of the governance arrangements of the NYPF.

Fees and Charges

The charge for treasury management services, subject to annual review, will be £2,500 p.a. with effect from 1st April 2010.

2.0 **Authorised Officers**

- 2.1 The Authorised Officers are the people nominated by the NYPF to act on its behalf and may issue instruction to NYCC on any matter related to this Service Level Agreement.

3.0 **Agreement Manager**

- 3.1 NYCC shall appoint a Service Agreement Manager for the purposes of issuing any notice or instruction or other information regarding the overall Service Level Agreement. It is envisaged that day to day conduct of the services will be made through designated service delivery officers.

4.0 **Designated Officers and Staffing**

- 4.1 NYCC shall provide sufficient staff, the designated officers, to provide the Services specified in **Appendix A**. All Services specified in **Appendix A** will be provided Monday to Friday during normal office hours. Normal office hours are Monday - Thursday 09.00 – 1700, Friday 0900 – 1630. The Service will be provided from County Hall, Northallerton.
- 4.2 NYCC will ensure that all staff employed for the purpose of providing the Services as specified in **Appendix A** are appropriately qualified and have the necessary knowledge, skills and competencies to provide the Services. NYCC will also ensure that such staff are provided with appropriate ongoing learning and development to ensure up to date advice and quality of service is maintained (see **paragraph 5.1** below).
- 4.3 If the NYPF has grounds for concern about the actions, behaviour or record of any person involved in the provision of the Services by the County Council, those concerns should be notified to the Service Agreement Manager who will take any necessary action, to the satisfaction of both parties to the Agreement.

5.0 **Service Performance Standards and Monitoring**

- 5.1 NYCC will deliver the services specified in **Appendix A** in accordance with the Treasury Management Policy and its associated documents as approved by the County Council at the time. In entering into this agreement NYPF therefore accept the Treasury Management Policy and Strategies of NYCC. These documents are reviewed and approved by the County Council on an annual basis, with any required in year changes being submitted to the County Council's Executive and full Council as appropriate.
- 5.2 A regular dialogue will be maintained between authorised and designated officers to discuss service requirements as any issues arise. Should matters not be resolved the matter is to be escalated to the Service Agreement Manager.

5.3 NYCC will maintain appropriate records to enable NYPF to verify the work carried out in accordance with this Service Level Agreement.

6.0 Risk Management and Contingency Planning

6.1 It is the responsibility of NYCC to ensure that comprehensive disaster recovery arrangements to restore data in the event of a complete system failure are in place. These arrangements will be made known to the Authorised Officers who will also be informed of any changes to these arrangements.

6.2 NYCC will use all reasonable endeavours to ensure that the disaster recovery arrangements described at **paragraph 6.1** above are in place.

7.0 Modifications / Variations

7.1 NYCC may agree to vary the terms of this Agreement upon such terms as may be agreed with the NYPF and, where appropriate, the variation will include provision for the adjustment of any charges (as defined in **paragraph 1.2** above).

7.2 All variations shall be recorded in writing and attached to this Agreement.

8.0 Assignment and Sub-Contracting

8.1 NYCC will not assign or sub-contract this Agreement or any part of it without the prior written consent of the NYPF.

9.0 Indemnity

9.1 NYCC will indemnify the NYPF from and against all actions, proceedings, costs, claims and demands whatsoever arising from the negligence of NYCC, its servants or agents in connection this contract.

10.0 Breach of Agreement and Termination

10.1 Where the Service is not provided in accordance with this Agreement NYPF may, by written notice, request that NYCC should remedy the failure.

10.2 If either party is in material breach and/or persistent breach of the Agreement the other party may terminate the Agreement.

11.0 **Data Protection and Freedom of Information**

- 11.1 NYCC will comply with all obligations equivalent to those imposed on a Data Controller in accordance with the seventh principle under The Data Protection Act 1998.
- 11.2 All information provided by NYCC to NYPF will be provided in accordance with the requirements of the Freedom of Information Act 2000.

12.0 **Equal Opportunities**

- 12.1 NYCC will comply with employers' statutory obligations under the Race Relations Act 1976, the Sex Discrimination Act 1975, the Disability Discrimination Act 1995 and the Employment Act 2002 and will not discriminate directly or indirectly against any person because of their race, colour, nationality or national or ethnic origin, religious beliefs or sexual orientation in relation to decisions to recruit, train, promote, discipline or dismiss employees.

Treasury Management Services to be provided

Principles

- 1.0 Subject to appropriate risk controls the policy of NYPF is to maximise the interest receivable on surplus cash balances through NYCC's Treasury Management service.
- 1.1 The ability of NYCC to achieve this will depend on the size and duration of the 'surplus' cash in the NYPF bank account.
- 1.2 NYPF's practice is to automatically sweep all surplus cash into NYCC's bank account on a daily basis. NYPF therefore has
 - near instant access to required funds for cash flow purposes; and
 - any surplus cash is automatically invested at a higher rate of interest than would normally be available to the Fund due to the limited size of balances; and
 - has much greater flexibility with regard to minimum length of deposit rules, whilst
 - any short term 'overdraft' requirement is automatically provided by NYCC at its market rates rather than at the rates otherwise available to NYPF
- 1.3 NYCC will calculate an average rate of interest earned for all the cash it manages. This rate will be applied to NYPF's balances ensuring that it will enjoy the same rates as achieved by NYCC (and its other treasury management clients). This rate will be applied to NYPF's balance on a daily basis.
- 1.4 The current daily sweep arrangement will be maintained as long as the NYPF bank account is with the same bank as NYCC. NYPF is therefore included within the 'umbrella' of the current NYCC bank contract with Barclays Bank.
- 1.5 The umbrella of the NYCC's banking contract provides the following value added benefits to NYPF:
 - (i) the fee tariff per item is the same as for NYCC. Transaction charges are generally geared to scale (i.e. the more transactions the lower the unit costs); and
 - (ii) it enables effective daily 'sweeping' into the NYCC bank account for treasury management purposes, and
 - (iii) it avoids the need for the NYPF to undertake a separate tendering exercise and contract negotiation/renegotiation re banking arrangements.

2.0 **Security of Investments and Approved Lending List**

- 2.1 The County Council has adopted the CIPFA Code of Practice on Treasury Management (as updated in 2009). This Code sets out a framework of operating procedures to reduce treasury risk and improve understanding and accountability regarding the Treasury position of the County Council.
- 2.2 The CIPFA Code of Practice on Treasury Management requires:
- a Treasury Management Policy Statement (TMPS) stating the County Council's policies and objectives for its treasury management activities
 - a framework of Treasury Management Practices (TMPs) setting out the manner in which the County Council will seek to achieve the policies and objectives set out above and prescribing how it will manage and control those activities.
- 2.3 NYCC invests funds as cash deposits with institutions either on the money market or direct with banks and financial institutions. NYCC recognises that credit risk arises from deposits with banks and financial institutions and, as a result, deposits are not made with institutions unless they meet the minimum requirements of the investment criteria outlined in the County Council's Treasury Management Strategy.
- 2.4 The County Council relies on credit ratings and "ratings watch" and "outlook" notices published by the three credit rating agencies (Fitch, Moodys and Standards & Poor) to establish the credit quality of counterparties and investment schemes. All three credit rating agencies also produce a Sovereign Rating which assesses a country's ability to support a financial institution should they get into difficulty.
- 2.5 No combination of ratings can be viewed as entirely fail-safe and all credit ratings, watches and outlooks are monitored on a daily basis and changes made as appropriate. In addition, the County Council takes into account trends within the Credit Default Swap (CDS) Market together with other criteria such as market intelligence, press speculation and rumoured mergers etc.
- 2.6 This data is collated and interpreted using the Credit Worthiness Service provided by the County Council's Treasury Management advisor, Sector Treasury Services Limited. This service uses a sophisticated modelling system to allocate a credit "score" for each organisation. Each score is then related to a series of colour codes which indicate the relative credit worthiness of counterparties and consequential maximum duration investment.
- 2.7 In addition, the County Council has set maximum investment limits for each organisation which also reflect that institutions credit worthiness – the higher the credit quality, the greater the investment limit. These limits also reflect UK Government involvement (i.e. Government ownership or being part of the UK Government guarantee of liquidity).

- 2.8 The Annual Treasury Management Strategy includes these procedures in order to manage the risks of the County Council's financial instrument exposure. It is approved at the County Council's annual council tax setting budget meeting before the beginning of the financial year, but kept under review throughout the year with any required changes being approved as part of the County Council's quarterly reporting arrangements for Treasury Management Activities.
- 2.9 The Approved Lending List is monitored on an on going daily basis and changes made as appropriate by the Corporate Director – Strategic Resources to reflect credit rating downgrades etc. Institutions are removed or temporarily removed or suspended from the list if there are any significant concerns about their financial standing or stability.
- 2.10 The County Council's investment policy has two fundamental objectives
- the security of capital (protecting the capital sum from loss); and then
 - liquidity (keeping the money readily available for expenditure when needed).
- 2.11 The County Council will also aim to seek the highest return (yield) on its investments provided that proper levels of security and liquidity are achieved. The risk appetite of the County Council is low in order to give priority to the security of its investments.

3.0 **Policy in relation to risk sharing in relation to investments and borrowings**

- 3.1 NYCC's policy is that responsibility under 3rd party arrangements, for both investments and borrowing, are shared pro rata to the relative levels of investments and borrowing by the various parties.
- 3.2 The arrangements (as agreed with other clients including NYPF under this Agreement) in respect of a Default Loan are detailed below:

NYCC collects all available balances from those parties using the County Council's Treasury Management Service and merges them with its own balances (the so-called 'sweep' arrangement). These aggregated balances are then loaned out on the Money Markets. For practical purposes therefore every such loan contains an element of the balance of each party and no individual loans are earmarked as being solely the funds of one particular party.

In the event of counterparty default on an individual loan, each party shall bear a share of the consequential loss. The extent of that loss for each party will be calculated pro rata on the balance of that party on the day on which the default occurs. For example:

£1m defaulted loan

	<i>Balance on the day of default £</i>	<i>%</i>	<i>Share of Loss £</i>
NYCC	25,000,000	83.1	831,000
NYPF	1,800,000	6.0	60,000
Authority A	550,000	1.8	18,000
Authority B	750,000	2.5	25,000
Authority C	1,650,000	5.5	55,000
Authority D	<u>350,000</u>	<u>1.1</u>	<u>11,000</u>
Total	<u>30,100,000</u>	<u>100.0</u>	<u>1,000,000</u>

3.3 In addition, NYCC

- (i) will provide details of those organisations to which loans are made
- (ii) agrees that the Default Loan procedure will ***not*** apply if the actions of NYCC in the money market are clearly proven to have been contributory to any loss(es) of NYPF funds managed under the terms of this Agreement.

REPORT PREPARED FOR

North Yorkshire Pension Fund

**Meeting of the Pension Fund
Committee on 10th July 2014**

Governance Compliance Update

24th June 2014

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Introduction

This is my sixth report on the governance arrangements for the North Yorkshire Pension Fund, providing an update on the current position, based on issues considered by the Committee since my previous report in June 2013 and those currently under review.

Since my last report consultation and discussion documents have been issued by the DCLG on the two pivotal issues of governance and pension fund re-structuring. While a consultation is currently in progress on the latter, a formal consultation on proposed new governance arrangements was only issued recently. I refer to both these consultations in more detail below and these represent the major issues on which I shall report this year.

Notwithstanding the upheaval in operational and transitional arrangements, the Committee continues to maintain a high standard of governance in the administration of its responsibilities, and to make changes and improvements both to strengthen governance and to adopt industry-wide developments.

Executive overview

- ✓ I have reviewed the business and minutes of Committee meetings since June 2013 and I am satisfied that governance standards are being maintained and improved.
- ✓ All my recommendations from 2013 have been addressed.
- ✓ There have been no regulatory changes affecting the governance arrangements.
- ✓ The implications of the Public Sector Pensions Act 2013 were considered last year and consultation on proposed changes by DCLG is now available and requires careful consideration.
- ✓ The DCLG's proposals on opportunities for collaboration, cost savings and efficiencies are currently under consultation, giving continuing uncertainty on future investment management arrangements.

Recommendation

- [1] That developments on proposed new regulations on governance and on the Government's proposals on opportunities for collaboration, cost savings and efficiencies, including investment regulations, are closely monitored.

Core business activity

A review of the Committee's core business activity at meetings since June 2013 confirms that governance standards continue to be maintained and improved where necessary.

I note in particular the updating of governance documentation, including the annual report and accounts, and the separate governance review undertaken by Aon Hewitt and reported to the Committee in November. The actuary's triennial report has been considered and the implications addressed, and the Committee maintains a robust approach to strategic investment issues and the monitoring of investment activity and performance.

Governance framework

Over the past five years or so, the Committee has considered and introduced significant changes in its governance documentation and practices to reflect DCLG guidance and the updated Myners principles. As I have indicated previously, the Committee is fully compliant with all the regulatory requirements currently in force and operates to a high standard.

In my view, this marks a significant milestone in the governance arrangements for the North Yorkshire Pension Fund and the end of a phase of governance development. Nevertheless, there are and will always be ways to improve the overall running of the Pension Fund and the Committee should strive to maintain the high standards it has achieved.

That said, we now face a new phase of development with the introduction of the Public Sector Pensions Act 2013 (as reported to the Committee last year), the detailed implications in regulatory terms announced by DCLG for consultation, the new role of the Pensions Regulator effective from April 2015, and proposals to re-structure the management of LGPS funds.

Governance structure

A discussion paper on governance issues was issued by DCLG in June last year and I provided the officers with a commentary on the issues raised on 2nd August. A formal response was made by the due date and the Committee has considered some of the key issues at subsequent meetings.

It is unfortunate that DCLG have only recently been unable to conclude their consideration of responses and issue a consultation on draft regulations at the point I was finalising my report. The consultation was issued on 23rd June for responses by 15th August. It is intended that the regulations are made and laid in October and new pension boards must be established by 1st April 2015.

The regulations give powers to the Secretary of State (SoS) to delegate any functions under the regulations and also for the administering authority to so delegate. This will be a key factor in considering the most appropriate governance structure.

While the separation of the 'scheme manager' (i.e. the statutory committee of the administering authority) from the local 'pension board' is clearly the preferred outcome, it will be possible to combine the two subject to the approval of the SoS and any conditions imposed. Such approval may be withdrawn if the conditions are not met.

The principal role of the 'pension board' will be to assist the administering authority to secure compliance with these regulations and any other relevant legislation, with requirements imposed by the Pensions Regulator, and to ensure the effective and efficient governance and administration of the Scheme. However, as this will include compliance with requirements imposed by the Pensions Regulator and these are not yet known (see below), the picture is far from clear.

The draft regulations offer two alternatives to the way a pension board can be established. The first involves establishing the pension board as if it were a committee under section 101 of the Local Government Act 1972, i.e. as any other committee. This would presumably not be an issue if a single combined committee is approved by SoS.

The alternative confers a wide discretion on administering authorities to establish procedures applicable to their local circumstances. This will be more onerous in administration terms but provide greater flexibility. Respondents are invited to state their preference, but if the alternative is preferred, they are asked to set out those elements (for example, voting rights, setting up sub-committees, political composition, etc) that should be included with or excluded from such discretion.

My initial suggestion would be to go for the alternative with as wide discretion as possible so that North Yorkshire can establish a structure that best fits their current arrangements. But this will depend on whether a combined or separated structure is preferred.

Membership of the 'pension board' as indicated previously by DCLG will require equal numbers of employer and member representatives with a minimum number of 4 in total. However, elected members of the administering authority may not be appointed as employer or member representatives, and those representatives must have a majority of the total membership of the 'pension board'. The administering authority will not therefore have overall 'control' of the 'pension board' as might have been expected.

This may be of particular concern to the Committee, who I understand have always been keen to ensure majority control by the administering authority and may lead to a provisional conclusion that the 'pension board' should be separate from the statutory committee. This would appear to be a way of encouraging or ensuring separation.

The North Yorkshire Pension Fund is somewhat advanced in having a Pensions Advisory Panel in place but the regulations will inevitably require some further consideration of its role in the new governance structure.

The draft regulations require "each administering authority to be satisfied that any person appointed to a local pension board does not have a conflict of interest as defined in section 5(5) of the Public Service Pensions Act 2013". For ease of reference the section states:

"(5)In subsection (4)(a) "conflict of interest", in relation to a person, means a financial or other interest which is likely to prejudice the person's exercise of functions as a member of the board (but does not include a financial or other interest arising merely by virtue of membership of the scheme or any connected scheme)."

This would therefore allow a scheme member to be appointed as a representative. Declarations and monitoring of interests would continue as currently.

The draft regulations also cover the establishment of a scheme advisory board but the provisions are much as was indicated last year and I have not commented further on these.

In terms of the cost of operating new governance arrangements, the costs of a local pension board would be a proper expense of the pension fund. The costs of the scheme advisory board will be approved by the SoS and shared across all pension funds in a way to be decided by that board.

Although not part of the draft regulations, comments are invited on whether they should require administering authorities to facilitate a forum for both employers and employees (I think this should be read as scheme members) on at least an annual basis. It would seem that regulation is being suggested as not all funds hold such forums.

One final point relates to knowledge and understanding. The draft regulations state that the administering authority must be satisfied that a person to be appointed as an employer or member representative has relevant experience and the capacity to represent employers or members on the local pension board.

In their covering letter, DCLG recognise that, in their words, “there is a risk that [this requirement] could act as an unhelpful barrier to people putting themselves up as pension board nominees but we believe that this pre-condition is necessary” . They also point out the distinction between this regulatory requirement and the recommendation that members of a committee established by the administering authority to discharge its pension functions have regard to the Knowledge and Skills framework published by CIPFA, but are under no regulatory requirement to do so.

Comments are invited on whether the new regulatory requirement should apply equally to the statutory committee. I have referred in previous reports to the threat of regulation in this context and have expressed the view that it would be inappropriate to ‘regularise’ the CIPFA guidance. However, given the new requirements on pension boards, I suspect there may be some pressure for equal regulation in the future.

Clearly in a combined pension board, the regulation would apply, but in situation of a separate pension board, this anomaly may not be allowed to continue. However, I would still advise that extending regulation in this context should be avoided.

Governance guidance

The draft regulations require an administering authority to have regard to guidance issued by the SoS in relation to local pension boards. It is not yet clear when such guidance will be issued and in what form, but this is a key factor in making progress on setting up the pension board.

The ‘regulator’ under this new structure is far from clear. The Secretary of State (DCLG is currently the regulator for the LGPS) will retain the power to issue guidance both to local pension boards and via the scheme advisory board. However, as already indicated, the Pensions Regulator will be able to impose requirements.

The likely model is that the Pensions Regulator will issue guidance and DCLG will impose regulatory compliance, either explicitly or on a ‘comply or explain’ basis. Whether this will replace or replicate in part the existing compliance requirements built into the Scheme regulations is unknown. Either way, the time available to prepare, consult on, and implement new requirements is fast running out.

To add to the confusion, though no doubt intended to help, the Pensions Regulator issued in December 2013 a consultation document on regulating public service pension schemes [“Our approach to enabling high standards of governance and administration”] accompanied by a draft regulatory strategy and a draft Code of Practice.

I have included the brief summary of the scope of the guidance in Appendix A. However, the draft Code of Practice applies to all public sector schemes under the provisions of the 2013 Act and is not specific to LGPS funds, nor does it indicate how existing LGPS governance requirements will be replaced or amended.

At this stage, the Pensions Regulator is responding to the statutory requirements and is still building its public sector team. No doubt once the DCLG regulations have been issued, further information will become available on how the various streams of guidance will interact, hopefully in sufficient time for implementation in 2015.

Future structure of the LGPS

In my report last year, I referred to a recent announcement by the Minister for a 'call for evidence' on the future structure of the LGPS and provided the officers with a commentary on the proposals on 2nd August. The Committee has considered the DCLG paper and North Yorkshire's response. The Government commissioned Hymans Robertson in September to provide evidence on three options and in January, the shadow Scheme Advisory Board published their analysis and recommendations, although the Hymans report was still to be published.

This long delay by the Government in declaring their intentions has led to significant uncertainty over the future management of scheme investments, and a number of initiatives relating to collaboration and Common Investment Vehicles (CIVs) have developed.

On 1st May 2014, DCLG issued:

- a response to the June 2013 consultation;
- a consultation on their proposals; and
- the Hymans Robertson report.

The deadline for responses is 11th July and I understand that the officers will be reporting on North Yorkshire's response at this meeting.

A large part of the proposals now under consideration relate to the investment of pension fund assets and their management but have significant implications for the future governance of investment management. I have not addressed investment implications in this paper but provide some comments below on governance issues that may arise.

The consultation paper is centred on two core proposals relating to CIVs and to the passive management of listed assets, with the fundamental objective to help funds to invest more efficiently in listed and alternative assets and to reduce investment costs. It is not proposed to pursue fund mergers or to consult on administration reform at this time.

However the paper states that *"the call for evidence has highlighted the scope for potential administrative efficiencies as well as the associated risks. At this stage, the Government proposes to allow the administration arrangements for the 2014 Scheme to mature before considering reform any further"*. Further proposals for reform could therefore follow.

Comments on the CIV proposal

In simplistic terms, it is difficult to disagree with the contention in Q1 that the operation of CIVs would reduce costs in terms of economies of scale and fund management fees, particularly in the wake of the evidence produced by Hymans Robertson. The questions to raise could include:

- Would the transfer of responsibility for manager selection and monitoring to a CIV weaken governance, particularly at a time when pension boards are supposedly strengthening governance?

- Would flexibility in asset allocation decisions and tactical switching be hampered by a CIV operator?
- Would investment choice and/or management style be constrained?
- Would there be issues of conflict of interest?
- Would the CIV operator be regulated and required to have the appropriate level of skills and knowledge?
- Who would operate the CIV, and who would be accountable to whom and by what process?
- How transparent would the CIV be in terms of performance monitoring and transaction cost disclosure?
- How would the CIV operator account for currency management, stock lending, voting and engagement, and transition management, for example?

In governance terms, the Committee would want to retain control over asset allocation (Q2) as it would still be responsible for investment outcomes. Asset allocation is said to be the main driver of outperformance rather than active management, which underlies the Government's proposal for passive management and is evidenced in part by Hymans Robertson and WM.

As regards the number of CIVs (Q3), this is perhaps more of an investment issue and diversification will be a key point. It is not entirely clear if the question relates to geographical areas or asset classes. However, in governance terms, if the use of a CIV is supported by a properly regulated structure, then one CIV would appear to suffice. Hymans Robertson report a slight improvement in cost savings by having a single CIV.

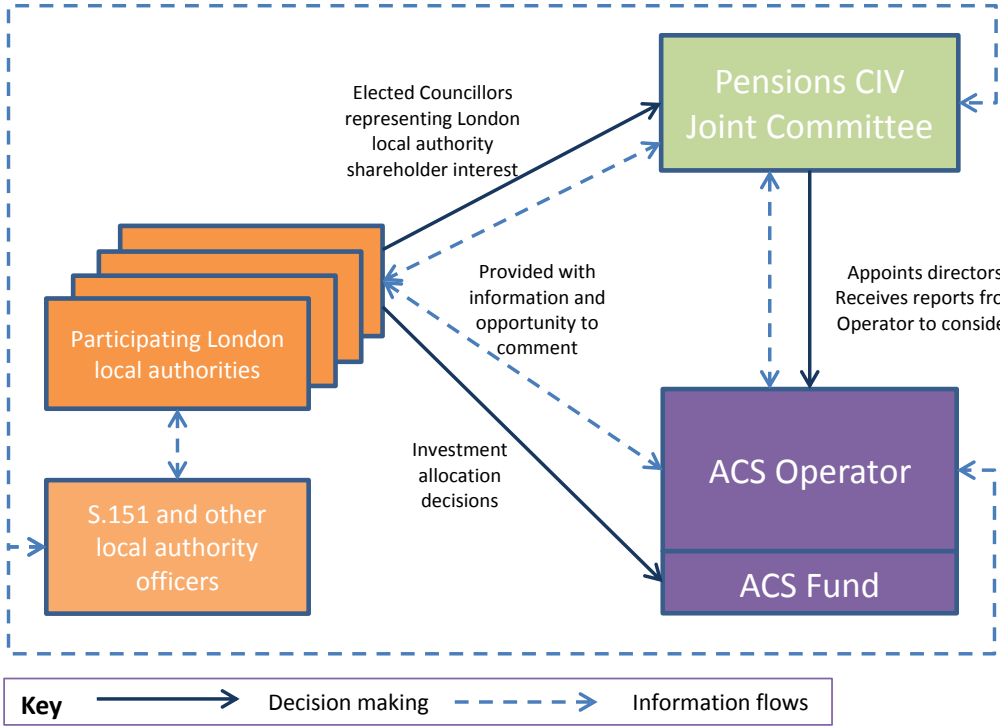
The question of how many asset classes would appear to hinge on the divergent aspirations for cost savings and a desire for flexibility of choice and/or replication of existing mandates. Of course, greater choice means more complexity and the need for more robust governance arrangements.

The paper also addresses the question of whether the investment regulations will need to be amended and welcomes any initial thoughts in response to the consultation. I have suggested in previous reports that the investment regulations need to be reviewed and provide greater flexibility on a risk basis.

The cynic in me suggests that, once again, the Government is prepared to consider a review of the investment regulations to allow its own proposals to work (e.g. infrastructure in 2013). Many of the restrictive elements in the current regulations arose from concerns by the Government Actuary in the '80s and '90s that local authorities were investing too much in pooled funds with single managers!

The final question in this proposal relates to the type of investment vehicle. It is difficult to comment on governance arrangements without knowing how the DCLG will consult on wider governance issues. I have already mentioned a number of governance issues above which will need to be considered but the fundamental issue will be whether the Scheme Manager (the statutory committee) and/or the pension board can continue to deliver its responsibilities in the same and in an improved manner with the use of a CIV.

The current arrangements being developed for the London CIV by London Councils, which is the most advanced (apart from that operated by States of Jersey) are based on an Authorised Contractual Scheme (ACS). The proposed structure is below:



The ACS Operator is a limited company established by London Councils under local government statute and as such will be subject to public procurement requirements, as will the Joint Committee. The Joint Committee will be made up of the Leaders of participating London borough councils and each borough that becomes a shareholder in the ACS Operator would appoint a representative to sit on the Joint Committee with the power to act for the borough in exercising its rights as a shareholder. It is suggested that for specialist matters, e.g. investment matters, the chair of the pensions committee would deputise for the Leader. In essence, members of the Joint Committee would be elected members.

Directors of the ACS Operator would be appointed by the shareholders and would appoint the necessary service providers to operate the Fund. Importantly, in this model the intention is for decisions on asset allocation and manager selection to remain with the borough councils, and for manager selection via the Joint Committee.

This structure appears to be intended more as an incentive for boroughs to join rather than as the best governance model, and appears extremely complex. However, this example may help North Yorkshire consider issues more relevant to their own position.

In some respects, the governance for a CIV would be no different from a decision to invest in pooled funds but the establishment of CIVs would no doubt place peer pressure on funds to invest in these vehicles, and this is relevant to the Government’s second proposal.

Comments on the passive management proposal

The conclusion that funds should make greater use of passive management is based on the report from Hymans Robertson that on average active management does not produce outperformance and that a move to passive management would result in significant savings in fees. It is important to note that the figures produced by Hymans Robertson are based on averages across all LGPS funds and the cost savings are based on all listed assets being managed passively.

The options posed in Q5 range from regulation to invest all listed assets or a specific percentage passively; to manage listed assets passively on a “comply or explain” basis; or that Funds could simply be expected to consider the benefits of passively managed listed assets, in the light of the evidence set out in this paper and the Hymans Robertson report. The implication of this last option would add pressure on funds to justify their decisions.

All the options suggested have significant governance implications for the North Yorkshire Pension Fund, whether imposed by regulation or by oversight, let alone the investment implications, and will require careful consideration.

Peter Scales
24th June 2014

Draft public service code of practice

“The draft code of practice relates to those specific matters about which we are required to issue a code. It sets out the legal requirements for public service pension schemes in respect of those specific matters.

It also contains practical guidance for scheme managers and the members of pension boards of public service pension schemes and sets out standards of conduct and practice expected of them in meeting their legal requirements, which may help them to demonstrate that they have achieved the standard which we consider appropriate.

The matters covered in the code are:

- Knowledge and understanding for members of pension boards*
- Conflicts of interest*
- Publication of information about pension boards, governance and administration*
- Internal controls*
- Record-keeping*
- Late payment of employer and employee contributions*
- Information about member benefits and disclosure of information to members*
- Internal dispute resolution and*
- Reporting breaches of the law.*

Where we come across situations in which there are breaches of pensions legislation or where there are poor standards of governance and administration, we will refer to the code when deciding on appropriate action. The public service code will be a core reference if we have to bring enforcement action.

The public service code provides scheme managers and members of pension boards with a central reference point for the key areas of activity of public service pension schemes – governing your scheme, managing risks, administration and resolving issues.”

Issued by the Pensions Regulator in December 2013