Agenda

Meeting: Pension Fund Committee

Venue: Remote meeting

Date: Friday 3 July 2020 at 10 am

Pursuant to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020, this meeting will be held using video conferencing.

The live broadcast of this meeting will start when the meeting commences. Members of the press and public who would like to view it can do so via the County Council's website. For help and support in accessing the meeting, please contact the Democracy Officer responsible for the meeting (see contact details below).

Business

1. **Welcome and introductions**

2. **Minutes of the meeting held on 21 February 2020 and notes from the consultation meeting held on 22 May 2020**

   (Pages 4 to 25)

3. **Declarations of Interest**

4. **Public Questions or Statements**

> Members of the public may ask questions or make statements at this meeting if they have given notice (including the text of the question/statement) to Steve Loach of Democratic Services *(contact details at the end of the Agenda sheet)* by midday on Tuesday 30 June 2020. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-
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> - at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);

- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will instruct those taking a recording to cease while you speak.

5.	**New Brand –** Report of the Treasurer	**(Pages 26 to 28)**
6(a).	**Death Grant Payment -** Report of the Treasurer	**(Pages 29 to 36)**
6(b).	**Death Grant Payment -** Report of the Treasurer	**(Pages 37 to 47)**
7.	**Budget/Statistics -** Report of the Treasurer	**(Pages 48 to 51)**
8.	**Review of Governance Arrangements** - Report of the Treasurer	**(Pages 52 to 235)**
9.	**Investment Strategy Review** – Report of the Treasurer	**(Pages 236 to 238)**

10. Such other business as, in the opinion of the Chairman should, by reason of special circumstances, be considered as a matter of urgency.

NB – A Skype Pension Fund Workshop will take place on Thursday 2 July 2020 at 10am and an invitation will be sent to Members accordingly.

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)
County Hall,
Northallerton

June 2020

For all enquiries relating to this agenda or to register to speak at the meeting, please contact Steve Loach, Democratic Services Officer on Tel: 01609 532216 or by e-mail at: stephen.loach@northyorks.gov.uk

PENSION FUND COMMITTEE

1. Membership

County Councillors (8)		
	Councillors Names	*Political Group*
1	CHAMBERS, Michael MBE	Conservative
2	LUNN, Cliff	Conservative
3	MACKAY, Don	NY Independent
4	MULLIGAN, Patrick	Conservative
5	SOLLOWAY, Andy	Independent
6	SWIERS, Helen (Vice-Chairman)	Conservative
7	THOMPSON, Angus	Conservative
8	WEIGHELL, John OBE (Chairman)	Conservative

Members other than County Councillors (1 and 2) Voting (3) Non-voting		
1	VASSIE, Christian	City of York
2	CLARK, Jim	North Yorkshire District Councils
3	PORTLOCK, David	Chair of the Pension Board

Total Membership – (10)	**Quorum – (3) County Councillors**

Con	**Lib Dem**	**NY Ind**	**Labour**	**Ind**	**Other Voting Members**
6	0	1	0	1	2

2. Substitute Members

Conservative			
	Councillors Names		*Councillors Names*
1	BLADES, David	**1**	
2	PEARSON, Chris	**2**	
3	LES, Carl	**3**	
4	WINDASS, Robert	**4**	
5	MANN, John	**5**	
NY Independents			
	Councillors Names		
1			
2			
3			
4			
5			

3. Substitute Members

1	AYRE, Nigel	City of York
2	DALE, Angie	North Yorkshire District Councils

North Yorkshire County Council

Pension Fund Committee

Minutes of the meeting held on 21 February 2020 at Racecourse Lane, Northallerton, commencing at 10 am.

Present:-

County Councillors John Weighell OBE (Chairman), Michael Chambers MBE, Cliff Lunn, Patrick Mulligan, Andy Solloway, Helen Swiers and Angus Thompson.

Councillor Jim Clark - North Yorkshire District Councils.

Councillor Ian Cuthbertson - City of York Council.

David Portlock - Chair of the Pension Board.

It was noted that County Councillor Don Mackay had replaced County Councillor Stuart Parsons as the North Yorkshire Independent representative on the Pension Fund Committee at the recent meeting of the County Council. County Councillor Mackay was unable to attend this meeting and had sent his apologies.

Copies of all documents considered are in the Minute Book

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155. Exclusion of the Public and Press

Resolved -

That the public and press be excluded from the meeting during consideration of Appendix 1 to Minute No. 159, 2019 Triennial Valuation - Update, on the grounds that this would involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

156. Minutes

Resolved -

That the Minutes of the meeting held on 22 November 2019 were confirmed and signed by the Chairman as a correct record.

157. Declarations of Interest

There were no declarations of interest.

158. Public Questions or Statements

There were no public questions or statements.

Minute No. 159 - 2019 Triennial Valuation - Update - included confidential details, in Appendix 1 to the report, as outlined at Minute No. 159 and, as such, the Minutes reflect the confidential nature of some of that information.

159. Triennial Valuation - Update

Considered -

The report of the Treasurer updating Members on the progress made to date on the 2019 Triennial Valuation.

Members were reminded that the initial fund level results of the 2019 Triennial Valuation were presented to the September 2019 PFC meeting with an initial draft of the Funding Strategy Statement (FSS) also being brought to that meeting. Key changes to the FSS were outlined in the report. Details of the progress made to date and some initial results were provided to the Committee in November 2019.

All employers had now received their results and were in a six week consultation period where they would have an opportunity to raise any questions or issues on the results and negotiations that had taken place. 151 employers had now closed their consultation period with four employers still continuing with that. A further four employers were undertaking negotiations in relation to their contribution rates.

The draft results for all employers had been included in the private Appendix to the report for Members to note.

In summary whilst the costs of future benefit payments were increasing, employers had seen an improvement in their funding position at the valuation as a result of asset returns seen over the last three year period. Most of the main scheduled bodies were now in a surplus position with the surplus being refunded back over a 21 year period, which in most cases resulted in an overall contribution rate reduction. Some bodies had small increases in their total contribution rates due to the change in assumptions as a result of their move from scheduled body to intermediate body status. Admitted bodies had seen a larger increase in their primary contribution rates as these were based on gilt yields which had reduced since the last valuation, however, the increases had been partially offset by improvements in funding levels.

The Funding Strategy Statement was sent to all employers for consultation, with the consultation period ending on 31 December 2019. Feedback had been received from three employers and the latest version of the statement was attached as Appendix 2 to the report with tracked changes included.

It was expected that employer consultations would conclude by the end of February 2020, with results finalised with the actuary. A Rates and Adjustment Certificate would then be issued setting out the contributions required for the next three years. The Certificate was required to be signed by the Administering Authority by 31 March 2020 and, as there were no further PFC meetings in that time, Members were asked to delegate authority to the Treasurer of the Pension Fund to sign the final rates and adjustment certificate.

A number of issues and points were raised in relation to the report as follows:-

- A Member asked whether there were any concerns regarding ability to pay, going forward, for any of the employers in terms of contribution rates. The Treasurer provided details of where concerns were, noting that these were only slight concerns and related to a smaller employer which would not have a significant impact on the Fund. He emphasised, however, that every effort was being made to work with the employer to ensure that all obligations were met.

- Clarification was provided in relation to the conflicts of interest for the Treasurer of the Fund in relation to his additional roles, particularly in respect of his role as Section 151 Officer for North Yorkshire County Council. He confirmed that every effort was made to ensure that there was total separation from his roles and that this was monitored appropriately to ensure that no conflicts occurred. He noted that the Good Governance review undertaken by Hymans had given consideration to a conflicts of interest policy and, going forward, it was likely that this would be produced, for use by the North Yorkshire Pension Fund. It was noted that there was also a potential conflict for Members in relation to them being Trustees to the Fund and North Yorkshire County Councillors, however, it was again emphasised that appropriate controls were in place to ensure that Members did not conflict themselves in relation to these issues. The Treasurer stated that Members had shown a great deal of neutrality in the way they had considered the Triennial Valuation and contribution rates. The Chairman noted that, in recent years, there had been increasing moves to separate the roles of senior positions in the County Council and those on the Pension Fund Committee and that a conflicts of interest policy would assist in ensuring that position was clarified appropriately. The Treasurer stated that this matter would be discussed further when a report was brought to the Committee on the Good Governance consultation.

Resolved -

(i) That the progress made on 2019 Triennial Valuation be noted.

(ii) That the latest results for all employers be noted.

(iii) That the latest version of the Funding Strategy Statement, as attached to the report, be approved.

(iv) That authority be delegated to the Treasurer of the Fund to sign the final Rates and Adjustments Certificate by 31 March 2020 deadline.

160. Business Plan

Considered -

The report of the Treasurer on the progress made against the key NYPF Business Plan activities identified for 2019/20, to approve the draft NYPF Business Plan for 2020/21 - 2022/23 and to approve the draft 2020/21 NYPF budget.

The report outlined the progress made on the key actions within the NYPF 2019/20 Business Plan, which were provided in an Appendix to the report.

The draft of the 2020/21 Business Plan was also attached as an Appendix to the report together with a summary of that Plan.

Key activities for the 2020/21 - 2022/23 Business Plan were outlined as follows:-

(a) Pooling.

(b) Implementation of long term investment strategy.

(c) System re-procurement.

(d) Online monthly employer returns.

(e) Pension reconciliation.

The draft 2020/21 budget was set out in an Appendix to the report and totalled £30.1m. The total had increased by £7.5m compared with the 2019/20 budget however it was in line with the forecast outturn of £28.8m, which would be provided in more detail in the budget and statistics report to be considered later in the meeting. The main reason for the increase in the budget was due to the increase in management fees to reflect the additional transaction costs accumulated by Fund Managers since the approval of the budget. In total the investment management fee budget had increased by £7.8m which was an increase of £1.6m over the expected outturn. The figures reflected known fund movements or re-balancing and anticipated fund growth informed by the asset return assumptions used for the 2019 Triennial Valuation.

Other key changes to the budget figures included:-

- The Pensions Administration budget had been increased by £110k.

- Recruitment was underway jointly with East Riding Pension Fund to appoint a joint Head of Investments post. The Treasurer explained that the simultaneous investment strategy review and pooling transition had increased workloads significantly and an increased dependency upon consultants had resulted. This recruitment was expected to help with resilience and workload.

- The pooling annual operating charge had been updated to reflect the new 2020/21 charge from BCPP.

- The 2020/21 BCPP project budget was expected to be around £70k.

- The budget for consultants fees had increased by £140k to £290k reflecting the increased level of work required from the consultants on the due diligence of the BCPP sub-funds prior to investment by the Fund.

- The budget for custodian fees had been reduced by £80k.

- The pensioner data reconciliation exercise had been included as a one-off budget of £50k.

- The other administration budget line included £30k on a one-off basis to include the NYPF website development.

- The budget for actuarial fees had been reduced by £30k following the completion of the Triennial Valuation.

- The budget did not yet reflect the estimated costs of around £615k, on a one-off basis, for the re-procurement of the Pension Administrations system and additional employer portal functionality.

- It was proposed that the NYPF budget be revised twice a year going forward to reflect any material known changes during the year. The 2020/21 budget would therefore be brought back to the September 2020 PFC meeting for the approval of any necessary amendments in line with the Business Plan progress update. The new Pensions Administration system, following approval, would be included within that.

The following issues and points were raised in relation to the report:-

- It was expected that the recruitment of a Head of Investments jointly with the East Riding Pension Fund would create additional resilience within the Team and the Treasurer explained the significant increase in workload that had been encountered since the development of the Investment Strategy and pooling arrangements had commenced. He also expected the new operating system to extend that resilience. In terms of the sharing of the post with East Riding Pension Fund it was asked whether the post would be capable of undertaking separate viewpoints on issues, going forward. The Treasurer emphasised that this would be the case and would be able to give the viewpoint of the East Riding Pension Fund and the North Yorkshire Pension Fund when that was required. It was noted that a significant amount of work was being carried out in relation to transitions to BCPP, which had not been envisaged when entering the pooling arrangements, and therefore, the joint post would be beneficial in reducing that workload. It was expected that the post would be based at the East Riding Pension Fund HQ.

Resolved -

(i) That the progress made against the 2019/20 NYPF Business Plan be noted.

(ii) That the draft 2020/21 NYPF Business Plan be approved.

(iii) That the draft 2020/21 NYPF budget be approved.

(iv) That the officers and senior officers of the North Yorkshire Pension Fund be commended for the expertise and service provided to the Pension Fund Committee, and NYPF overall, by Members of the Pension Fund Committee.

161. Budget/Statistics

Considered -

The report of the Treasurer on the 2019/20 budget - cost of running the Fund and the three year cash flow projection for the Fund.

<u>2019/20 Budget</u>

The latest forecast position was attached as an Appendix to the report and outlined an overspend of £6.2m which was due to expenditure on investment fees exceeding the original budget, as previously reported to the Committee.

In terms of the cash flow position, details were presented in an Appendix to the report showing the projected cash flows of the Fund for the current and the following three years. The estimated cash flow for the Fund in 2019/20 was a £7.1m deficit. The deficit had increased since that of £4.7m reported to the Committee in the November meeting as expenditure had been increased to reflect two large bulk transfers out of the Pension Scheme.

The cash flow projection for the three years 2020/21 to 2022/23 had now been produced which reflected the following:

- The 2019 Triennial Valuation was nearing conclusion and employer contributions had been calculated based on these latest contribution rates.

- Pensions' expenditure had been increased to account for rising numbers of pensioners and for annual payment increases.

- Within the cost of administering the Pension Fund, pay increases of 2% per annum had been included for the Pensions' Administration staff and investment fees had been adjusted to allow for annual fund growth.

- The cash flow of the Fund was expected to stay in a deficit position over the next three years increasing from £7.1m in 2019/20 to £34.8m in 2022/23. The increase was due to total income staying fairly static at £140m while expenditure grew from £138.3m to £165.8m in 2022/23.

- As Pension Funds matured it was expected that there would be an increase in the costs of benefits that would eventually overtake the income received in employer contributions. Many LGPS Funds were already in a cash flow negative position and now that the cash flow position of the Fund had been assessed, confirming a negative position going forward, a further consideration would be given to how to derive income from existing assets and new income generating assets would be factored into future Investment Strategy considerations.

The following issues were raised in relation to the report:-

- The Treasurer stated that a further report would be submitted to the May meeting of the PFC to consider the implications of the negative cash flow position, how that could be addressed and the possible development of a negative cash flow policy. The Chairman emphasised that he was not anxious in respect of the Fund moving into a negative cash flow position but acknowledged that this had not happened to the NYPF previously. A Member asked whether other Pension Funds were in a similar position and the Treasurer noted that a large number of Pension Funds, within the LGPS, operated in a negative cash flow position without any detriment to that Fund. The Investment Consultants noted that other Pension Funds successfully managed this position, however, they agreed with the Treasurer in the need for a policy on how to manage this going forward. It was asked whether the position was unexpected and in response it was stated that, whilst there had been some expectation that the Fund would go cash flow negative, there had been no indication as to when this would happen. It was emphasised that a series of events had led to this position, but again it was stressed that this was manageable and not a major worry for the Fund. The Investment Consultants emphasised that business could continue as usual in a cash flow negative position with an appropriate policy/plan in place.

- A Member referred to rumours that had been circulating regarding education academies leaving the LGPS to set up their own pension scheme and asked whether this was likely. In response the Treasurer stated that a number of standalone administrative procedures for staff within academies had recently been set up, however, it was noted that the establishment of a standalone pension fund for such staff would be a much more complex matter. He emphasised that the inclusion of academies within the LGPS brought complications to the administration of the scheme and, should they move to another scheme, that administration could become less complex. It was noted that the staff involved in academies that were also members of the LGPS were low in numbers, but as they were classed as separate employers, created a significant amount of work to the Administration Team. The Treasurer stated that he would continue to monitor this matter, going forward.

Resolved -

That the contents of the report be noted.

162. Pensions Administration

Considered -

The report of the Treasurer providing Members with information relating to the administration of the Fund over the year to date and providing an update on key issues and initiatives which impacted upon the Administration Team.

The report provided details of the following issues:-

- Admission agreements and new academies.

- Administration - membership statistics, throughput statistics, performance statistics, commendations and complaints, lessons learned.

- Annual Benefit Statements 2020.

- Issues and initiatives

  - GMP reconciliation
  - Breaches Policy and Log
  - Administration system review

- Member training.

- Meeting timetable.

The following issues were highlighted in relation to the report:-

- It was acknowledged that the performance data had been disappointing over this quarter with this been affected by high work volumes, high demand, staff holidays and been temporarily understaffed. New working priorities had been developed as a result and it was expected that the situation would be addressed accordingly.

- In relation to complaints it was acknowledged that these had not always been responded to appropriately, which, in the main, related to communications issues rather than staff neglect. A large number of complaints would be addressed through the ongoing letters project.

- The procurement of the new administration system, and the allowance for the procurement of the additional employer online portal, would make a significant difference to the Administration Team, with monthly returns from employers being enabled, removing the need for a large year-end process and giving more time for the production of Annual Benefit Statements. An integrated payroll module would also be purchased, however, this would be included in the 2021/22 budget. The estimated costs for the new administration system would be included in the budget in due course. The Treasurer stated that more detail on the new administration system would be provided to the PFC, going forward, to allow Members to understand the functionality of the system.

- A Member queried the increase in administration costs at the same time as performance had reduced. The Treasurer clarified the issues around the increased costs and noted that the performance had diminished slightly for the reasons given above, mainly in relation to large increases in workload, of a more complex nature, which were being addressed through workforce development and the purchase of the new administration system. He suggested that these issues should be monitored by the PFC, going forward, to determine whether performance was enhanced through the measures introduced.

- The Treasurer clarified that he would be producing a training schedule for Members in due course, based on the questionnaire returns provided by Members, but had been unable to provide that in time for this meeting.

- The Chairman referred to the Appendix giving details of conferences and asked Members to consider attending those, particularly new Members to the Committee, as they provided excellent opportunities for networking and learning in relation to the LGPS.

- In respect of the Appendix detailing the meetings calendar it was now shown that the PFC meetings took place on a Friday, with the previous day being set aside for workshops and information gathering sessions. In relation to this matter the Treasurer highlighted details of how the workshop event scheduled for 21 May 2020 would be undertaken, with an Responsible Investments (RI) survey being circulated to Members of the Committee for further discussion at that event. This would allow a clear position on RI to be considered at the meeting of the Pension Fund Committee taking place on 22 May 2020. The Investment Consultants also stated that the May workshop and full meeting would be utilised to consider equity options, particularly the equity protection currently in place, in terms of whether to continue with that. In view of that position it was likely that some additional work would be required in advance of the May meeting.

- The Treasurer noted that the workshop scheduled for 2 July 2020 was unlikely to be required and, therefore, any issues that would normally be discussed at a workshop event would be able to be pushed back to the date of the meeting on 3 July 2020, enabling just one event to take place for Members. He stated that he would clarify this position nearer to the meeting.

- The Chairman noted that the current meeting had been scheduled to take place in a particularly busy time for Members and the Treasurer of the Fund and asked that consideration be given to moving the February meeting, in subsequent years, to a more suitable date.

Resolved -

(i) That the contents of the report be noted.

(ii) That the contents of the Breaches Log be noted.

(iii) That consideration be given to rescheduling the February meetings of the PFC, and its workshop, so as not to clash with the County Council's budget setting process and Meetings.

163. Performance of the Fund

The Fund's Investment Consultants, AON, had provided a report which gave an in-depth analysis of the investment performance of the Fund during Quarter 4.

This performance was discussed with Members and the following issues and points were highlighted:-

- The performance of BCPP within their UK equities portfolio was outlined, and it was noted that there had been a strong performance during the quarter.

- The performance of other individual Fund Managers was outlined, with Newton having done particularly well within their portfolio in the most recent quarter.

- The performance of gilt yields was outlined with those too seeing an improvement on the previous quarter. It was noted that gilts provided a balancing provision for the Fund's investments.

- There had been issues regarding the reporting in relation to BCPP's global equities portfolio and it was expected that the report would be re-issued when final details were in place. It was emphasised that it would take time for the performance on this portfolio to build up, therefore, this should be taken account of when monitoring the performance. The Treasurer suggested that it would be more appropriate to undertake a more in-depth consideration of this portfolio when it had been in place for a while, potentially at the November meeting of the PFC. A Member suggested that account needed to be taken of "value -v- growth" in terms of the portfolio.

- The Chairman noted the improved performance of Threadneedle but raised concerns regarding the diminishing level of the funding invested in comparison to previous reports. In response it was stated that the figures would be checked to determine why this was the case and it was suggested that this may be due to a difference in the way the Fund Manager was reporting the investment. Details would be provided to Members once clarification was provided.

- It was stated that details on all Fund Managers within the property portfolio would be updated and provided to Members subsequently.

- Changes in personnel at Fund Manager companies were outlined and it was noted that AON were comfortable with the changes that were taking place.

- The continued excellent performance of Baillie Gifford was discussed and their ability to "stock pick", which had a significant impact on their performance. A Member outlined the reference to ESG commitments, going forward, and the potential that these could have on returns. He noted that some of the stocks would have pressure put on them through the promotion of ESG, which could, in future, affect returns.

- It was asked whether the current coronavirus issue could have an impact on markets. In response AON stated that there would be a likely slowdown globally, however, the Fund had equity protection in place to mitigate the effects of that.

♦ It was noted that the fourth quarter of 2019 had seen the Fund's assets rise to £3.8bn.

Resolved -

That the report be noted.

164. Investment Strategy Review

Considered -

The report of the Treasurer requesting Members to:-

(i) Consider an allocation to BCPP's index-linked gilt fund.

(ii) Consider an additional investment in the BCPP infrastructure fund.

(iii) Consider an investment in the BCPP private equity fund.

Allocation to Index-Linked Gilts

The BCPP index-linked gilt sub-fund was due to launch in the second half of 2020 and BCPP has asked Committees to consider an initial investment, subject to further due diligence.

The Fund's Investment Consultants, AON, had carried out high level due diligence on the proposed design of the sub-fund covering the suitability of the sub-fund for the NYPF, where the funds would come from if an investment was made and recommendations on the initial allocation and longer term allocations to the sub-fund.

The sub-fund would be internally managed and was expected to be a low cost sub-fund with minimal internal resource requirements due to the small size of the universe and low expected turnover of the assets. The portfolio size was expected to be around £1bn on launch.

AON had advised that the sub-fund would be a suitable replacement for the gilts currently held in the portfolio and had raised no red flags, based on the information available on the design, subject to some necessary conditions being met.

The Fund currently held around 18% in gilts, 12% of which were actively managed by M&G with the remaining held by LGIM as collateral for the equity protection mandate.

It was recommended that an initial investment of £150m (around 4%) be made, on launch, to the BCPP index-linked gilt fund from the M&G mandate to bring the total allocation to the gilts towards the new long term allocation. It was expected that the transition could be made 'in specie'. Any remaining allocation to M&G (around £120m) would then be utilised as required to fund other investments which form part of the long term strategic allocation.

Once the equity protection strategies had ended, and the gilts held by LGIM were no longer required as collateral, the allocation could then be transferred to the BCPP index-linked gilt fund at a later date. This may be a two stage transition. It was again expected that these transitions could be made 'in specie'. The equity protection strategies would be reviewed at the May meeting of the Committee.

Members were asked to consider an initial investment of £150m in the BCPP index-linked gilt fund, subject to the further due diligence outlined and to consider delegating authority to the Treasurer of the Fund, to finalise this due diligence, in consultation with the Chair of the Committee. If, in the view of the Treasurer, and/or the Chairman, there were any significant issues raised as part of the due diligence the matter would be brought back to a future PFC meeting prior to a final commitment being made.

The Fund's Investment Consultants, AON, provided details of the review of the proposal they had carried out to date, outlining the following:-

- The suitability to the NYPF of the BCPP inflation linked bond sub-fund.
- Where the money should come from and why.
- How much money should be allocated initially
- How this might change through time.
- What had been considered - high level information across all key areas.
- The sub-fund specifics and AON's views.
- The proposal - next steps and summary.
- An overview and summary of the performance history.

AON set out the key conditions to be met in terms of the further due diligence with particular reference to the recruitment made by BCPP to manage the investment. Reassurances were required within the documentation to outline how the stock would be managed with documentation in place to underpin this.

Noting the potential for 'stock lending' under the investment a Member raised concerns that the NYPF had a policy to not undertake this. The Treasurer stated that LGPS Funds did not have the ability to undertake 'stock lending', however, this could be carried out within pools. 'Stock lending' was not included in the Investment Strategy as the NYPF was unable to do this under the regulations of the LGPS, however, the pool was at liberty to carry this out.

In terms of the transfer of the funds from M&G it was noted that these could be done 'in specie', therefore with little risk to the valuations of the stock during the transition.

It was expected that the management of the investment would be cheaper under BCPP than with M&G.

Details of the investments that had been carried out by the South Yorkshire Pension Fund, whose manager would now be undertaking this investment management on behalf of BCPP, were outlined in the report circulated by AON.

It was noted that this was an initial investment, with a view to providing additional investments in due course, with further consideration given to these at forthcoming meetings of the Committee. Many of the issues in relation to this, which correlated to the development of the Investment Strategy, would be considered at the next meeting of the Committee in May 2020.

It was noted that should the Committee not be satisfied with the further due diligence then the current investments would stay with M&G and would not be subject to transition to BCPP. It was emphasised, however, that, in essence, the offer from BCPP was comparable to that of M&G, therefore, there was little argument in terms of not transitioning the funds because of a substantially different offer that better met the needs of the NYPF.

Infrastructure Investment

Members made an initial commitment of £70m to the BCPP infrastructure fund in July 2019, during the first subscription window, with the aim of gradually building up a 5% allocation to infrastructure in the long term, as part of the Fund's 7.5% allocation to illiquid growth. The next opportunity to invest in the infrastructure fund would be April 2020 and the Committee was therefore asked to provide a final commitment at this meeting.

On the initial launch, AON, carried out high level due diligence on the sub-fund and did not identify any issues with making an investment. As the second investment would be in the same sub-fund due diligence was not required again, however, AON had carried out a high level assessment of the investment activities of the sub-fund to date to inform a recommendation for a second investment. This had not highlighted any major concerns.

It was recommended, therefore, that a further investment of between £40m and £70m be made in the infrastructure sub-fund by the April 2020 deadline.

Should the Committee plan to invest in private equity, to be discussed later in the meeting, or want to spread infrastructure investments over a longer timeframe, then an investment of the lower end of the range was recommended. However, should there be no plan to invest in private equity then it was recommended that an investment at the high end of the range be committed.

Members were asked to consider an additional investment of £40m - £70m in the BCPP infrastructure fund.

Details of the AON review of the BCPP infrastructure series 1A and 1B were provided in a report, which highlighted the following:-

- Why invest in infrastructure.
- Risk return.
- BCPP fund offer.
- How much to allocate to 1B.
- What had been looked at.
- What had been learnt from investment 1A and AON views for going forward.
- Summary and next steps.
- BCPP information in relation to the asset allocation to infrastructure series 1A.
- AON's review of BCPP's infrastructure investment proposal.
- Performance track record.
- Details of what infrastructure has to offer and the expected challenges.

Private Equity Investment

The second annual subscription window for investments in private equity was also April 2020 and commitments were requested by BCPP from the various partner Funds. The sub-fund was first launched in April 2019, however, this was not an asset class that the Fund had invested in previously and the new Investment Strategy had not been determined at the time of its launch, therefore, it was decided not to invest.

In view of the new Investment Strategy, which had subsequently been approved by the Committee, it was asked whether an investment in the BCPP private equity fund, during the second subscription window as part of the Fund's 7.5% allocation to illiquid growth would now be considered.

As the Fund was not currently invested in private equity, BCPP attended the informal workshop prior to this meeting to provide training on the asset class and their sub-fund offering. Members were asked to consider making a commitment to the BCPP private equity fund in April 2020. It was noted that there would be a further opportunity to invest in the sub-fund in April 2021.

The Treasurer, the Investment Consultants, AON, the Fund's Independent Financial Adviser and Members of the Committee discussed the potential further investment in BCPP's infrastructure sub-fund, alongside the potential for an investment in BCPP's private equity sub-fund in terms of the level of commitment to be made and where the investments would be placed. The following issues and points were raised in relation to these matters:-

- Concern was expressed that an investment in the private equity sub-fund would be undertaken with no due diligence having been carried out. In relation to this it was noted that the sub-fund followed in a similar vein to the infrastructure sub-fund, as in, it would have an experienced manager who would recruit a suitable team to lead the investment portfolio.

- It was asked whether other Pool members were carrying out due diligence in terms of investing in the private equity sub-fund. In response it was stated that NYPF carried out more due diligence than other Pool partners, however it was emphasised that this was not seen as a fault, with the Committee exercising a healthy level of investigation in terms of the investments they were entering into with BCPP. It was noted that the due diligence carried out was in relation to the establishment of the structure, the due diligence on Fund Managers operating within the sub-fund was undertaken by BCPP. AON had considered the Fund Managers involved, which were all external managers, and their views on the rating of those managers were provided. It was recognised that BCPP had expertise in both areas and were well placed to oversee these investments.

- It was suggested that should the Committee wish to postpone the entry into the private equity investment with BCPP at this stage, to allow due diligence to be undertaken, then a further investment of at least £50m into the infrastructure sub-fund of BCPP was recommended.

- It was emphasised that the amounts being discussed were relatively small in terms of the overall Fund, however, the public perception of such investments had to be borne in mind and the sums involved, whilst relatively small in Pension Fund terms were not so in the public perception. It was felt appropriate, therefore, that in line with other investments that had been carried out, AON undertake a high level due diligence review in terms of the private equity investment before a commitment was made to invest in that by the NYPF.

- It was noted that the proposed investment into the infrastructure fund would be in addition to the initial allocation made in July 2019. Members asked for details of the drawdown of the initial commitment noting that around £3m had currently been drawn down at the prior quarter end. It was emphasised that this was seen as a long term investment with the drawdown made over a number of years, when the appropriate investment opportunities came along. It was noted that the up-to-date figure on the drawdown was in the region of £7.5m.

- It was stated that the current Investment Strategy sought to achieve an overall investment of 7.5% of the total fund in infrastructure and private equity.

- Members noted that pooling had its advantages in terms of diversifying investments, as the process was much speedier than previously.

- It was stated that BCPP were taking a global approach to infrastructure investments, which was welcomed by Members of the Committee.

- It was asked how much the NYPF already committed to due diligence via BCPP and, with carrying out due diligence through the Investment Consultants, whether this function was being duplicated. In response it was stated that the due diligence carried out by BCPP was paid for through the payments made by the partner Funds to set up the sub-funds on a pro-rata basis, however, this was not related to the due diligence carried out by the NYPF, which considered the process for developing the sub-funds, rather than those that would be managing the investment within the sub-funds.

Resolved -

(i) That a commitment of £150m in the BCPP index-linked gilt fund be approved, subject to further due diligence.

(ii) That authority be delegated to the Treasurer of the Fund, in consultation with the Chair of the Committee, to finalise the due diligence on the BCPP index-linked gilt fund.

(iii) That an additional investment of £50m in the BCPP infrastructure fund be approved.

(iv) That in relation to the BCPP private equity fund, BCPP be informed that whilst the Pension Fund Committee is interested in such an investment, it considered that, without appropriate due diligence having been undertaken, the Committee was unwilling to commit to an investment at this stage, therefore, further consideration would be given to this matter when the next round of investments in the BCPP private equity fund became available.

165. Pension Board - Draft Minutes of the Meeting held on 16 January 2020

The Chairman of the Pension Board presented the Minutes of the meeting held on 16 January 2020, highlighting the following:-

- Full details of the discussions at the meeting were outlined in the Minutes.

- Appointments, subject to the approval of the County Council as Administering Authority, were made to the vacant Employer Representative position and as an Associate Member with no voting rights (reserve Employer Representative) at the meeting. The appointments were ratified at the recent Meeting of the County Council.

- Emma Barbery - Askham Bryan was appointed as Employer Representative.

- David Hawkins - York College was appointed as Associate Member with no voting rights (reserve Employer Representative).

♦ The Chairman of the Pension Board emphasised that details of the Triennial Valuation had not been provided to Employer Representative Members of the Pension Board, in terms of the confidential information which related to the negotiations with employers on contribution rates, as this was seen as inappropriate.

Resolved -

That the Minutes of the meeting of the Pension Board held on 16 January 2020 be noted, together with the issues highlighted by the Chairman of the Pension Board.

The meeting concluded at 12.10 pm.

SL/JR

North Yorkshire County Council

Pension Fund Committee

Notes of Skype Consultation meeting undertaken at 10am on Friday 22nd May 2020

Present via Skype:-

County Councillors John Weighell OBE (Chairman), Mike Chambers MBE, Cliff Lunn, Patrick Mulligan, Andy Solloway, Helen Swiers and Angus Thompson.

Councillor Ian Cuthbertson – City of York Council

Councillor Jim Clark – North Yorkshire District Councils

David Portlock – Chair of the Pension Board

In attendance – County Councillor Carl Les (As an observer only)

Apologies – County Councillor Don Mackay

Gary Fielding (NYPF Treasurer)
Amanda Alderson – NYPF
Phillippa Cockerill – NYPF
Jo Foster-Wade - NYPF

AON – NYPF Investment Consultants (Louis-Paul Hill, Nicholas Conroy and Lucy Barron)
Independent Investment Adviser – Leslie Robb
BCPP- Daniel Booth, Jamie Roberts (Item 3 – Performance of Fund only).

The Chairman welcomed everyone to the Skype Consultation meeting and reminded everyone that this was being undertaken to assist the Treasurer with any required decisions, during the COVID 19 restrictions, under powers delegated to him within the Constitution. It was noted that arrangements were expected to be in place to hold the next scheduled meeting (3rd July 2020) as a formal, virtual meeting.

1. Minutes

The Minutes of the meeting held on 21st February 2020 were provided for information only. It was noted that the Minutes could be approved as a correct record at the next formal meeting of the Committee

2. Declarations of Interest

There were no declarations of interest.

3. Performance of the Fund

The representatives of AON, the Fund's Investment Consultants, provided an update on the performance of the Fund since the previous meeting, highlighting the following:-

- At 31st March 2020 the overall value of the Fund had fallen to £3.5 billion (previous report - £3.8 billion).

- This was down 6.9% on the previous report in terms of asset value, with the funding level down by around 8%.
- A number of investments had been affected by the COVID 19 outbreak and associated restrictions, but signs of a recovery were now beginning to emerge. However, despite the issue outlined, there had been no significant changes to the Fund over the quarter.
- Details of the performance of the different investments and the various Fund Managers were outlined. Highlights included:-
    - The performance of equities.
    - The performance of the gilt markets.
    - The exceptionally good performance of Baillie Gifford despite the highly volatile markets, which had enabled the Fund to remain in a relatively stable position.
    - The respective performance of other Fund Managers.
    - Specific issues around property investments due to the COVID 19 situation. There was concern from Members around the sustainability of the property portfolio going forward, with 7% of the Fund exposed to this. AON emphasised that they were closely monitoring the issue and would consider diversifying the investment to encompass other property markets, going forward.
    - The performance of equity protection insurance and how that had also assisted in keeping the Fund stable despite the volatile markets.

Representatives of the BCPP outlined details of the performance of investments managed within their various portfolios, for the Fund during Quarter 1, to date, highlighting the following:-

- Volatile markets had seen, overall, disappointing returns on investments.
- Specific details were provided in relation to the various portfolios and it was noted that the global pandemic had impacted on all of them.
- There were signs of a recovery in the markets beginning to take place.
- Private Debt investments should be considered over a longer period as there had been insufficient time for these to become established.
- The position was much more positive for all investments going forward, and the BCPP were confident that they would overcome the disappointing start.

Members, the Treasurer, the Investment Consultants and the Independent Adviser discussed the position with the representatives of the BCPP and the following issues and points were highlighted:-

- The comparison between the good performance of Baillie Gifford and the poor performance of the BCPP investments in similar portfolios and markets.
- The emphasis by the BCPP on ‘value’ investments rather than ‘growth’ and whether that was the correct philosophy going forward.
- The overall disappointment of Members in the initial performance of investments placed with the BCPP. This disappointment was shared by representatives of the BCPP and an explanation was provided in relation to the ‘value’ -v- ‘growth’ philosophy. It was emphasised that the current position was extraordinary due to the market volatility caused by the pandemic, and it was expected that the ‘value’ led investments would substantially improve going forward. The good performance of Baillie Gifford was acknowledged by the BCPP representatives, but it was stated that their investment strategy also had risks and could also underperform in the future.

- It was stated that the BCPP were concerned by the performance of some of their Fund Managers The process for replacing Fund Managers, should this be required, was outlined.
- Members asked whether the BCPP would take advantage of the current situation within the markets to undertake investments that would likely provide significant gains in the long term. The representatives of the BCPP confirmed that they were taking account of the current position and emphasised the long term nature of their investment strategy, which would encompass the potential opportunities outlined.
- Members raised concerns regarding the BCPP's apparent mistrust of Baillie Gifford as a Fund Manager, noting that they were not chosen by the BCPP to be a manager within their global equities portfolio. The NYPF had retained an investment with Baillie Gifford which had assisted in ensuring that there had been no significant changes to the Fund over the quarter. It was also reiterated that Baillie Gifford had been a chosen Fund Manager for the Committee but had been rejected by the BCPP. Representatives of the BCPP refuted that Baillie Gifford had been rejected as a Fund Manager, noting that they were a Fund Manager in the UK equities portfolio. In terms of global equities, it was stated that Baillie Gifford were shortlisted but other Fund Managers were considered to be more appropriate for the strategy. It was acknowledged that Baillie Gifford are a good Fund Manager and had worked well with the NYPF investment strategy. The Fund's Independent Advisor suggested that the performance of Baillie Gifford had to be put into context as they were not a panacea for all investment issues and there would be periods of underperformance. He suggested that the current situation regarding the NYPF's retained investment with Baillie Gifford and global equities investments with the BCPP would be a useful comparator for the 'value'-v-'growth' issue going forward.
- It was asked whether the sale of shares by the BCPP during the Market downturn had been detrimental to the NYPF. In response it was explained that any shares sold/bought during the period had been undertaken as a rebalancing exercise for the BCPP and had not affected the NYPF investments. Details would be provided to Members of the Committee in respect of this.
- Details of the new appointments within the investments team at the BCPP were provided and it was expected that these would enhance the service provided going forward.
- A Member, also the Chair of the North Yorkshire Pension Board, noted the recent blog of the CEO of the BCPP, which highlighted challenges in terms of governance capacity for the organisation, and sought information on what that meant. In response it was explained that the support and assistance provided to the various Pension Funds involved required expansion to ensure that all of them were actively involved with the arrangements. It was suggested by the Member that the matter could be discussed further with the representatives of the BCPP outside of the meeting, to consider how these arrangements could be enhanced effectively.
- The future plans for the expansion of office accommodation at the BCPP headquarters were questioned, given the current situation and the move for more people to work remotely. The Treasurer stated that the issue would be taken up by the S151 Officers Group for the BCPP, and was not an issue for the investments representatives from the BCPP to discuss. Updates on this matter would be provided to future meetings of the Committee accordingly.
- Representatives of AON asked that they be kept updated on all issues affecting the NYPF investments with the BCPP, including strategy, Fund Manager monitoring and the recruitment of staff.
- Representatives of the BCPP again acknowledged the disappointing results from

investments over the quarter. They expected improvements going forward and would follow up on the issues raised. The organisation would be as open and transparent as possible and would ensure that the NYPF was kept up to date with all issues affecting the BCPP and its investments.

Members noted the issues raised in relation to the performance of the Fund overall and the details provided by the BCPP in respect of the quarter's investment performance.

4. Investments Sub-Committee

The notes of the Investments Sub-Committee held on the 1st May 2020 were provided for Members consideration.

The Treasurer informed the Committee that the Sub-Committee had been established, under emergency powers during the COVID 19 restrictions, to ensure that essential decisions affecting the Fund could continue to be undertaken through powers delegated to him, which require consultation with at least one Member of the Committee.

Details of the issues raised at that meeting were highlighted as follows:-

(a) Equity Protection Strategy

A presentation was given outlining the recommendations in relation to the continuation of the Fund's Equity Protection Strategy in view of the Fund's 12 month equity protection strategy coming to an end on July 1st 2020, and the current extraordinary position of world markets due to the COVID 19 pandemic.

The presentation outlined the following:-

Implementation Principles – structure and framework

Instruction to LGIM regarding £400m strategy that expires in July 2020

Equity Protection – next steps

Appendices outlining current position, market valuations, 'Time Value', terms and risks

A full copy of the presentation was attached as a confidential appendix

Details of the discussion that took place at the Sub-Committee were outlined in the notes of the meeting.

The Sub-Committee agreed, unanimously, that the proposals for the continuation of equity protection for the contract ending on 1st July 2020, as set out in the presentation detailed in Appendix 1, and outlined below, should be implemented:-

The level of the new protection and its structure (i.e. between paying a premium for protection and giving up upside), is to be dependent on market levels, based on the principles set out by Aon on page 4 of their report. LGIM will therefore be instructed to implement a new 12 month strategy, expiring in July 2021, of between £100k and £400k, depending on market conditions at the point of expiry.

In addition, LGIM will be instructed to monitor protection expiring in January 2021 and alert AON and the Committee when:
- Within 5% of protection ending (i.e. -20% to -25%)
- At level when upside will be given up

Further consideration would be given to the contract ending on 1st January 2021 in due course.

The details of the presentation were again outlined by the representatives of AON for the benefit of the extended Membership of the Committee. The Chairman, the Treasurer and AON reiterated the benefits of structuring the Equity Protection Strategy in the manner outlined, and invited comments from Members.

Members agreed with the proposals as detailed within the minutes of the Sub-Committee.

(b) PIMCO MAC Fund Investment

The Sub-Committee considered the agreement to undertake a short-term investment in the PIMCO Diversified Income Fund from the partial sale of the excess M & G gilt allocation, as approved at the Committee meeting held on 22nd November 2020. A presentation provided by PIMCO was detailed in the confidential appendix attached to the notes of the Sub-Committee.

Members were reminded that the decision to invest in PIMCO was based on the decision to invest 5% of the Fund's investments in BCPPs MAC portfolio (subject to due diligence) in which the core element would be managed by PIMCO, allowing the majority of the funding to be transitioned "in specie" and thereby reducing transition costs. The transfer to MAC would also accord with the Fund's Investment Strategy in relation to reducing the risk in investments.

The Investment Advisers and Treasurer stated that they were content with the proposal going ahead.

Members were invited to confirm their continued interest in the investment given the substantial changes to the context for investment since November 2019.

Members agreed that the investment in the PIMCO DIF from the partial sale of the excess M & G gilt allocation should be undertaken, as previously agreed with a view to allocating an investment of up to 5% of the Fund's assets into the BCPP MAC portfolio, when the opportunity arose.

(c) The BCPP Index Linked Gilt Fund

At its Meeting held on 21st February 2020 the Committee agreed that a commitment of £150m to the BCPP Index-Linked Gilt Fund be approved subject to further due diligence, and that authority be delegated to the Treasurer of the Fund in consultation with the Chair of the Committee, to finalise the due diligence on the BCPP Index-Linked Gilt Fund.

Since the decision of the Committee, Officers of the NYPF and the Independent Advisor, had carried out further checks with the BCPP around the development of the portfolio, particularly around the recruitment of a level of staff that could effectively manage this as the portfolio was to be managed internally.

It was emphasised that the investment was relatively low risk and would provide a similar return to the actively managed investment with M&G from where the funding would be sourced, but further de-risked the investments of the Fund, in line with the strategy.

Members agreed that they were happy to proceed with the commitment to the BCPP's Index-linked Gilt Fund, with the portfolio due to launch in September 2020, in line with the decision made at the February 2020 Committee Meeting, subject to the finalisation of due diligence.

5. Pensions Administration Report

- Admission agreements and new academies.
- Administration - membership statistics, throughput statistics, performance statistics, commendations and complaints, lessons learned.
- Annual Benefit Statements 2020 – progress update.
- Issues and initiatives
    - GMP reconciliation
    - Breaches Policy and Log
    - Efficiency initiatives
    - Administration system review
    - Employer Contributions Deferral Policy
- Member training.
- Meeting timetable.

The Head of Pensions Administration highlighted the following key points in relation to the report:-

Performance

The performance statistics for the quarter had been disappointing as the new structure had not bedded in as effectively as expected. Changes to working practices had been undertaken in February which had improved this position, and it was expected that this would be reflected in the next report to Committee. The current restrictions had also seen a significant increase in the use of the "self-service" function, which would assist in providing more time for Administration Officers to catch-up on a number of issues, which again would be reflected in the next reporting of performance statistics.

Annual Benefits Statements 2020

Employer returns were due following year end. Any not provided by the end of the month would be subject to charges, as set out in the Charging Policy, and employers had been informed accordingly. It was stated that the majority of returns were now in and the data was being worked on and queries answered. It was noted that the City of York Council had made significant improvements to their systems over the previous year and had complied effectively with the submission of required data.

GMP Reconciliation

The project was drawing to a conclusion with the final data cut having been issued by HMRC, which was currently being processed.

Data Reconciliation

This was being undertaken alongside the GMP project to ensure that the NYPF databases were aligned for a smooth transition into the integrated system.

Data Breaches

There had been no breaches since the previous meeting.

Efficiency Initiative

This has been temporarily halted during the COVID 19 restrictions.

Administration System Review

The license for the current administration system is due to end in 2021. Work was now underway to obtain a replacement system which will provide additional functionality, assist with the on-line access and provide an integrated payroll process, all of which will assist in improving the efficiency and effectiveness of the team. It was expected that the details of who will be in a position to provide the system will be available shortly, and a competitive process will then be undertaken for the provision of the system.

Employer Contributions Deferral Policy

The Treasurer explained that the Policy had been drawn up in response to cashflow issues which employers may experience as a direct result of COVID 19. The Policy ensures that a robust process is in place for employers who may request to defer payment of employer pension contributions during the pandemic. The Policy sets a maximum deferral period to ensure that the interests of both the employer and the Fund are protected. The Treasurer provided examples of the potential for this taking place for Members information.

Members noted the contents of the report together with the updates on the issues highlighted above.

6. Next Meetings

A Committee workshop would be held via Skype on Thursday 2nd July 2020 at 10am.

Arrangements were expected to be in place to hold the next scheduled meeting of the Committee on Friday 3rd July 2020 at 10am as a formal, virtual meeting.

Details for the two meetings would follow in due course.

NORTH YORKSHIRE COUNTY COUNCIL

PENSION FUND COMMITTEE

3 JULY 2020

NEW BRAND

Report of the Treasurer

1.0 PURPOSE OF REPORT

1.1 To review and approve the new brand and logo for the North Yorkshire Pension Fund (the Fund) _

2.0 BACKGROUND

2.1 The current brand of the Fund has not been updated for several years. The brand is outdated and does not clearly identify with North Yorkshire. We have decided to use the white rose of Yorkshire (linking in with North Yorkshire County Council as the administering authority for the Fund).

It is a strong image that is easily recognisable and coupled with the words 'North Yorkshire Pension Fund' provides a clean and up to date brand. Clarity is not lost when the image is used in black and white. It is the intention that in future the logo will be incorporated within letters printed in black and white to help reduce printing costs and enable easier electronic issuing of documents.

This is a first step to rebrand all communications and the Fund's website.

3.0 NEW BRAND

3.1 The new brand in both colour and black and white is shown at **Appendix 1.**

3.2 The member self service area of the Fund's website has already been updated (as part of the required software upgrade). The link to the website is https://mypension.northyorks.gov.uk/ and a screen print is also provided at **Appendix 2.**

4.0 RECOMMENDATIONS

4.1 Members are asked to approve the changes

Gary Fielding
Treasurer to North Yorkshire Pension Fund
NYCC
County Hall
Northallerton

1 June 2020

APPENDIX 1

North Yorkshire Pension Fund

North Yorkshire Pension Fund

APPENDIX 2

North Yorkshire Pension Fund

Help Home Login

Take charge of your pension

Manage your pension online with our Member Self Service portal, My Pension Online

Create an Account

To view details on how you can use our My Pension Online service or to sign up please click here.

Continue »

Login to My Pension Online

If you have already registered for My Pension Online please click below to login.

Login »

Don't let a scammer steal your life savings!

If it sounds too good to be true, it probably is.

Scammers have stolen the life savings of thousands of people using promises such as 'upfront cash' and 'one off deals'.

Top tips

Here's some advice from The Pensions Regulator (TPR) to protect yourself from fraudsters:

- if you receive a cold call, hang up
- if you think you've been scammed you must call Action Fraud immediately on 0300 123 2040, as they may be able to stop the transfer if it hasn't yet taken place
- don't place your trust in investments promising 'guaranteed returns'
- make sure your Independent Financial Advisor (IFA) is registered with the Financial Conduct Authority
- don't listen to other people, make sure you do the research for yourself and get professional advice

TPR's current pension scams guidance can be found here, which we encourage you to read.

You can also find further information on the TPR website.

North Yorkshire County Council

Pension Fund Committee

3 July 2020

Death Benefit – Mrs A

1.0 Purpose of the Report

To provide Members with information relating to the death of Mrs A on 14 January 2020 in order that a decision can be made as to the beneficiary of the death grant now payable.

It is an administering authority discretion under the regulations to decide to whom death grants are paid. The following wording is taken from the 'Administering Authority Discretions for NYCC' document:

"The administering authority has determined where a nomination has been made it will be taken into account along with any other relevant factors. In practice, the decision will normally be to pay the death grant to the nominee(s), but this may not be the case where there have been significant changes in circumstances since the nomination was made or where there are other material factors which indicate that this would not be appropriate.

Where there is no nomination and payment is to be made to the member's spouse or civil partner then Letters of Administration or a Grant of Probate will not be required. Similarly, payment to the estate can be made without Letters of Administration or a Grant of Probate where the death grant is less than £5,000.

Where necessary, cases will be referred to the Pension Fund Committee for a decision."

It is standard practice for the NYPF to pay death benefits in accordance with the Nomination Form completed by the member however, Mrs A did not complete a nomination prior to her death.

2.0 Background

- Mrs A was an active member of the NYPF and died on 14 January 2020.
- The member was flagged as deceased as part of our Tell Us Once notifications and her daughter was named as next of kin.
- There is a death grant payable of £5,362.44.
- We issued the family information form to Ms N, the daughter, copy attached at **Appendix 1**, who has advised Mrs A was widowed at the time of death and had the following immediate family:
    - Daughter – aged 39
    - Son – aged 37
    - Brother – aged 67
    - Brother – aged 71
- There is a Will and the brothers are named as executors.
- The Will names both children as beneficiaries in equal shares.

3.0 Action

3.1. Members are asked to confirm to whom the death grant should be paid. This could be a single or multiple beneficiaries or to the Estate.

Gary Fielding
Treasurer of North Yorkshire Pension Fund
NYCC
County Hall
Northallerton
25 June 2020

North Yorkshire Pension Fund
Death Grant Dependent Form

[redacted]

Please complete this form, it will help the North Yorkshire Pension Fund (NYPF) make an informed decision regarding the payment of any lump sum death benefits.

Such benefits are not payable to an individual by right, but are paid at NYPF's discretion. Therefore, please note that completing this form does not automatically entitle anyone to the payment of any benefits.

Section 1: Martial status at date of death

I confirm that at the date of death [redacted] was (Please tick the appropriate box):

Single (never married)	☐		
Married/Civil Partnership *	☐	Date (if known)	
Cohabiting *	☐	Date (if known)	
Widowed	☑	Date (if known)	04/1997
Divorced	☐	Date (if known)	
Separated –but still Legally married *	☐	Date (if known)	
Not Known	☐		

If Margot was married or in a civil partnership with their current partner more than once, please provide the dates of the relationships below. This information is needed as it may affect the benefits due.

N/A

*Full name of husband/wife/civil partner or cohabiting partner:

N/A

Date of Birth: N/A / /

Address:

N/A

Post Code: Telephone:

22 APR 2020

22 APR 2020

Section 2: Children

Did [redacted] have any children (of any age)? This can include children born up to 12 months after the member's death.

No

I declare that the deceased did not have any children.

Signed:

Print name:

Date: / /

Yes

Name of Child: [redacted]

Date of birth: [redacted] Sex: M / F

Address: [redacted]

Post Code: [redacted] Telephone:

Name of Child: [redacted]

Date of birth: [redacted] Sex: M / F

Address: [redacted]

Post Code: [redacted] Telephone: [redacted]

Name of Child: N/A

Date of birth: / / Sex: M / F

Address:

Post Code: Telephone:

Name of Child: N/A

Date of birth: / / Sex: M / F

Address:

Post Code: Telephone:

If there are more than four children please write their details on another sheet of paper and attach it.

Section 3: Dependents

[redacted]

Was anyone dependent on [redacted] at the time of their death, other than those mentioned in sections 1 and 2? For example: partner, stepchild etc.

No

I declare that nobody was dependent on [redacted] at the date of their death.

Signed: N/A

Print name:

Date: / /

Yes

Name: [redacted]

Date of birth: [redacted] Sex M / F

Address: [redacted]

Post Code: [redacted] Telephone:

Relationship to the deceased: DAUGHTER

Name: N/A

Date of birth: / / Sex M / F

Address:

Post Code: Telephone:

Relationship to the deceased:

Name:

Date of birth: / / Sex M / F

Address:

Post Code: Telephone:

Relationship to the deceased:

If there are more than three dependants please write their details on another sheet of paper and attach it.

22 APR 2020

Section 4: Close Relatives

[redacted]

Did [redacted] have any other close relatives? For example, mother, father, sister, brother etc.

No

I declare that [redacted] had no other close relatives at the date of their death.

Signed:

Print name:

Date: / /

Yes

Name: [redacted]

Date of birth: [redacted] Sex: M / F

Address: [redacted]

Post Code: [redacted] Telephone: [redacted]

Relationship to the deceased: BROTHER

Name: [redacted]

Date of birth: [redacted] Sex: M / F

Address: [redacted]

Post Code: [redacted] Telephone: [redacted]

Relationship to the deceased: BROTHER

Name: N/A

Date of birth: / / Sex: M / F.

Address:

Post Code: Telephone:

Relationship to the deceased:

If there are more than three close relatives please write their details on another sheet of paper and attach it.

22 APR 2020

Section 5: Additional Information

[redacted]

This section must be completed, if it is left blank this form will be returned to you.

The NYPF have the final decision about who death grants are paid to. But please tell us how you think [redacted] would have wanted their death grant paid and the reasons why.

She would have wanted her death grant to be shared equally between her two children. I know this because her will states that everything she had should be shared equally between her two children [redacted] and [redacted]

Section 6: Funeral Expenses

Have you paid / or will you be paying the funeral expenses?	Y / N
	If yes please enclose a copy of the invoice/receipt.

Invoice not received yet

22 APR 2020

Section 6: Will

[redacted]

Had [redacted] made a will at the time of their death?

No	
I declare that [redacted] had not made a will at the time of their death.	
Signed:	
Print name:	
Date:	/ /

Yes	
Please tick this box if [redacted] had made a will at the time of their death:	✓
Please send us a copy of the will.	

Section 7: Legal representative or executor

Is there a legal representative or executor:	Y / N
	If yes please complete box 7A.

7A	Details of legal representative or executor
Name	MR. R[redacted]
Print name:	MR. R[redacted]
Address:	[redacted]
	Post Code: [redacted] Telephone: [redacted]

22 APR 2020

22 APR 2020

Section 7: Other benefits

[redacted]

Did [redacted] have any other benefits in the Local Government Pension Scheme (LGPS) in England and Wales?

No

I declare to the best of my knowledge that [redacted] did not have any other benefits in the LGPS in England and Wales (other than a pension credit or survivor pension) and that, should the declaration turnout to be incorrect, I will refund to NYPF any resulting overpayment.

Signed: V [redacted]

Print name: V [redacted]

Date: 29 / 03 / 2020

Yes

Name of Fund

Address of Fund:

Post Code: Telephone:

Section 8: Declaration

I declare that, to the best of my knowledge, the information contained in this form is accurate and complete. I understand that NYPF reserves the right to reconsider any decision taken after considering inaccurate or incomplete information provided on this form and that I, or any other beneficiary benefitting from such a decision, may be required to refund to NYPF all or part of any payment resulting from such a decision.

I also understand that there may be a delay in the settlement of the claim, if any, if the form has not been fully completed.

Full Name (please print): V [redacted]

Signed: V [redacted]

Name: V [redacted]

Address: [redacted]

Post Code: [redacted] Telephone: [redacted]

E-mail address: [redacted]

Relationship to DAUGHTER

North Yorkshire County Council

Pension Fund Committee

3 July 2020

Death Benefit – Miss S

1.0 Purpose of the Report

To provide Members with information relating to the death of Miss S on 8 May 2020 in order that a decision can be made as to the beneficiary of the death grant now payable.

It is an administering authority discretion under the regulations to decide to whom death grants are paid. The following wording is taken from the 'Administering Authority Discretions for NYCC' document:

"The administering authority has determined where a nomination has been made it will be taken into account along with any other relevant factors. In practice, the decision will normally be to pay the death grant to the nominee(s), but this may not be the case where there have been significant changes in circumstances since the nomination was made or where there are other material factors which indicate that this would not be appropriate.

Where there is no nomination and payment is to be made to the member's spouse or civil partner then Letters of Administration or a Grant of Probate will not be required. Similarly, payment to the estate can be made without Letters of Administration or a Grant of Probate where the death grant is less than £5,000.

Where necessary, cases will be referred to the Pension Fund Committee for a decision."

It is standard practice for the NYPF to pay death benefits in accordance with the Nomination Form completed by the member however, Miss S did not complete a nomination prior to her death.

2.0 Background

- Miss S was an active member of the NYPF and was granted tier 1 ill health early retirement from 30 April 2020 but unfortunately she died on 8 May 2020 before we were able to put her benefits into payment.
- In these cases we calculate benefits as if the member had elected to receive the maximum lump sum available.
- There are two payments now due:
    - The first payment is the monies the member would have received had we paid her before she died. This amounts to £25,351.72 and this will be paid to the Estate as it was money due to the member.
    - The second payment is the death grant of £58,960.40 minus £25,351.72 (the first payment above) = £33,608.68
- We issued the family information form to Mr J, the son, copy attached at **Appendix 1**, who has advised Miss S was separated but still legally married at the time of death and had the following immediate family:
    - Husband – separated since February 2006
    - Son – aged 27
    - Daughter – aged 28
    - Daughter – aged 30
    - Son – aged 33
    - Adoptive mother
- A copy of a divorce application dated 15 October 2018 has been provided
- There is no Will but a hand written document has been provided, copy attached at **Appendix 2**, which indicates Mrs S wished to have some of her assets split equally between her children.

3.0 Action

3.1. Members are asked to confirm to whom the death grant should be paid. This could be a single or multiple beneficiaries or to the Estate.

Gary Fielding
Treasurer of North Yorkshire Pension Fund
NYCC
County Hall
Northallerton
25 June 2020

Appendix 1

North Yorkshire Pension Fund
Death Grant Dependent Form

[redacted]

Please complete this form, it will help the North Yorkshire Pension Fund (NYPF) make an informed decision regarding the payment of any lump sum death benefits.

Such benefits are not payable to an individual by right, but are paid at NYPF's discretion. Therefore, please note that completing this form does not automatically entitle anyone to the payment of any benefits.

Section 1: Martial status at date of death

I confirm that at the date of death [redacted] was (Please tick the appropriate box):

Single (never married)	☐		
Married/Civil Partnership *	☐	Date (if known)	
Cohabiting *	☐	Date (if known)	
Widowed	☐	Date (if known)	
Divorced	☐	Date (if known)	
Separated –but still Legally married *	✓	Date (if known)	
Not Known	☐		

If [redacted] was married or in a civil partnership with their current partner more than once, please provide the dates of the relationships below. This information is needed as it may affect the benefits due.

*Full name of husband/wife/civil partner or cohabiting partner:

M [redacted]

Date of Birth: NA / /

Address: NA (UNKNOWN)

Post Code: Telephone:

Section 2: Children [redacted]

Did [redacted] have any children (of any age)? This can include children born up to 12 months after the member's death.

No

I declare that the deceased did not have any children.

Signed:

Print name:

Date: / /

Yes

Name of Child: J[redacted]

Date of birth: [redacted] Sex M / F

Address: [redacted]

Post Code: [redacted] Telephone: [redacted]

Name of Child: S[redacted]

Date of birth: [redacted] Sex M / F

Address: [redacted]

Post Code: [redacted] Telephone: [redacted]

Name of Child: A[redacted]

Date of birth: [redacted] Sex M / F

Address: [redacted]

Post Code: [redacted] Telephone: [redacted]

Name of Child: A[redacted]

Date of birth: [redacted] Sex M / F

Address: [redacted]

Post Code: [redacted] Telephone: [redacted]

If there are more than four children please write their details on another sheet of paper and attach it.

[redacted]

Section 3: Dependents

Was anyone dependent on [redacted] at the time of their death, other than those mentioned in sections 1 and 2? For example: partner, stepchild etc.

No

I declare that nobody was dependent on [redacted] at the date of their death.

Signed:

Print name: J [redacted]

Date: 15 / 5 / 2020

Yes

Name:

Date of birth: / /

Sex: M / F

Address:

Post Code: Telephone:

Relationship to the deceased:

Name:

Date of birth: / /

Sex: M / F

Address:

Post Code: Telephone:

Relationship to the deceased:

Name:

Date of birth: / /

Sex: M / F

Address:

Post Code: Telephone:

Relationship to the deceased:

If there are more than three dependants please write their details on another sheet of paper and attach it.

Section 4: Close Relatives [redacted]

Did [redacted] have any other close relatives? For example, mother, father, sister, brother etc.

No	
I declare that [redacted] had no other close relatives at the date of their death.	
Signed:	
Print name:	
Date:	/ /

Yes			
Name:	F [redacted]		
Date of birth:	UNKNOWN /	Sex	M / F
Address:	UNKNOWN		
	Post Code: UNKNOWN	Telephone: UNOWN.	
Relationship to the deceased:	ADOPTIUG MOTHER		
Name:			
Date of birth:	/ /	Sex	M / F
Address:			
	Post Code:	Telephone:	
Relationship to the deceased:			
Name:			
Date of birth:	/ /	Sex	M / F
Address:			
	Post Code:	Telephone:	
Relationship to the deceased:			

If there are more than three close relatives please write their details on another sheet of paper and attach it.

Section 5: Additional Information [redacted]

This section must be completed, if it is left blank this form will be returned to you.

The NYPF have the final decision about who death grants are paid to. But please tell us how you think [redacted] would have wanted their death grant paid and the reasons why.

[redacted] REQUESTED THAT ALL FINANCIAL
BENEFITS RESULTING IN HER DEATH IS TO BE EQUALLY DIVIDED
BETWEEN HER FOUR CHILDREN. ALTHOUGH SHE IS STILL LEGALLY
MARRIED, THEY HAVE BEEN SEPERATED FOR WELL OVER A DECADE.
SHE EXPRESSED THAT SHE DID NOT WANT HER HUSBAND TO
FINANCIALLY BENEFIT FROM HER DEATH IN ANY WAY. THIS
IS DUE TO HIM ACCUMILATING A SURSTAINTIAL AMOUNT
OF DEBT (OVER £60,000) BEFORE THEIR SEPERATION
AND IN TURN, REFUSING TO PAY IT OFF. THIS RESULTED
IN [redacted] BEING LEFT SOLELY RESPONSIBLE FOR
PAYING THE DEBT HE HAD ACCUMILATED.
ATTACHED TO THIS FORM IS A COPY OF THEIR
DIVORCE APPLICATION, WHICH CONFIRMS
THEIR LONG TERM SEPERATION.

Section 6: Funeral Expenses

Have you paid / or will you be paying the funeral expenses?	Y / N
	If yes please enclose a copy of the invoice/receipt.

INVOICE NOT YET RECIEVED.

Section 6: Will [redacted]

Had [redacted] made a will at the time of their death?

No

I declare that [redacted] had not made a will at the time of their death.

Signed:	
Print name:	
Date:	/ /

Yes

Please tick this box if [redacted] had made a will at the time of their death: ☑

Please send us a copy of the will.

Section 7: Legal representative or executor

Is there a legal representative or executor:	Y / N
	If yes please complete box 7A.

7A	Details of legal representative or executor
Name	[redacted]
Print name:	[redacted]
Address:	[redacted]
	Post Code: [redacted] Telephone: [redacted]

[redacted]

Section 7: Other benefits

Did [redacted] have any other benefits in the Local Government Pension Scheme (LGPS) in England and Wales?

No	

I declare to the best of my knowledge that [redacted] did not have any other benefits in the LGPS in England and Wales (other than a pension credit or survivor pension) and that, should the declaration turnout to be incorrect, I will refund to NYPF any resulting overpayment.

UNKOWN

Signed:	
Print name:	
Date:	/ /

Yes	

UNKNOWN

Name of Fund	
Address of Fund:	
	Post Code: Telephone:

Section 8: Declaration

I declare that, to the best of my knowledge, the information contained in this form is accurate and complete. I understand that NYPF reserves the right to reconsider any decision taken after considering inaccurate or incomplete information provided on this form and that I, or any other beneficiary benefitting from such a decision, may be required to refund to NYPF all or part of any payment resulting from such a decision.

I also understand that there may be a delay in the settlement of the claim, if any, if the form has not been fully completed.

Full Name (please print):	J [redacted]
Signed:	
Name:	[redacted]
Address:	[redacted]
	Post Code: [redacted] Telephone: [redacted]
E-mail address:	[redacted]
Relationship to the deceased:	SON.

LGPS Internal Dispute Resolution Procedure (IDRP) - Death Grants

Introduction

If you disagree or have a complaint about the decision the administering authority for the scheme has made on any aspect concerning the payment of the death grant, then outlined below are the procedures which have been established to help you settle any disagreement or complaint.

Procedure

If you can't settle your disagreement or complaint informally with the NYPF you can request that the decision be re-examined under the scheme's Internal Dispute Resolution Procedure. You should normally make your request in writing, within six months of the original decision, to the specified person who has been appointed to deal with such disputes.

You should write to:

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

The specified person will look at all the facts of your case within two months of receiving your letter. The specified person will either agree with the original decision or overturn the original decision.

If your case is very complicated and the specified person needs more time, you will be told this within two months of your letter. If this is the case, the specified person must let you know when you can expect the decision to be made.

If you are not happy with the decision made by the specified person you can appeal the decision by writing to the administering authority. The administering authority must then make a decision within two months of being asked to look into the case.

If you are not happy with the decision you can take your complaint to The Pensions Ombudsman (TPO) free of charge for a formal adjudication. This must be within three years of when the event you are complaining about happened, or, if later, within three years of when you first knew about it (or ought to have known about it).

TPO is an independent person who settles disputes between pension scheme members and pension schemes. There is no financial limit on the amount of money that TPO can make a party award you. Its determinations are legally binding on all the parties and are enforceable in court. You can write to TPO with your complaint but you must first have been through stages 1 and 2 of the IDRP process.

Their address is:

The Pensions Ombudsman
10 South Colonnade
Canary Wharf
E14 4PU

Telephone: 0800 917 4487
Email: enquiries@pensions-ombudsman.org.uk
Website: www.pensions-ombudsman.org.uk (where you can submit an online complaint form)

Further information on the Internal Dispute Resolution Procedure for the LGPS is available to view on the North Yorkshire Pension Fund website www.nypf.org.uk » Forms / Guides » Publications » A guide to the Internal Dispute Resolution Procedure.

Friday 17th April 2020

Appendix 2

Legal Binding Document.

In Attendance

[redacted]

I [redacted] Would like too State this as my Wishes JLD going forward, my legal and General life insurance policies JLD Would be divided equally too my four children as named above. With the Stipulation, in the event of my death JLD [redacted] as above will have Sole controll of funds and distribution of funds.

The funds will only be distributed JLD ~~if~~ once all my children named above. Have a plan for a Secure future for them Selves. Also if needed A Lump Sum for Driving test, Car and necessity towards Success. JLD paying debts JLD for clearing Names.

17/04/2 [redacted] 17/4/20 [redacted]

17/04/2

17/4/2020

17/4/2020 [redacted]

NORTH YORKSHIRE COUNTY COUNCIL

PENSION FUND COMMITTEE

3 July 2020

BUDGET / STATISTICS

Report of the Treasurer

1.0 PURPOSE OF THE REPORT

1.1 To report on the following:

(a) the outturn position for 2019/20 (see section **2**)

(b) the 3 year cashflow projection for the Fund (see section **3**)

2.0 2019/20 OUTTURN

2.1 The budget and outturn position for 2019/20 is presented in **Appendix 1**. The total running costs of the Fund in 2019/20 were £29.2m against a budget of £22.6m. The overspend of £6.6m is mainly due to Investment Fees exceeding the original budget by £7m, as previously reported to Committee. The 2020/21 budget for investment fees, approved by the Committee on 21 February 2020, was increased to reflect this increased disclosure of fees. As the Fund continues to move investments to the Pool there will be a continuing decrease in invoiced fees and an increase in fees deducted from assets under management, reflecting the charging methods of the fund managers concerned. A breakdown of the Investment Fees by fund manager will be presented to the Committee at the meeting on 11 September 2020.

2.2 Within Oversight and Governance costs, expenditure on Consultants' has exceeded the budget by £262k. As previously reported, this is due to work on setting up Equity Protection, for due diligence on a number of BCPP sub-funds and for the Investment Strategy Review undertaken as part of the 2019 Triennial Valuation.

2.3 The underspend on the Pooling Operational Charge of £355k is due in part to a review of the assets under management allocated to sub-funds which has resulted in a reduced charge of £150k to NYPF. BCPP also had an underspend in 2019/20, around £100k of this relating to NYPF. In addition, costs relating to Alternative assets (c.£100k) are now deducted directly from the sub-fund rather than being invoiced, so whilst this is not a true reduction in costs, it is a reduction in the costs reported here. This is in line with BCPP's charging policy where costs are invoiced until sub-funds are up and running, at which point they will be charged directly to the sub-fund, based on assets under management.

2.4 The underspend on Admin Expenses is largely due to the receipt of additional income. Following a Scheme reconciliation by HMRC, the Fund received a one-off refund of £136k. In addition, bank interest of £103k was received (£45k higher than

2018/19). Work on the Pension Data Reconciliation was delayed leading to an underspend of £82k. Work will continue in 2020/21 and anticipated expenditure has been reflected in the 2020/21 budget.

3.0 3 YEAR CASHFLOW PROJECTION

3.1 The cash position of the Fund is presented in **Appendix 2**. The table shows the actual cashflow in 2019/20 along with the projected cashflows of the Fund over the next 3 years. This cashflow includes the contribution income and benefits payable, the main inflow and outflow of the Fund, which will determine when the Fund will turn cashflow negative (deficit). In addition to this it also includes all other items that go through the bank account, for example, any costs of administering the scheme; this provides a more accurate prediction of the cash position of the Fund.

3.2 The actual cashflow for the Fund in 2019/20 was a deficit of £5.6m. At the Committee meeting on 21 February 2020 it was reported that the year-end deficit was expected to be £7.1m. Subsequently an additional £1m net income was received, with the remaining variance relating to the costs of administering the Fund.

3.3 The cashflow for the three years 2020/21 to 2022/23 allows for increases in staff pay and in the number of pensioners, and reflects the 2019 Triennial Valuation. It is estimated that the deficit will increase each year, to £35m in 2022/23. Consideration will be given to how we derive income from existing assets and new income generating assets will be factored into future investment strategy considerations to ensure that disinvestments purely for cashflow purposes are kept to a minimum. A Cashflow Policy has been drafted which details how the Fund plans manage its cashflow requirements. This policy is included in the Governance Arrangements Paper for Member approval.

4.0 RECOMMENDATIONS

4.1 Members to note the contents of the report.

GARY FIELDING
Treasurer to North Yorkshire Pension Fund
NYCC
County Hall
Northallerton

19 June 2020

Appendix 1

North Yorkshire Pension Fund
2019/2020 Budget – Cost of Running the Pension Fund

	Budget 2019/2020 £k	Outturn 2019/2020 £k	Variance £k	Budget 2020/2021 £k
EXPENDITURE				
Admin Expenses				
Finance and Central Services	380	376	-4	430
Provision of Pensioner Payroll (ESS)	140	137	-3	140
Pensions Administration Team	980	979	-1	1,090
GMP Reconciliation Programme	0	44	44	0
Pension Data Reconciliation	100	18	-82	50
Other Admin Expenses	260	17	-243	270
	1,860	**1,571**	**-289**	**1,980**
Oversight and Governance				
Actuarial Fees	70	83	13	40
Custodian Fees	130	83	-47	50
Consultants Fees	150	412	262	290
Pooling Project Costs	140	90	-50	70
Pooling Operational Charge	980	625	-355	600
Other O & G Expenses	110	100	-10	100
	1,580	**1,393**	**-187**	**1,150**
Investment Fees				
Investment Management Base Fee invoiced	4,000	3,553	-447	2,200
Performance Fees invoiced	3,500	1,608	-1,892	2,000
Investment Fees deducted from Fund	11,700	21,072	9,372	22,760
	19,200	**26,233**	**7,033**	**26,960**
TOTAL	**22,640**	**29,197**	**6,557**	**30,090**

North Yorkshire Pension Fund Cashflow Forecast

	Actual Cashflow 2019/2020 £k	Projected Cashflow 2020/2021 £k	Projected Cashflow 2021/2022 £k	Projected Cashflow 2022/2023 £k
EXPENDITURE				
Benefits				
Pensions	91,009	100,370	109,500	119,460
Lump Sums	28,660	27,950	27,950	27,950
	119,669	**128,320**	**137,450**	**147,410**
Payments to and on account of leavers				
Transfers out	21,037	17,750	17,750	17,750
Refunds to leavers	560	600	600	600
	21,597	**18,350**	**18,350**	**18,350**
TOTAL EXPENDITURE	**141,266**	**146,670**	**155,800**	**165,760**
INCOME				
Employer and Employee Contributions	120,016	116,420	114,680	113,080
Transfers in (from other schemes)	17,490	16,840	16,840	16,840
Investment Income	6,313	6,810	8,570	8,570
TOTAL INCOME	**143,819**	**140,070**	**140,090**	**138,490**
SURPLUS/ (DEFICIT)	**2,553**	**(6,600)**	**(15,710)**	**(27,270)**
Add cost of administering the pension fund	**29,197**	**30,090**	**31,560**	**32,390**
Less Management Fees charged direct to the fund	**(21,072)**	**(22,760)**	**(24,160)**	**(24,910)**
NET SURPLUS/ (DEFICIT)	**(5,572)**	**(13,930)**	**(23,110)**	**(34,750)**

ITEM 8

NORTH YORKSHIRE COUNTY COUNCIL

PENSION FUND COMMITTEE

3 JULY 2020

GOVERNANCE ARRANGEMENTS

Report of the Treasurer

1.0 PURPOSE OF REPORT

1.1 To review a range of governance documents and for the Committee to approve or note the following documents, as appropriate:

a) Investment Strategy Statement
b) Governance Compliance Statement
c) Funding Strategy Statement
d) Communications Policy
e) Admissions and Terminations Policy
f) Risk Register
g) Risk Management Policy
h) Pensions Administration Strategy
i) Administering Authority Discretions Policy
j) Internal Dispute Resolution Procedure (IDRP) Guide
k) Governance Roles and Responsibilities
l) Charging Policy
m) Breaches Policy
n) GDPR Privacy Notice
o) GDPR Memorandum of Understanding
p) Training Policy
q) Cashflow Policy
r) Responsible Investment Policy

1.2 To provide Members with an update on the draft 2019/20 Annual Report and Statement of Accounts.

2.0 BACKGROUND

2.1 As Members will be aware the governance documents for the North Yorkshire Pension Fund (NYPF or 'the Fund') are reviewed and approved annually by the Pension Fund Committee (PFC). Regulations require that certain governance documents and the Pension Fund Final Accounts form part of the Annual Report of the Fund. In addition to those documents that form part of the Annual Report, all other governance documents are also approved annually for reasons of good practice.

3.0 GOVERNANCE ARRANGEMENTS FOR NYPF

3.1 A description of each of the Fund's governance documents is included in the following paragraphs, together with comments on the changes that have been made since they were last approved and any actions that are required by the PFC. Where changes have been made to previously approved versions then changes can be seen in tracked changes in the appropriate appendix.

3.2 **Governance documents to be included in the Annual Report**

3.2.1 The **Investment Strategy Statement** (ISS) sets out the Fund's approach to investing. The latest version of the document is attached as **Appendix 1** for Members to approve. There have been a number of changes made to this document including updates to the investment strategy to reflect changes that have been approved in recent PFC meetings, an update of the pooling section and updates to the voting section.

3.2.2 The **Governance Compliance Statement** describes the governance arrangements of the Fund. The latest version of this document has been attached as **Appendix 2** for Members to approve; changes have been made to remove the reference to Myners and replace it with CIPFA guidance but the underlying principles remain.

3.2.3 The **Funding Strategy Statement** describes how employers' pension liabilities are to be met going forward, how employer contributions will be kept as stable as possible, and a prudent long-term view of those liabilities. This document was last reviewed as part of the 2019 Triennial Valuation and an updated version was approved by Members at the 21 February 2020 PFC meeting, attached as **Appendix 3**. The policy is currently being updated following an amendment to the exit regulations that allows a surplus to be paid to an exiting employer. The revised policy will be brought to a later committee meeting for approval.

3.2.4 The **Communications Policy**, attached as **Appendix 4**, details the policy for communicating with all the Fund's stakeholders. Minor tracked wording changes have been made to the document. Members are asked to approve this document.

3.3 **Other Governance Documents**

3.3.1 The **Admissions and Terminations Policy** outlines the Fund's policy on admissions into the Fund and the methodology for assessing an exit payment when an employer leaves the Fund. The version approved in July 2019 is attached as **Appendix 5** for information only. The policy is currently being updated following an amendment to the exit regulations that allows a surplus to be paid to an exiting employer. The Fund's legal adviser and actuary are providing assistance with this. In addition, the actuary is also working with officers to update the policy regarding the potential impact of the McCloud remedy and the GMP equalisation solution. The revised policy will be brought to a later committee meeting for approval.

3.3.2 The **Risk Register (Appendix 6 & 7)** has recently been updated and is attached for approval. The register describes the key risks faced by the Fund. There are two risks ranked as red, four as amber and five as green. The assessment of the highest ranked risks is primarily driven by the financial impact each could have, if each risk actually occurred. In this update all relevant risks have been updated to reflect any additional actions as a result of the COVID-19 pandemic.

One of the red risks is on the LGPS Pooling Arrangements; this is currently considered the key risk of the Pension Fund. It is a major change to the way in which the Pension Fund is managed with significant impact on the way in which the Fund implements its investment strategy.

Pension Fund solvency also remains a red risk, despite the latest funding level of 107%, 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. The rating for this risk has been increased in the latest review to reflect the current COVID-19 pandemic.

3.3.2 The **Risk Management Policy** for the Fund was last approved in the November 2017 meeting. It was recommended by the Risk Management Team that this document be reviewed at least once every three years and when a specific change is required. The latest version of this document is attached as **Appendix 8** for Members to approve. There have some minor tracked changes made to the document.

3.3.3 The **Pensions Administration Strategy,** attached as **Appendix 9**, sets out the administration protocols between employers and the Fund. Minor tracked wording changes have been made to the document.

3.3.4 The **Administering Authority Discretions Policy**, attached as **Appendix 10**, sets out the agreed approach for each discretion within the LGPS regulations that requires a decision from the administering authority. Minor tracked wording changes have been made to the document and the exit credit payment time limit has been extended to 6 months.

3.3.5 The **Internal Dispute Resolution Procedure (IDRP) Guide**, attached as **Appendix 11** for Members to approve, sets out how scheme members can resolve problems or complaints they may have about their pension benefits. Minor tracked wording changes have been made to the document.

3.3.6 The **Governance Roles and Responsibilities**, attached at **Appendix 12**, sets out the governance arrangements for the Fund. It also sets out the escalation procedures in the event of a breach of statutory requirements for the administration of the LGPS. Minor tracked wording changes have been made to the document.

3.3.7 The **Charging Policy**, attached at **Appendix 13**, should be read in conjunction with the Pensions Administration Strategy and sets out the Fund's policy on charging employers for poor quality data, late submissions of information required to calculate member benefits and late payments of contributions or submission of accompanying paperwork. This policy has had changes made to it to assist employers understanding and redefine the pension team's process for contacting and managing employers performing poorly. Members are asked to approve this policy.

3.3.8 The **Breaches Policy**, attached at **Appendix 14**, sets out the Fund's policy and procedures for identifying, managing and where necessary reporting breaches of the law as covered in paragraphs 241 to 275 of The Pensions Regulator's Code of Practice no 14 (Governance and administration of public service pension schemes) – "the Code of Practice". There have been no changes made to this policy.

3.3.9 The **General Data Protection Regulations (GDPR) Privacy Notice**, attached at **Appendix 15**, sets out how and why NYCC processes personal data in relation to the Fund. This Notice follows that of the administering Authority in order to ensure compliance. Some minor amendments have been made to this notice.

3.3.10 The **GDPR Memorandum of Understanding**, attached at **Appendix 16**, sets out for employers the statutory basis on which data will be shared between the parties and NYPF's expectations of employers during their participation in the Fund. This again follows the approach taken by the administering Authority. Minor tracked wording changes have been made to the document.

3.3.11 The **NYPF Training Policy** was first approved in September 2018. The policy sets out the training arrangements of the Pension Fund Committee and the Pension Board. There have been no changes to this policy. The latest version is attached as **Appendix 17** for Members to note.

3.3.12 A new **Cashflow Policy** has been drafted for the Fund, attached as **Appendix 18**. This policy has been produced to cover how the Fund will manage its cashflow requirements. This is an area of increasing importance as the Fund becomes cashflow negative. Members are asked to approve the policy.

3.3.13 Following the Responsible Investments (RI) beliefs workshop, a **Responsible Investment (RI) Policy** will be drafted that captures the Funds collective beliefs and approach to responsible investment. This policy will be brought to the September Committee meeting for Members to approve.

3.4 NEXT STEPS

3.4.1 Following approval of the governance documents attached, a governance review of the Fund will be carried out by the Independent Professional Observer and a report will be produced. This report will be presented to the PFC in a future meeting and any feedback provided will be reflected in the governance documents, where necessary. The Independent Professional Observer will also be asked to attend a future meeting to discuss the governance of the Fund with Members.

3.4.2 The following governance policies will also be brought to the September PFC meeting for Members to approve:

- Admissions and Terminations Policy
- Funding Strategy Statement
- Responsible Investment policy

4.0 NYPF ANNUAL REPORT AND DRAFT STATEMENT OF ACCOUNTS

4.1 Due to the COVID-19 pandemic, the deadlines for publishing the draft and final Statement of Accounts have been delayed to 31 August 2020 and 30 November 2020, respectively. In light of these deadline changes, the County Council and NYPF have amended their deadlines to 30 June 2020 for the publishing of the draft Statement of Accounts and will aim to take the final Statement of Accounts to Audit Committee for approval in an October meeting in order to meet the 30 November deadline for publication of the final Accounts.

4.2 To remind Members, the Audit Committee is required to approve the Statement of Accounts, by legislation, and the Pension Fund Committee is required to approve the NYPF Annual Report. The deadline for publishing the Annual Report is 1 December 2020. It is therefore proposed that the draft NYPF Annual Report will be brought to the 11 September PFC meeting for Members to approve. The draft Accounts will also be included as part of the Annual Report to provide Members with the opportunity to feed any comments to the Audit Committee prior to their approval of the final Accounts.

4.3 As the external audit will still be in progress on 11 September 2020 there may be subsequent changes to both the Accounts and the Annual Report following this date. If this is the case, any changes will be brought to the November PFC meeting in advance of publication.

5.0 RECOMMENDATIONS

Members are asked to:

5.1 Approve the changes made to the following governance documents:

- Investment Strategy Statement (Appendix 1)
- Governance Compliance Statement (Appendix 2)
- Communications Policy (Appendix 4)
- Risk Register (Appendix 6 & 7)
- Risk Management Policy (Appendix 8)
- Pension Administration Strategy (Appendix 9)
- Administering Authority Discretions Policy (Appendix 10)
- IDRP Guide (Appendix 11)
- Governance Roles and Responsibilities (Appendix 12)
- Charging Policy (Appendix 13)
- GDPR Privacy Notice (Appendix 15)
- GDPR Memorandum of Understanding (Appendix 16)
- Cashflow Policy (Appendix 18)

5.2 Note the following governance documents:

- Breaches Policy (Appendix 14)
- Training Policy (Appendix 17)

5.3 Note updates on the 2019/20 NYPF Annual Report and Statement of Accounts.

Gary Fielding
Treasurer to North Yorkshire Pension Fund
NYCC
County Hall
Northallerton

19 June 2020

NORTH YORKSHIRE PENSION FUND

INVESTMENT STRATEGY STATEMENT

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1.0 INTRODUCTION

1.1 Regulation 7 of the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 (the Regulations) requires administering authorities to formulate, publish and maintain an Investment Strategy Statement (ISS). This document is the ISS of the North Yorkshire Pension Fund (NYPF, or the Fund) for which North Yorkshire County Council (the Council) is the administering authority.

1.2 The Council has delegated all its functions as the administering authority of NYPF to the Pension Fund Committee (PFC, or the Committee). 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.

1.3 The Committee determines the investment policy of the Fund and has ultimate responsibility for the investment strategy. The Committee undertakes its responsibilities after taking appropriate advice from external advisers.

1.4 The Committee seeks to invest in accordance with the ISS, any Fund money that is not needed immediately to make payments from the Fund. The ISS should be read in conjunction with the Fund's Funding Strategy Statement.

1.5 The Fund has consulted on the contents of the Investment Strategy Statement with such persons it considers appropriate. This document is reviewed annually as part of the Fund's annual governance review.

2.0 OBJECTIVES OF THE FUND

2.1 The primary objective of the Fund is to provide pension benefits for members upon retirement and/or benefits on death for their dependents, on a defined benefits basis. Investments will therefore be selected with the aim of fully funding these benefit requirements over an extended number of years. The funding position will be reviewed at each Triennial Valuation with adjustments to the investment strategy, asset allocation and to investments with investment managers as required.

2.2 The investment objective of the Fund is to provide for sufficient capital growth of the Fund's assets in a range of market conditions, supplemented by employee and employer contribution income, to meet the cost of benefits as they fall due. It is translated into a suitable strategic asset allocation benchmark designed to address the nature of the Fund's liabilities, and deliver returns over the long term including through periods of volatility in financial markets.

3.0 INVESTMENT OF MONEY IN A WIDE VARIETY OF INVESTMENTS

3.1 The Committee reviews the investments of the Fund on a regular basis. The last review of the investment strategy took place in May 2019, as part of the 2019 Triennial Valuation. The agreed changes are expected to be implemented over the longer term due to the illiquid nature of some of the new alternative asset classes and while the Border to Coast Pensions Partnership (BCPP) builds suitable funds. To help reduce risk in the shorter term whilst the new long term strategy is being implemented, the Fund has ~~introduced~~ an equity protection strategy in place.

3.2 The Committee receives advice from its Investment Consultant and Independent Adviser when undertaking any investment strategy review. These reviews provide a framework designed to produce the returns the Fund requires over the long term to meet its future liabilities. Each high-level asset class (equities, alternatives and fixed income) invested in is allocated a range, and rebalancing takes place when values stray beyond them due to market conditions. Further rebalancing may also take place based on tactical views of the Fund's advisers.

3.3 The Fund's current long-term strategic asset allocation is set out below. The table also includes the ranges within which the asset allocation may vary without specific reference to the Committee, however in practice the allocation is considered by the Committee each quarter and adjustments made as necessary.

	Minimum %	Benchmark %	Maximum %
Equities	30	45	65
Alternatives	15	45	55
Fixed Income	5	10	25

3.4 The largest proportion of the Fund's investments has traditionally been in equities which is aimed at growing the value of assets over the long term. This allocation has been reduced in favour of alternative asset classes at the last investment strategy review with the aim of reducing risk in the portfolio to reflect the improved funding position while aiming to achieve sufficient investment returns. There is also an allocation to fixed income assets providing further diversification.

3.5 The most recent changes to the strategy have been the addition of Alternatives, being Property (2012), Diversified Growth Funds (2013), Private Debt (2016), ~~and~~ Insurance Linked Securities (2018) and Infrastructure (2019). ~~The Fund has also made a commitment to invest in Infrastructure.~~ The Fund has also made a decision to invest in Multi-Asset Credit. These asset classes have served to further diversify the Fund's investments, spreading risk and reducing short term volatility while maintaining sufficient investment returns.

3.6 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.

3.7 Each investment manager operates to a specific benchmark and to specific mandate restrictions appropriate to their process and style, so that in aggregate, their activities are aligned to the overall performance requirements and risk appetite of the Fund. Each manager holds a range of underlying investments which reflects their views relative to their respective benchmarks, as permitted by their mandates.

3.8 The investment management arrangements of the Fund are as follows.

Manager	**Mandate**	**Objective**
Border to Coast Pensions Partnership (BCPP)	UK Equities	To outperform the FTSE All Share Index by 2% pa over the long term
~~Baillie Gifford~~	~~Global Equities (Global Alpha)~~	~~To outperform the FTSE All World Index by 2% over the long term~~
Baillie Gifford	Global Equities (Long Term Global Growth)	To outperform the FTSE All World Index by 3% over the long term
Dodge & Cox	Global Equities	To outperform the MSCI All Country World Index over a market cycle
Veritas	Global Equities	To outperform CPI + 6% to 10% over the medium term
~~Fidelity~~	~~Overseas Equities~~	~~To outperform an MSCI geographically weighted index by 2% pa over the medium term~~
Newton	Diversified Growth Fund	To outperform LIBOR by 4% over the medium term

Hermes	UK Property	To outperform the IPD Other Balanced Property Funds Index by 0.5% over the medium term
Legal & General	UK Property	To outperform the IPD All Balanced Property Funds Index over the medium term
Threadneedle	UK Property	To outperform the IPD All Balanced Property Funds Index by 1% to 1.5% over the medium term
M&G	UK Government Bonds	To outperform the gilt based benchmark by 0.5%
BlueBay	Private Debt	IRR of 9% gross (7% net) including 4.5% cash yield
Permira	Private Debt	IRR of 9% gross (8% net) including 5% cash yield
Border to Coast Pensions Partnership (BCPP)	Private Debt	IRR of 6% (net)
Leadenhall	Insurance Linked Securities (Diversified)	To outperform Money Market Fund (MMF) returns by 4% to 5.5%
Leadenhall	Insurance Linked Securities (Nat Cat Focus)	To outperform Money Market Fund (MMF) returns by 6.5% to 7.5%
Leadenhall	Insurance Linked Securities (Remote)	To outperform Money Market Fund (MMF) returns by 3% to 4%
NYCC Treasury Management	Cash	To outperform the Bank of England base rate.
Legal & General	Equity Protection Mandate	To provide downside protection by giving up upside against a portion of the Fund's global equity holdings using 12 and 18 month contracts from July 2019 Total value protected was £800m at inception (July 2019) approximately 22% of the total portfolio value as at 30 June 2019 LGIM are also holding fixed interest gilts and index linked gilts as collateral to back the equity protection mandate, the gilts are held in a passively managed portfolio.
Border to Coast Pensions Partnership (BCPP)	Infrastructure	IRR of 8% (net)

3.9 The Fund is permitted to invest up to 5% in entities connected to the administering authority. There are currently no such investments.

4.0 THE SUITABILITY OF PARTICULAR INVESTMENTS AND TYPES OF INVESTMENTS

4.1 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").
UK Bonds	are debt instruments issued 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.
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.
Multi-Asset Credit	Multi-Asset Credit strategies offer investors exposure to a diverse range of credit premia, by investing across a range of geographies, asset classes and credit instruments, in order to protect against rising interest rates and changes in the credit cycle. These funds are well positioned to complement a traditional fixed income allocation, and provide portfolio diversification whilst de-risking from equities.
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.
Private Debt	is loan arrangements provided directly to companies over the medium term for a return, significantly above rates charged by commercial banks. Typically they are provided through pooled fund arrangements and require that investors commit

funds for a period of 5 to 7 years, with income and capital being returned throughout that time.

Insurance Linked Securities is a term used to cover an array of financial instruments whose values are driven by insurance loss events - catastrophes. These instruments are linked to property losses caused by natural and man-made catastrophes and represent a unique asset class given that returns are both uncorrelated and independent from the general financial market. ILS themselves are bond like instruments which are securitised on the underlying catastrophe risks. Typically they are provided through pooled fund arrangements.

Property Debt are direct loans secured against commercial properties and their income. The majority of the return comes from coupon payments which are distributed quarterly. They are bond like returns that do not typically suffer from capital losses. They are provided through pooled fund arrangements.

Infrastructure is a term for real assets which provide essential services to a community for example transport facilities, telecommunications networks and water supplies. These are long term, illiquid investments that should provide stable returns that in some cases are inflation linked and largely uncorrelated to equities, making it a 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.

4.2 Each asset class has different return expectations and volatility characteristics. They are blended to produce the optimal investment return while taking an appropriate level of risk. Periodic investment reviews assess whether this blend requires adjustment, including through the addition of new asset classes, to take account of changing market conditions and the evolving asset and liability profile of the Fund. Tactical rebalancing also takes place, as required. All monitoring, reviews and rebalancing is undertaken after taking advice from the Fund's Investment Consultant and Adviser.

4.3 The ~~2016~~ 2019 Triennial Valuation was prepared on the basis of an expected return on assets of ~~5.9~~6.2% over the long term. This return is ~~1.5~~2% above the discount rate used to calculate the Fund's liabilities and reflects a "probability of funding success" as described in the Funding Strategy Statement of ~~75~~80%. This is based on the Fund's current asset mix and assumes no outperformance from active management.

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5.0 THE APPROACH TO RISK, INCLUDING THE WAYS IN WHICH RISKS ARE TO BE MEASURED AND MANAGED

5.1 The Fund to aims to achieve its funding objective by taking an appropriate level of risk, through investing a proportion of funds in growth assets. Ongoing monitoring of the risk profile takes place, including reassessing its appropriateness, through investment strategy reviews and at the quarterly meetings of the PFC when 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.

5.2 The risk of financial mismatch is that the Fund's assets fail to grow in line with the liabilities. It is managed by the Committee through a review of the assumptions used to calculate the Fund's liabilities at each Triennial Valuation, and an assessment by the Actuary of the Fund's asset allocation strategy of the probability of achieving funding success. This assessment forms the basis for subsequent asset allocation reviews aimed at controlling risk and further improving the funding position.

5.3 Longevity risk and other demographic factors are assessed at each Triennial Valuation. The Committee reviews national and Fund specific trends as part of this process.

5.4 Systemic risk, being the possibility that an event akin to the financial crisis occurs, is mitigated through the diversified nature of the Fund's asset allocation strategy. The Committee has taken steps since 2008 to spread investments across a larger number of asset classes which behave differently in different market conditions. The risks associated with individual asset classes, the combined nature of risks at Fund level are reassessed at each strategy review and changes made as appropriate.

5.5 This diversification across asset classes and across investment managers within each asset class significantly mitigates concentration risk, so that the effect of underperformance of any one asset class or investment manager is minimised. Rebalancing activity prevents departure from the strategic asset allocation benchmark.

5.6 The significant majority of the Fund's assets are invested in liquid investments, so that the risk of illiquidity, being an inability to meet liabilities as a result of a lack of liquid assets, is minimal. The risk is further managed by cashflow forecasting.

5.7 Currency risk is that the Fund's assets, the majority of which are overseas, underperform relative to Sterling. This risk is managed through a periodic assessment of currency exchange rates including receiving advice on the suitability of hedging the major currencies the Fund's assets are denominated in.

5.8 Agreements with the Fund's custodian and investment managers provide protection against fraudulent losses. 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.

5.9 The Fund has its own Risk Management Policy and maintains a Risk Register which identifies the key risks, an assessment of the potential impact of each risk should it occur, and the controls and contingency plans in place to mitigate the likelihood and severity of each risk. The Risk Register is reviewed by the PFC annually and by the Pension Board semi-annually.

6.0 THE APPROACH TO POOLING INVESTMENTS, INCLUDING THE USE OF COLLECTIVE INVESTMENT VEHICLES AND SHARED SERVICES

6.1 In order to satisfy the requirements of the 'Local Government Pension Scheme: Investment Reform and Guidance' issued by the Government in November 2015, the Fund ~~The Fund is a member~~has become a shareholder of the Border to Coast Pensions Partnership ("BCPP", or "the Pool"). BCPP is an FCA-regulated Operator and Alternative Investment Fund Manager (AIFM), that became operational in July 2018.~~On 15 July 2016 the Fund, along with eleven other LGPS Funds, sent a proposal to the Government describing in detail how investment pooling arrangements could work and in February 2017 it was formally agreed that the Fund would become a shareholder of BCPP. The July 2016 submission to Government, available on the Fund's website www.nypf.org.uk, provided a statement including an outline structure and overview of the governance arrangements for the Pool, the mechanisms by which the Fund can hold the Pool to account and the services that will be shared or jointly procured.~~

~~6.2 A Financial Conduct Authority (FCA) regulated company has been established to manage the assets of BCPP partner funds. The Fund will hold all voting and non-voting shares rather than the Council. This is because the purpose of the company is to meet the needs of the constituent Funds in complying with the regulations on pooling, rather than for a Council specific purpose. The company went live and started to manage assets in July 2018.~~ BCPP is a partnership of the administering authorities of the following LGPS Funds:

- Bedfordshire Pension Fund
- Cumbria Pension Fund
- Durham Pension Fund
- East Riding Pension Fund
- Lincolnshire Pension Fund
- North Yorkshire Pension Fund
- South Yorkshire Pension Fund
- Surrey Pension Fund
- Teesside Pension Fund
- Tyne & Wear Pension Fund
- Warwickshire Pension Fund

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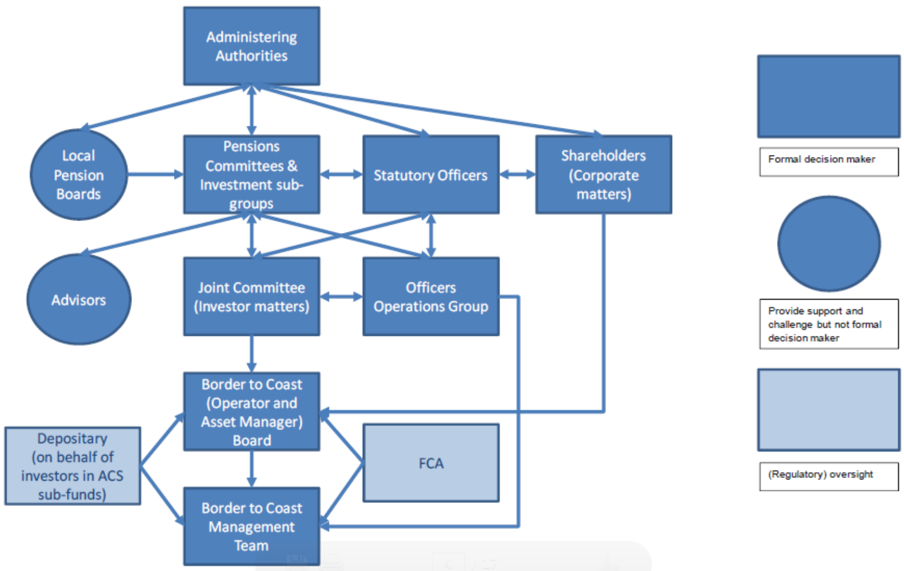
~~6.3 The key criteria for the assessment of the Pool are that it provides a suitable solution that meets the investment objectives and asset allocation strategy of the Fund and that there is significant financial benefit to joining the arrangements through economies of scale.~~

6.~~4~~3 ~~The main change in arrangements is that the Pool will be responsible for manager selection and monitoring, which is currently a responsibility of the Committee. The responsibilities for determining the investment strategy and asset allocation strategy will remain with the Committee.~~ The Fund retains responsibility for determining the investment strategy and asset allocation and delegates manager selection to the Pool. This ensures that the fiduciary duty and democratic responsibility of the Fund can be maintained, whilst facilitating the delivery of cost benefits through scale.

6.~~5~~4 ~~The Fund will hold the Pool to account through having a representative on the Joint Committee, which as an investor will monitor and oversee the investment operations of BCPP Limited. It also has a representative on the Shareholder Board, which as an owner provides oversight and control of the corporate operations of BCPP Limited. All Funds have equal voting rights. Day to day oversight will also be provided through Statutory Officer Group or Officer Operations Group which meet regularly.~~ The governance structure of the Pool is as follows:



6.5 The Fund will hold the Pool to account through the following mechanisms:

- A representative on the Shareholder Board, with equal voting rights, who will provide oversight and control of the corporate operations of BCPP
- A representative on the Joint Committee which, as an investor, will monitor and oversee the investment operations of BCPP
- Officer support to the representatives above from the Officer Operations Group and the Statutory Officer Group. Day to day oversight will be provided by these officer groups.

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6.6 It is expected that up to 100% of NYPF's assets will be transitioned into the Pool once suitable sub-funds are in place. The key criteria for the assessment of the sub-funds offered by the Pool are that they provide a suitable solution that meets the investment objectives and asset allocation strategy of the Fund and that there is significant financial benefit investing. The Fund undertakes due diligence prior to investment to ensure that the interests of NYPF are met. ~~;~~ ~~c~~Certain illiquid investments, of up to 15% (as at June ~~2019~~2020) may be retained by NYPF until they are fully realised over a period of up to 8 years, at which point new investments will be made through the ~~pool~~ Pool if there is a suitable sub-fund in place. The legal structures of these illiquid assets are such that it may not be practical to transfer ownership without a substantial loss in value. The Fund will continually monitor assets that are held outside of the Pool to ensure that it continues to be ~~suitable to hold them outside of the Pool~~appropriate and that value for money is being demonstrated.

6.7 An annual report will be submitted to the Scheme Advisory Board providing details of assets transferred into the ~~pooling arrangement~~Pool.

7.0 HOW SOCIAL, ENVIRONMENTAL OR CORPORATE GOVERNANCE CONSIDERATIONS ARE TAKEN INTO ACCOUNT IN THE SELECTION, NON-SELECTION, RETENTION AND REALISATION OF INVESTMENTS

7.1 The PFC takes the view that its overriding obligation is to act in the best financial interests of the Scheme and its beneficiaries. It is recognised that environmental, social and governance ("ESG") factors can influence long term investment performance and the ability to achieve long term sustainable returns. Investment advice received by the Fund implicitly includes these factors. Therefore, as a responsible investor, the Committee wishes to promote corporate social responsibility, good practice and improved performance amongst all companies in which it invests.

7.2 The Committee considers the financial impact of ESG factors on its investments through regular reporting by the Fund's investment managers. Engagement with company management and voting behaviour are integral to investment processes aimed at improving performance in companies in which they invest.

7.3 As well as delegating the Fund's approach to ESG issues to its investment managers, NYPF is also a member of the Local Authority Pension Fund Forum (LAPFF) which is the UK's leading collaborative shareholder engagement group. This organisation promotes ESG good practice on behalf of over 70 LGPS funds. Its activity acts as a complement to that undertaken by the Fund's investment managers. Any differences in approach are discussed with the Fund's investment managers so that the reasons are fully understood.

7.4 Any evaluation of social investments is made on the same basis as other investment opportunities, in taking into account financial and non-financial factors.

8.0 THE EXERCISE OF RIGHTS (INCLUDING VOTING RIGHTS) ATTACHING TO INVESTMENTS

8.1 The Committee has delegated the exercise of voting rights to its ~~Pension Investment Research Consultants Limited (PIRC)~~external investment managers. ~~Votes are executed by PIRC according to predetermined Shareholder Voting Guidelines agreed by the PFC, available on the Fund's website. These guidelines are aligned to the UK Stewardship Code and to best practice in other jurisdictions. Votes are cast for all UK equities held by the Fund, and for non-UK holdings where practicable.~~Voting should be undertaken where it is believed to be in the best interests of the Fund. The Fund's investment managers are required to report quarterly on their voting activities ~~monitors voting decisions on a regular basis.~~ As part of the Annual Report there will be a disclosure of voting activity.

8.2 The Fund adheres to the Stewardship Code as published by the Financial Reporting Council and is a Tier 1 signatory. A Statement of Compliance with the code is published on the Fund's website: https://www.nypf.org.uk/nypf/policiesandstrategies.shtml . As funds transfer to the Pool, the Committee will expect both BCPP Ltd and any investment managers appointed by it to also comply with the Stewardship Code.

8.3 The Fund's collective engagement activity through the LAPFF supports the voting activity undertaken by ~~PIRC~~ investment managers.

~~8.4 The Fund is a tier 1 signatory of the Financial Reporting Council's UK Stewardship Code. A Statement of Compliance with the codeis published on the Fund's website: https://www.nypf.org.uk/nypf/policiesandstrategies.shtml .~~

~~29 August 2019~~June 2020

Appendix 2

North Yorkshire Pension Fund

Governance Compliance Statement

April ~~2019~~2020

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

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Section

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 (LGPS) Regulations 2013.

1.2 These r~~R~~egulations 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 (which includes pooling entities for the purposes of this Statement) to manage and invest Fund monies on the Council’s behalf~~
- to receive reports from the appointed managers, at least once every quarter, setting out the action they have taken under their appointment
- ~~to receive reports from the appointed managers, at least once every quarter, setting out the action they have taken under their appointment~~
- to receive reports, at least once a quarter from the ~~Investment Adviser,~~ Investment Consultant ~~and the Performance Measurer,~~ regarding the investment performance of the appointed investment managers and the Fund overall
- to receive regular budget reports regarding the administration of the Fund
- from time to time consider the ~~to regularly review investments and 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 ~~receive~~ ~~approve~~ receive a Statement of Final Accounts and ~~approve~~ approve the NYPF Annual Report and associated governance statements for submission to the Audit Committee
- ~~from time to time reporting to the Executive and~~ making ~~appropriate~~ recommendations on matters relating to the ~~Pension~~ Fund and 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 pension scheme~~the ~~(~~LGPS~~)~~ under the regulations.

Pension Board

2.2 To comply with regulation 106 of the LGPS (Amendment) (Governance) Regulations 2015, terms of reference to establish the Council’s Pension Board were approved at its meeting on ~~18~~ 13 ~~February~~ November ~~2015~~2019.

2.3 The Pension Board is responsible for assisting the Council in securing compliance with the regulations, and to ensure the efficient and effective governance and administration of the LGPS. The Pension Board will have an oversight role in the governance of the Fund.

2.4 The key points from the terms of reference are:

- there are 9 members of the Pension Board, being 4 scheme member representatives (voting), 4 employer representatives (voting) and 1 independent chair (non-voting)
- there will be 4 meetings each year
- the Pension Board has its own ~~policies on~~ conflicts of interest policy~~and training~~
- costs of the Pension Board will be met by the Fund
- the quorum required for the Pension Board meetings is the Chair, one scheme and one employer

representative

Independent Professional Observer

2.5 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 Ministry of Housing, Communities and Local Government's (MHCLG) best practice principles, and also offer advice on governance related matters.

Functions Delegated to Officers

2.6 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~~ PFC whilst also managing the day to day affairs of the Fund, including:

- the exercise of the Council's function as administering authority, subject to any specific instructions that might be given from time to time by the PFC
- 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

The North Yorkshire Pension Fund Officer Group (**NYPFOG)**

2.8 NYPFOG meets periodically to provide an opportunity for employers and NYPF officers to meet and address any issues relating to the administrative arrangements of the Fund.

3.0 Representations and Meetings

Representation

3.1 The current membership of the PFC is as follows:

- eight elected Members representing the administering authority who each hold one vote on the ~~Committee~~ PFC
- 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
- a number of substitute Members have been nominated to attend in the absence of each of the main ~~Committee~~ Members
- three union representatives are invited to attend every ~~Committee~~ meeting, in a non-voting capacity
- the Chairman of the Pension Board is invited to attend every ~~Committee~~ meeting, in a non-voting capacity
- the quorum required for ~~Committee Meetings~~ meetings is three

Meetings

3.2 The PFC is governed by the decision making procedures defined in the Constitution of the Council, being a full ~~Committee~~ 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.

3.3 Papers for all meetings of the PFC are provided to all the Members identified in **paragraph 3.1** above, including substitute members and union representatives. 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.

3.4 PFC papers are also publicly available on the Council's website. The Communications Policy ~~Statement~~ explains in more detail the arrangements for engagement with all stakeholders.

3.5 The PFC convenes once each quarter, usually 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. Four 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 (e.g. Head of Pensions Administration, Senior Accountant), and a Committee Clerk (NYCC).

3.6 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 undertake the annual review of the governance documents, in addition to any other business requiring attention at that time.

4.0 Operational Procedures

Training

4.1 In the CIPFA Pensions Finance Knowledge and Skills Framework it states that "Administering Authorities should ensure that decisions are taken by persons or organisations with the skills, knowledge, advice and resources necessary to take them effectively". There are legal requirements set out in the LGPS regulations and other relevant legislation, as well as best practice guidance on training published by professional and regulatory bodies.

4.2 Both the PFC and Pension Board complete the CIPFA skills matrix questionnaire in order to identify skills gaps and training needs. The PFC have committed to complete the questionnaire by 30th September to inform the programme of training for the coming year.

4.3 The Fund arranges a programme of internal and external training events and access to other resources 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.

4.4 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.

4.5 Members of the Pension Board must have the required knowledge and understanding of the Scheme and the law and regulations relating to pensions in order to properly exercise their duties.

Reporting and Monitoring

4.6 The Fund has a Business 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.

4.7 In relation to investment matters, the 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.~~

4.8 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, communications with stakeholders, training events and admission agreements, etc.

4.9 Outside of this periodic reporting to the PFC;

- the activities of the ~~Benefits a~~Administration team are regularly monitored by the Treasurer as part of the ongoing performance monitoring arrangements operated within the Central Services directorate of the Council. In addition, the Fund participates in benchmarking as well as value for money exercises with other Funds

- the performance of the investment managers is monitored on an ongoing basis by the Investment Consultant and the Treasurer. Meetings are held with the investment managers on a routine basis and/or when particular issues arise (e.g. staff changes) that may affect the performance of that manager on behalf of the Fund.

5.0 Key Policy and Strategy Documents

5.1 In addition to the range of information provided by the Fund for Scheme members and employers, the Fund publishes a number of other key documents relating to the administration and governance of the Fund. These are as follows:

- Administering Authority Discretions for NYCC
- Administration Strategy
- ~~Annual~~ Communications ~~Strategy~~ Policy
- Annual Report
- Breaches Policy
- Employers Guide
- Funding Strategy Statement (FSS)
- Governance Compliance Statement
- Governance Roles and Responsibilities
- Internal Dispute Resolution Procedure
- Investment Strategy Statement

6.0 Compliance with Best Practice Principles

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 or panel established to underpin the work of the main committee	Fully compliant. It is assumed that the Pension Board fulfils the role of a secondary panel and these stakeholder groups are all eligible to be represented
c	That where a secondary committee or panel has been established, the structure ensures effective communication across both levels	Fully compliant. It is assumed that the Pension Board fulfils the role of a secondary panel (as the Board is not a committee in legal terms)
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. Chair of Pension Board attends the PFC in a non-voting capacity

Representation

a	That all key stakeholders are afforded the opportunity to be represented within the main or secondary committee structure. These include: • employing authorities (including non-scheme employers, e.g. admitted bodies • scheme members (including deferred and pensioner scheme members) • where appropriate, independent professional observers • 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

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

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

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.

Training, Facility Time and 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

Meetings (Frequency and 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

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

Scope

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

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

Appendix 3

North Yorkshire Pension Fund

2019 Funding Strategy Statement (FSS)

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

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 58 of the Local Government Pension Scheme Regulations 2013 (as amended) and the 2016 guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) Pensions Panel.

1. Introduction

The Local Government Pension Scheme Regulations 2013 (as amended) ("the 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 Investment Strategy Statement (ISS) for the NYPF published under Regulation 7 of the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 (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 ISS.

Benefits payable under the NYPF are guaranteed by statute 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 for contributing members up to 1 April 2014 and Career Averaged Revalued Earnings ("CARE") benefits earned thereafter. There is also 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 rate.

The benefits provided by the NYPF are specified in the governing legislation (the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014) and the Regulations referred to above. The required levels of employee contributions are also specified in the Regulations.

Employer contributions are determined in accordance with the 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" and to "ensure long-term cost efficiency", whilst the actuary must also have regard to the desirability of maintaining as nearly constant a primary 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 desirability of maintaining as nearly constant a primary contribution rate as possible;
- to ensure the regulatory requirements to set contributions so as to ensure the solvency and long-term cost-efficiency of the fund are met; 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 primary contribution rates to be kept as nearly constant as possible and (subject to the Administering Authority not taking undue risks) at reasonable cost to the taxpayers, scheduled, resolution and admitted bodies, whilst achieving and maintaining fund solvency and long-term cost efficiency, which should be assessed in light of the risk profile of the fund and employers, and the risk appetite of the Administering Authority and employers alike
- manage employers' liabilities effectively
- ensure that sufficient resources are available to meet all liabilities as they fall due, and
- seek returns on 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 Regulations and in the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016.

4. Responsibilities of Key Parties

The Administering Authority should:

- operate a pension fund
- collect employer and employee contributions, investment income and other amounts due to the pension fund as stipulated in LGPS Regulations
- pay from the pension fund the relevant entitlements as stipulated in LGPS Regulations
- 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 an ISS, both after proper consultation with interested parties, monitor all aspects of the NYPF's performance and funding and amend the FSS/ISS accordingly
- effectively manage any potential conflicts of interest arising from its dual role as both fund administrator and scheme employer
- enable the local pension board to review the valuation process as set out in their terms of reference.

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
- develop a policy on certain discretions and exercise those discretions as permitted within the regulatory framework
- make additional contributions in accordance with agreed arrangements in respect of, for example, augmentation of scheme benefits and early retirement strain notify the Administering Authority promptly of all changes to membership or, as may be proposed, which affect future funding
- pay any exit payments on ceasing participation in the NYPF

The Fund actuary should:

- prepare valuations including the setting of employers' contribution rates at a level to ensure fund solvency and long-term cost efficiency after agreeing assumptions with the Administering Authority and having regard to the FSS and the LGPS Regulations
- prepare advice and calculations in connection with bulk transfers and the funding aspects of individual benefit-related matters such as pension strain costs, ill health retirement costs, compensatory added years costs etc,
- provide advice and valuations on the exiting of employers from the NYPF
- provide advice to the Administering Authority on bonds or other forms of security against the financial effect on the fund of employer default
- assist the Administering Authority in assessing whether employer contributions need to be revised between valuations as permitted or required by the Regulations
- ensure that the Administering Authority is aware of any professional guidance or other professional requirements that may be of relevance to his or her role in advising the NYPF
- advise on funding strategy, the preparation of the FSS, and the inter-relationship between the FSS and the ISS.

5. Solvency Issues and Target Funding Levels

Funding Objective

To meet the requirements of the 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 relation to pre-2014 benefits or where the underpin applies. In the long term, the employer rate would ultimately revert to the Primary Contribution Rate (also known as 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 as at 31 March 2019 are set out in Appendix 1.

Underlying these assumptions are the following two principles:

- 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 avoid material, and potentially unaffordable, increases in employer contribution requirements we will consider whether we can build into the funding plan the following: -

- stepping in of contribution rate changes for employers where the orphan funding target is adopted or where the intermediate funding target is being introduced (as defined later in this statement). For the 2019 valuation, the Administering Authority's default approach is to step any contribution increases over a period of 3 years, although in certain circumstances a longer period may be considered, after consultation with the Actuary.
- a longer deficit recovery period than the average future working lifetime, particularly where there are a number of younger active members.

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, other than where grouping of employers has been agreed in line with the policy set out in the Fund's Admissions and Terminations Funding Policy.

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 2019 actuarial valuation:

- A default recovery period of 15 years will apply for employers that are assessed to have a deficit.
- In addition, at the discretion of the Administering authority, a maximum deficit recovery period of 21 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).
- As a general rule, the Fund does not believe it appropriate for contribution reductions to apply compared to the 2016 funding plan for those employers where substantial deficits remain.

- For any open employers assessed to be in surplus, their individual contribution requirements will be adjusted at the 2019 valuation as follows:

  - Where the funding level is 100-110% employers will pay the future service rate only.
  - Where the funding level is over 110% the default approach for Scheduled Bodies and Admission Bodies with no subsumption commitment from a Scheduled Body in the Fund (as defined in Appendix 1) will be to remove any surplus in excess of 10% over a maximum period of 21 years.
  - Where the funding level is over 110% the default approach for Admission Bodies with a subsumption commitment from a Scheduled Body in the Fund will be to remove any surplus in excess of 10% over the recovery period adopted by that Scheduled Body at the 2019 valuation.
  - If surpluses are sufficiently large, contribution requirements will be set to a minimum nil total amount.
  - The current level of contributions will be stepped down as appropriate, consistent with the approach of stepping contribution increases where appropriate.

  For the avoidance of doubt, for practical purposes where employers are in surplus and contributions are to be set below the cost of future accrual this will be implemented via a reduction in the percentage of pensionable pay rate rather than via a negative monetary amount.

  For any closed employers assessed to be in surplus, the above approach will generally be followed but the Administering Authority will consider the specific circumstances of the employer in setting an appropriate period to remove the surplus.

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 (less allowance for surplus as appropriate)
- a schedule of lump sum amounts over 2020/23 in respect of the past service deficit subject to the review from April 2023 based on the results of the 2022 actuarial valuation.

On the cessation of an employer’s participation in the Fund, the actuary will be asked to make a termination assessment. Any deficit in the Fund in respect of the employer will be due to the Fund 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 Fund to another participating employer.

However, the Administering Authority has ultimate discretion where the particular circumstances of any given Employer warrant a variation from these objectives. A period of consultation will take place once employers have been issued with their draft contribution rates.

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, and other aspects of the funding strategy, to apply for any particular employer or 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.

It is acknowledged by the Administering Authority that, whilst posing a relatively low risk to the Fund as a whole, it is possible that some smaller employers may be faced with contributions 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 2020/2023. 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 and on the basis that it is not inconsistent with the requirements to set employer contributions so as to ensure the solvency and long-term cost efficiency of the NYPF.

The Primary Contribution Rate (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 “primary rate”). The method and assumptions for assessing these contributions are set out in Appendix 1.

6. Link to Investment Policy set out in the Investment Strategy Statement

In assessing the value of the NYPF’s liabilities in the valuation, allowance is made for a long-term investment return assumption as set out below, taking into account the investment strategy adopted by the NYPF, as set out in the ISS.

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 expected future benefit payments 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 ISS, is:

Asset Class (Summary)		**%**
	Equities	40 -65
	Bonds	15-30
	Alternatives	20-30
	TOTAL	**100**

The funding strategy adopted for the 2019 valuation is based on an assumed long-term investment return assumption of 4.2% per annum. This is below the Administering Authority's view of the best estimate long-term return assumption of 6.2% as at the valuation date.

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 ISS, 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 performance between successive valuations could diverge significantly from the overall performance assumed in the long term.

The Administering Authority keeps, and regularly reviews, a risk register to identify and monitor the risks to the Fund and will, wherever possible, take appropriate action to limit the impact of these both before and after they emerge.

What are the Risks?

Whilst the activity of managing the Fund exposes the Administering Authority to a wide range of risks, those most likely to impact on the funding strategy are investment risk, liability risk, liquidity/maturity risk, regulatory/compliance risk, employer risk and governance risk.

Investment risk

The risk of investments not performing (income) or increasing in value (growth) as forecast. Examples of specific risks would be:

– assets not delivering the required return (for whatever reason, including manager underperformance)
– systemic risk with the possibility of interlinked and simultaneous financial market volatility
– insufficient funds to meet liabilities as they fall due
– inadequate, inappropriate or incomplete investment and actuarial advice is taken and acted upon
– counterparty failure

The specific risks associated with assets and asset classes are:

– equities – industry, country, size and stock risks
– fixed income - yield curve, credit risks, duration risks and market risks
– alternative assets – liquidity risks, property risk, alpha risk
– money market – credit risk and liquidity risk
– currency risk
– macroeconomic risks

The Fund mitigates these risks through diversification, permitting investment in a wide variety of markets and assets, and through the use of specialist managers with differing mandates.

The majority of the Fund's investments are in pooled investment vehicles and the Fund is therefore directly exposed to credit risk in relation to the instruments it holds in the pooled investment vehicles. Direct credit risk arising from pooled investment vehicles is mitigated by the underlying assets of the pooled arrangements being ring-fenced from the pooled manager, the regulatory environments in which the pooled managers operate and diversification of investments amongst a number of pooled arrangements. The Committee carries out due diligence checks on the appointment of new pooled investment managers and on an ongoing basis monitors any changes to the operating environment of the pooled manager.

In addition, the Fund holds assets in the LGPS pooling arrangement with Border to Coast Pension Partnership ('BCPP') and will transition further assets to BCPP in the future. Through this arrangement the Fund is exposed to the risk of failing to transition effectively to new pooling arrangements resulting in poorer value for money; lower investment returns; and inability to effectively execute investment strategy."

Employer risk

Those risks that arise from the ever-changing mix of employers, from short-term and ceasing employers, and the potential for a shortfall in payments and/or orphaned liabilities.

The Administering Authority maintains a knowledge base on its employers, their basis of participation and their legal status (e.g. charities, companies limited by guarantee, group/subsidiary arrangements) and uses this information to inform the FSS.

The Administering Authority monitors the active membership of closed employers and considers what action to take when the number of active members falls below 10, such as commissioning a valuation under Regulation 64(4).

The Administering Authority have also commissioned the Fund Actuary to carry out a high level risk analysis of employers in the Fund to assist the Administering Authority in setting the funding strategy for employers at the 2019 valuation of the Fund.

Liquidity/Maturity risk

This is the risk of a reduction in cash flows into the Fund, or an increase in cash flows out of the Fund, or both, which can be linked to changes in the membership and, in particular, a shift in the balance from contributing members to members drawing their pensions. Changes within the public sector and to the LGPS itself may affect the maturity profile of the LGPS and have potential cash flow implications. For example,

- The implications of budget cuts and headcount reductions could reduce the active (contributing) membership and increase the number of pensioners through early retirements;
- An increased emphasis on outsourcing and other alternative models for service delivery may result in falling active membership (e.g. where new admissions are closed),
- Public sector reorganisations may lead to a transfer of responsibility between different public sector bodies, (e.g. to bodies which do not participate in the LGPS),
- Scheme changes and higher member contributions in particular may lead to increased opt-outs;

The Administering Authority seeks to maintain regular contact with employers to mitigate against the risk of unexpected or unforeseen changes in maturity leading to cashflow or liquidity issues.

Liability risk

The main risks include inflation, life expectancy and other demographic changes, and interest rate and pay inflation, which will all impact upon future liabilities.

The Administering Authority will ensure that the Fund Actuary investigates these matters at each valuation and reports on developments. The Administering Authority will agree with the Fund Actuary any changes which are necessary to the assumptions underlying the measure of solvency to allow for observed or anticipated changes.

The Fund Actuary will also provide quarterly funding updates to assist the Administering Authority in its monitoring of the financial liability risks. The Administering Authority will, as far as practical, monitor changes in the age profile of the Fund membership early retirements, redundancies and ill health early retirements and, if any changes are considered to be material, ask the Fund Actuary to report on their effect on the funding position.

If significant liability changes become apparent between valuations, the Administering Authority will notify all participating employers of the anticipated impact on costs that will emerge at the next valuation and consider whether to require the review the bonds that are in place for Admission Bodies.

Regulatory and compliance risk

Regulatory risks to the scheme arise from changes to general and LGPS specific regulations, taxation, national changes to pension requirements, or employment law.

The Administering Authority keeps abreast of all the changes to the LGPS and will normally respond to consultations on matters which have an impact on the administration of the Fund.

There are a number of uncertainties associated with the benefit structure at the current time including:

- How Government will address the issues of GMP indexation and equalisation for the LGPS beyond expiry of the current interim solution from 6 April 2021
- The remedy to compensate members for illegal age discrimination following the outcome of the McCloud/Sargeant cases. Whilst the Government's application for leave to appeal has been denied there is currently still uncertainty relating to the remedy and exactly how this will apply to the LGPS
- The outcome of the cost management process and whether the agreement reached in relation to the Scheme Advisory Board (SAB) process for member contributions to be reduced and benefits enhanced to achieve an additional cost of 0.9% of pay will change as a result of the McCloud/Sargeant ruling

In determining how these uncertainties should be allowed for in employer contributions from 1 April 2020 the Administering Authority will have regard to guidance issued by the SAB, taking account of the Fund Actuary's advice.

In addition, a consultation document was issued by MHCLG entitled "Local Government Pension Scheme: Changes to the Local Valuation Cycle and the Management of Employer Risk" dated May 2019. This included a proposal to change the LGPS local fund valuations to quadrennial cycles. The Administering Authority will have regard to any changes in the Regulations as a result of this consultation and consider any actions required at the 2019 valuation, taking account of the Fund Actuary's advice.

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 significant market volatility
- if there have been significant changes to the NYPF membership and/or maturity profile
- if there have been changes to the number, type or individual circumstances of any of the employing authorities to such an extent that they impact on the funding strategy e.g. closure to new entrants
- where employers wish to make additional (voluntary) contributions to the NYPF
- if there has been a material change in the affordability of contributions and/or employer financial covenant strength
- to reflect significant changes to the benefit structure / Regulations

North Yorkshire County Council
as Administering Authority for the North Yorkshire Pension Fund

ACTUARIAL VALUATION AS AT 31 MARCH 2019
Method and assumptions used in calculating the funding target

Risk Based Approach

The Administering Authority adopts a risk based approach to funding strategy. In particular the discount rate (for most employers) has been set on the basis of the assessed likelihood of meeting the funding objectives. The Administering Authority has considered 3 key decisions in setting the discount rate:

- the long-term Solvency Target (i.e. the funding objective - where the Administering Authority wants the Fund to get to);
- the Trajectory Period (how quickly the Administering Authority wants the Fund to get there), and
- the Probability of Funding Success (how likely the Administering Authority wants it to be now that the Fund will actually achieve the Solvency Target by the end of the Trajectory Period).

These three choices, supported by complex (stochastic) risk modelling carried out by the Fund Actuary, define the discount rate (investment return assumption) to be adopted and, by extension, the appropriate employer contributions payable. Together they measure the riskiness (and hence also the degree of prudence) of the funding strategy. These are considered in more detail below.

Solvency Target

The Administering Authority's primary aim is the long-term solvency of the Fund. Accordingly, employers' contributions will be set to ensure that 100% of the liabilities can be met over the long term using appropriate actuarial assumptions.

The Administering Authority believes that its funding strategy will ensure the solvency of the Fund because employers collectively have the financial capacity to increase employer contributions should future circumstances require, in order to continue to target a funding level of 100%.

For most Scheduled Bodies and Admission Bodies where a Scheme Employer of sound covenant has agreed to subsume the Admission Body's assets and liabilities in the NYPF following its exit, the Solvency Target is set:

- at a level advised by the Fund Actuary as a prudent long-term funding objective for the Fund to achieve at the end of the Trajectory Period,
- based on continued investment in a mix of growth and matching assets intended to deliver a return above the rate of increases to pensions and pension accounts (CPI).

As at 31 March 2019 the long-term rate of CPI is assumed to be 2% p.a. and a prudent long-term investment return of 2% above CPI is assumed.

This then defines the Solvency Target. As at 31 March 2019 this equates to a solvency discount rate of 4% p.a.

For Admission Bodies and other bodies whose liabilities are expected to be orphaned following cessation, a more prudent approach will be taken. The Solvency Target will be set by considering the valuation basis which would be adopted should the body leave the Fund. For most such bodies, the Solvency Target will be set commensurate with assumed investment in Government bonds after exit.

Probability of Funding Success

The Administering Authority considers funding success to have been achieved if the Fund, at the end of the Trajectory Period, has achieved the Solvency Target. The Probability of Funding Success is the assessed chance of this happening based on asset-liability modelling carried out by the Fund Actuary.

With effect from 31 March 2019 the discount rate, and hence the overall required level of employer contributions, has been set such that the Fund Actuary estimates there is a 80% chance that the Fund would reach or exceed its Solvency Target after 25 years (the Trajectory Period)

Funding Target

The Funding Target is the amount of assets which the Fund needs to hold at the valuation date to pay the liabilities at that date as indicated by the chosen valuation method and assumptions and the valuation data. The valuation calculations, including the primary contribution rates and adjustment for the surplus or deficiency, set the level of contributions payable and dictate the chance of achieving the Solvency Target at the end of the Trajectory Period. The key assumptions used for assessing the Funding Target are summarised below.

Consistent with the aim of enabling the primary rate of employers' contribution rates to be kept as nearly constant as possible, contribution rates are set by use of the Projected Unit valuation method for most employers. The Projected Unit method is used in the actuarial valuation to determine the cost of benefits accruing to the Fund as a whole and for employers who continue to admit new members. This means that the contribution rate is derived as the cost of benefits accruing to employee members over the year following the valuation date expressed as a percentage of members’ pensionable pay over that period. The future service rate will be stable if the profile of the membership (age, gender etc) is stable.

For employers who no longer admit new members, the Attained Age valuation method is normally used. This means that the contribution rate is derived as the average cost of benefits accruing to members over the period until they die, leave the Fund or retire. This approach should lead to more stable employer contribution rates than adoption of the Projected Unit method for closed employers.

Funding Targets and assumptions regarding future investment strategy

For Scheduled Bodies whose participation in the Fund is considered by the Administering Authority to be indefinite and Admission Bodies with a subsumption commitment from such Scheduled Bodies, the Administering Authority assumes indefinite investment in a broad range of assets of higher risk than risk free assets.

For other Scheduled Bodies, in particular the Colleges and Universities whose participation is not considered to be indefinite, the Administering Authority may without limitation, take into account the following factors when setting the funding target for such bodies:

- the type/group of the employer
- the business plans of the employer;
- an assessment of the financial covenant of the employer;
- any contingent security available to the Fund or offered by the employer such as a guarantor or bond arrangements, charge over assets, etc.

For Admission Bodies and other bodies whose liabilities are expected to be orphaned on exit (with the exception of the universities where a different approach will be adopted at the 2019 valuation as set out below), the Administering Authority will have regard to the potential for participation to cease (or for the body to have no contributing members), the potential timing of such exit, and any likely change in notional or actual investment strategy as regards the assets held in respect of the body's liabilities at the date of exit (i.e. whether the liabilities will become 'orphaned' or a guarantor exists to subsume the notional assets and liabilities).

Colleges and Universities

Due to concerns about the covenant strength of Colleges and Universities, the Administering Authority will, from the 2019 valuation onwards, adopt a Funding Target for Colleges and Universities which reflects the Administering Authority's views of the sector. This includes the two universities that are Admission Bodies in the Fund where there is no subsumption commitment, but which continue to admit new members to the Fund.

Whilst the Administering Authority will adopt a general approach of assuming indefinite investment in a broad range of assets of higher risk than Government bonds, a reduction will be made to the discount rate used for the long-term secure scheduled bodies to reflect concerns about the covenant strength of Colleges and Universities. This is known as the Intermediate Funding Target.

The Administering Authority may also adopt the Intermediate Funding Target for other employers where there are concerns about the covenant strength of the employer. At the 2019 valuation this decision will be informed by the high-level risk analysis of employers within the Fund carried out by the Fund Actuary.

The Fund is deemed to be fully funded when the assets are equal to or greater than 100% of the Funding Target, where the funding target is assessed based on the sum of the appropriate funding targets across all the employers/groups of employers.

Financial assumptions

Investment return (discount rate)

The discount rate for the 2019 valuation is as follows:

- 4.2% p.a. for employers where the Scheduled body / subsumption funding target applies
- 3.8% p.a. for employers where the Intermediate funding target applies
- 3.3% in service (equivalent to the yield on long-dated fixed interest gilts at a duration appropriate for the Fund's liabilities plus an asset out-performance assumption of 2% p.a.) and 1.6% left service (which is intended to be equivalent to the yield on long-dated fixed interest gilts at the valuation date but which has, in the interests of affordability and stability of employer contributions, been increased by 0.3% p.a. to take account of market expectations of future increases in gilt yields after the valuation date), for employers where the Ongoing orphan funding target applies.

Inflation (Consumer Prices Index)

The CPI inflation assumption is taken to be the long-term (30 year) Capital Market Assumption at the valuation date as produced by Aon Hewitt Limited. In formulating the Capital Market Assumption, both consensus forecasts and the inflation risk premium are considered.

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 1.25% p.a. over the inflation assumption as described above plus an allowance for promotional increases.

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 CPI (e.g. Guaranteed Minimum Pensions in respect of service prior to April 1997).

Demographic assumptions
Post-retirement Mortality

Base Rates

Normal Health: Standard SAPS S2N tables, year of birth base rates, adjusted by a scaling factor.
Ill-health: Standard SAPS S2 Ill-health tables, year of birth base rates adjusted by a scaling factor.

Scaling Factors

Rates adjusted by scaling factors as dictated by Fund experience

Males (normal health)	105%
Females (normal health)	105%
Males (ill-health)	105%
Females (ill-health)	115%

Future improvement to base rates

An allowance for improvements in line with the CMI 2018, for men or women as appropriate, with a long term rate of improvement of 1.50% p.a., s_k of 7.5 and parameter A of 0.0.

Pre-retirement mortality

Males: As for normal health retirements but with a 40% scaling factor
Females: As for normal health retirements but with a 30% scaling factor

Retirement age

The assumed retirement age is dependent on the Group of the member and also the member's Rule of 85 age (Ro85 age).

	Assumed age at retirement
	63
	63
	65
	65
	State Pension Age

Any part of a members' pension payable from a later age than the assumed retirement age will assumed to be reduced using factors issued by GAD / MHCLG in force on the valuation date.

Withdrawals

Allowance is made for withdrawals from service. On withdrawal, members are assumed to leave a deferred pension in the Fund and are not assumed to exercise their option to take a transfer value.

Retirement due to ill health

Allowance is made for retirements due to ill health. Proportions assumed to fall into the different benefit tiers applicable after 1 April 2008 are:

Tier 1 (upper tier)	90%
Tier 2 (middle tier)	5%
Tier 3 (lower tier)	5%

Family details

A man is assumed to be 3 years older than his spouse, civil partner or cohabitee. A woman is assumed to be 3 years younger than her spouse, civil partner or cohabite.

80% of non-pensioners are assumed to be married / cohabitating at retirement or earlier death.
80% of pensioners are assumed to be married / cohabitating at age 65.

Commutation

Each member is assumed to take cash such that the total cash received (including statutory 3N/80 lump sum) is 75% of the permitted maximum amount permitted of their past service pension entitlements.

Take up of 50/50 scheme

All members are assumed to remain in the scheme they are in at the date of the valuation.

Promotional salary increases

Allowance is made for age-related promotional increases.

Expenses

0.5% of Pensionable Pay added to the cost of future benefit accrual.

Summary of key whole Fund assumptions used for calculating funding target and cost of future accrual (the "primary contribution rate") for the 2019 actuarial valuation

Investment return / Discount Rate (scheduled bodies and admission bodies with a subsumption commitment from a scheduled body)	4.2% p.a.
Investment return / Discount Rate (intermediate funding target)	3.8% p.a.
Investment Return / Discount Rate for orphan bodies	
In service	3.3% p.a.
Left service	1.6% p.a.
CPI price inflation	2.1% p.a.
Long Term Salary increases	3.35% p.a.
Pension increases/indexation of CARE benefits	2.1% p.a.

Appendix 4

North Yorkshire Pension Fund

Communications Policy

April 2020

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

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Contents

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1. Introduction

The North Yorkshire Pension Fund (~~NYPF~~the Fund) is administered by North Yorkshire County Council (NYCC). This policy sets out the Fund's strategy of engagement with its stakeholders and has been produced to satisfy the requirements of the Local Government Pension Scheme (LGPS) Regulations 2013.

The Pensions Regulator expects that our communications are accurate, clear and accessible and readily available at all times. With this in mind, we aim to keep our stakeholders informed about the scheme in a clear and understandable way. The Plain English principles have been adopted in all of our documents.

We will review this policy annually.

2. Stakeholders

The key stakeholders for the ~~NYPF~~ Fund are:

- scheme members and their representatives
- prospective scheme members
- scheme employers
- NYCC, as the scheme manager
- Pension Fund Committee
- Local Pension Board

Other stakeholders who support the ~~NYPF~~ Fund 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. Objectives

Our key objectives are:

- to keep all stakeholders informed about the management and administration of the ~~NYPF~~Fund
- to provide clear and easy to understand information to enable informed decisions
- to promote the LGPS as an important and valued part of the employment package
- to identify and use the most appropriate means of communicating with stakeholders, taking account of their different needs
- to seek continuous improvement in the way we communicate
- to use technology to provide up to date and timely information

4. What we communicate

We provide targeted communications to each of our stakeholder groups as outlined below.

Stakeholder	Communication	When	How
Pension Fund Committee	Committee papers	Quarterly	Website, email, paper
	Retired members n~~N~~ewsletter	Annually	Website, email, paper
	Workshops	As required	Face to face
	3rd party training	As required	Face to face
Local Pension Board	Board reports	Quarterly	Website, email, paper
	Retired members newsletter~~Newsletters~~	Annually	Website, email, paper
	~~Third~~ 3rd party training	As required	Face to face
Scheme Employers	Periodic updates	As required	Email
	Technical material	As required	Email
	Dedicated area on website	Permanently a~~A~~vailable	Website
	Bespoke training	As required	Webinar, ~~YouTube~~video, face to face, Skype
	Employers guide	Permanently ~~Available~~available	Website
	Employer forums	Annually	Face to face
	Pensions Administration Strategy	Permanently ~~Available~~available	Website, email
	Charging Policy	Permanently available	Website, email
	Admission Agreements guide	Permanently ~~Available~~available	Website, email
	Academies guide	Permanently ~~Available~~available	Website, email
Scheme Members	Scheme guides	Permanently ~~Available~~available	Website
	Membership Certificate	Upon joining	Paper
	Estimate of benefits	When requested	Email, online, paper
	Annual benefit statement	Annually	Online, paper
	Retired members newsletter~~Newsletter~~	Annually	Website, paper, email
	Membership data online	Permanently ~~Available~~available	Online
	Electronic satisfaction surveys	Upon retirement	Online
	Pensioner pay advice	Monthly	Online, paper
	Telephone helpline	Available during working hours	Telephone
	Website	Permanently ~~Available~~available	Website
Prospective Scheme Members	Scheme guides	Permanently ~~Available~~available	Website
	Telephone helpline	Available during working hours	Telephone
	Website	Permanently ~~Available~~available	Website

5. Strategy

To ensure we manage our stakeholder~~'s~~s' expectations and meet our regulatory requirements, we continually evaluate the effectiveness of our communications using the following methods:

- feedback questionnaires
- monitoring compliments and complaints
- review by the Local Pension Board

To ensure continuous development we plan to:

- continue to increase the number of Member Self Service users
- continue to develop and simplify annual benefit statements
- continue to review and develop letter content
- review and update our website
- continue to update guides and policies
- improve the information we give to employers

6. Key Documents

We publish a number of other key documents on our website at www.nypf.org.uk relating to the administration and governance of the Fund. These are as follows:

- Administering Authority Discretions for NYCC
- Administration Strategy
- Admissions and Terminations Policy
- Annual Report
- Breaches Policy
- Charging Policy
- Employers Guide
- Funding Strategy Statement (FSS)
- Governance Compliance Statement
- Governance Roles and Responsibilities
- Internal Dispute Resolution Procedure
- Investment Strategy Statement
- Privacy Notice
- Memorandum of Understanding

7. Further Information

If you would like to know more about our ~~communications~~communications, you can contact us in the following ways:

Email
pensions@northyorks.gov.uk

Website
www.nypf.org.uk

Telephone
01609 536335

Post
North Yorkshire Pension Fund
County Hall
Northallerton

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DL7 8AL

North Yorkshire Pension Fund

Admissions and Terminations Funding Policy

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

1 Introduction

1.1 This document details the North Yorkshire Pension Fund's (**Fund**) policy on admissions into the Fund and the methodology for assessment of a deficit or surplus payment on the exit of an employer's participation in the Fund. It supplements the general funding policy of the Fund as set out in the [1]Funding Strategy Statement (**FSS**).

2 Admissions to the Fund

2.1 Admission bodies are a specific type of employer under the Regulations that do not automatically qualify for admission into the Local Government Pension Scheme (**Scheme**) and must satisfy certain criteria set out in the Local Government Pension Scheme Regulations 2013 (as amended) (**Regulations**). 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.

2.2 North Yorkshire County Council (**NYCC**) as the Administering Authority for the Fund will decide which bodies can become an admission body in the Fund. The Fund will enter into an admission agreement that is 'open' or 'closed' to new employees depending on the circumstance of the admission. Whether the admission is 'open' or 'closed' is generally at the option of the applicable transferring employer (if any) and admission body, but there might be an impact on the rate of contributions payable.

2.3 In general paragraph 1(d) admission bodies will be admitted on a 'fully funded' basis i.e. a funding shortfall will not be passed to the admission body unless the transferring employer requests that a proportion of (or all of) the funding shortfall is passed to the admission body.

2.4 All actuarial and legal fees will be recharged to the transferring employer or the admission body. The Administering Authority will ask for confirmation of who is paying the fee before the invoice is issued.

3 Subsumption, guarantor or bond requirements for entry

3.1 The Regulations require the admission body to carry out (to the satisfaction of the Fund and where applicable the transferring employer) an assessment, taking account of actuarial advice, of the level of risk arising on premature termination of the provision of service or assets by reason of insolvency, winding up, or liquidation of the admission body. The Regulations further require that where the level of risk identified by the assessment is such as to require it, the admission body shall enter into an indemnity or bond in a form approved by the Fund with a third party financial services organisation. If for any reason a bond is not desirable the Regulations require that the admission body secures a guarantee in a form acceptable to the Fund.

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[1] The FSS can be found on the Fund's website at www.nypf.org.uk > Pension Fund / Investments > Policies and Strategies.

3.2 Whilst each application is assessed on its own merits under the above criteria, the Administering Authority wishes to limit the risk to the Fund and to other employers arising from any proposed admission. The Administering Authority's expectation is that in the substantial majority of all admissions it will require the admission body to provide either a qualifying bond or guarantee. The Administering Authority further considers that the costs inherent in the provision of a third party bond by the admission body is sufficient reason why it may not be desirable for the admission body to secure a bond. Therefore, the Administering Authority will in most cases be prepared to accept that the admission instead proceeds on the basis of a guarantor being offered. This is most often the transferring employer.

3.3 Further, when considering applications for admission body status the Administering Authority’s clear preference is that there should be a subsumption commitment from a suitable Scheme employer (as well as a guarantor from within the Fund). However, where there is no suitable party willing to give a subsumption commitment and/ or where there is no suitable and willing guarantor, the Administering Authority will still consider applications on a case-by-case basis.

3.4 A subsumption commitment means that a Scheme employer in the Fund (usually the transferring employer) agrees that they will take on responsibility for the future funding of the liabilities of the admission body once they have exited the Fund, and (where relevant) the admission body has paid any exit payment as determined by the actuary.

3.5 A guarantor provides a commitment to meet any obligation or liability of the admission body under the admission agreement.

3.6 The guarantor must be a party permitted to give such a guarantee under the Regulations and must be acceptable to the Administering Authority. Usually, this is the transferring employer.

3.7 The Administering Authority will, if it deems appropriate, accept an admission where there is no guarantee or subsumption commitment offered. This acceptance may be subject to additional conditions. Such conditions will often include the following:

- the Fund’s actuary will be asked to use the low risk funding target or the ongoing orphan funding target to assess contribution requirements; and/or

- the admission body must have a bond or indemnity from an appropriate third party in place. Any bond amount will be subject to review on a regular basis in line with the Regulations; and

- the admission body may be subject to any other requirements, such as monitoring specific factors, as the Administering Authority may decide.

3.8 Some relevant factors that the Administering Authority may consider when deciding whether to apply any of the conditions above, in the absence of a guarantor or subsumption commitment, 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 general trading risk of the proposed admission body and their financial record;

- the average age of employees to be admitted and whether the admission is closed to new joiners.

Admission bodies formerly known as Transferee Admission Bodies (TABs)

3.9 The most frequent category of admission body is those admitted under paragraph 1(d)(i) of Part 3 to Schedule 2 of the Regulations, namely that the proposed admission body is providing (or will provide) a service or assets in connection with the exercise of a function of a Scheme employer as a result of the transfer of the service or assets by means of a contract or other arrangement.

3.10 The settlement of commercial terms between the transferring employer and the proposed admission body (including any mitigations that might be offered to the proposed admission body in respect of the usual costs of participation as an employer in the Scheme) are a commercial matter which the Administering Authority will not be involved in.

3.11 Deficit recovery periods for these admission bodies will be set in line with the Fund's general policy as set out in the FSS.

Admission bodies formerly known as Community Admission Bodies (CABs)

3.12 Where a body believes that it is eligible for admission other than under paragraph 1(d)(i) of Part 3 to Schedule 2 of the Regulations and requests admission into the Fund, the Administering Authority will consider each application on a case-by-case basis.

Town and Parish Councils

3.13 New town and parish councils entering the Fund will be treated as follows:

- If there is a subsumption commitment from a suitable Scheme employer then the participation will be approved with the valuation funding basis used for the termination assessment and calculation of ongoing contribution requirements.

- If there is no subsumption commitment from a suitable Scheme employer then the town or parish council must pre-fund for termination with contribution requirements assessed using the low risk funding target or ongoing orphan funding target.

3.14 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.

Grouped bodies

3.15 The Fund groups the following types of employers for setting contribution rates.

- Grouped Scheduled Bodies (Town and Parish Councils admitted prior to 1 April 2008, Drainage and Burial Boards).
- Local Management of Schools (LMS) Pools (NYCC LMS pool and the City of York Council (CoYC) LMS pool) admitted prior to 1 April 2019.

3.16 The LMS pool refers to the grouping of a number of transferee admission bodies relating to catering and cleaning contracts within schools who were admitted to the Fund prior to 1 April 2019. Employers in the LMS pool pay the same aggregate total contribution rate as that payable by NYCC or the CoYC depending on which pool they are in.

3.17 At each triennial valuation, the actuary will pool together the assets and liabilities of the council with the other employers within the appropriate LMS pool to determine the employer contribution rate.

4 Employer contributions and funding targets

4.1 The Fund's actuary will calculate the employer contributions payable from the start of the admission agreement.

4.2 These will consist of the future service rate (FSR) or primary contribution rate and additional (secondary) contributions required to remove any funding shortfall. Where the admission body transfers on a fully funded basis (i.e. the level of notional assets is set to be equal to the full value of the transferring liabilities using the appropriate funding target described below) then the initial contribution rate will be equal to the FSR. This would generally be the case in an outsourcing of a service or function from a Scheme employer.

4.3 The FSR is net of employee contributions but includes an allowance for the lump sum death benefit payable on death in service and administration costs.

4.4 The actuary will also calculate the funding position of the admission body at the commencement date. This shows the notional assets attributable to the admission body, along with the value of liabilities using the appropriate funding target. This is needed even when the admission body starts fully funded since any accounting figures or calculations at future triennial valuations will use the assets and liabilities at commencement as their starting point. In some cases the asset transfer may need to be re-calculated if the commencement date or data on transferring members is different to that used by the actuary in their initial calculations.

4.5 If the transferring employer is providing a subsumption commitment, the subsumption funding target will be used by the actuary when calculating the FSR and the value of liabilities. The low risk funding target can be used where explicitly requested by the transferring employer. The appropriate funding target to be adopted depends on what will happen to the liabilities of the admission body once the contract ends or it has otherwise exited the Fund (e.g. when the last active member has left).

Subsumption funding target

4.6 This approach can be used where the admission body has a 'subsumption commitment' from a suitable Scheme employer (usually the transferring employer). It is used to calculate the initial assets allocated to the admission body and its contributions as well as for the exit valuation (updated to allow for financial market conditions at the exit date).

4.7 The assumptions used under the scheduled body / subsumption funding target assume investment in assets that are the same as the long term investment strategy of the Fund as a whole.

4.8 Therefore the potential outperformance over low risk investment in government bonds (gilts) is factored in, giving a lower contribution rate but also there is exposure to the volatility of equity based investments and the risk of the expected outperformance not being achieved and the impact on the contributions.

4.9 This funding target gives a lower contribution rate but less certainty that the liabilities are being fully covered and can therefore lead to volatility in the FSR over the life of the admission agreement and increases the risk of a shortfall or surplus emerging over the period of participation of the admission body in the Fund. This approach results in the same assumptions being used to set contributions for the admission body as apply to the Scheme employer letting the contract (although the assumptions are updated to allow for financial market conditions at the calculation date, whether that is the date of commencement or exit).

Ongoing orphan funding target

4.10 This approach is used where the transferring employer is not prepared to offer a subsumption commitment in relation to the admission body. This means that no employer exists in the Fund that would be prepared to take on future responsibility of the liabilities of the admission body once the admission body has exited the Fund.

4.11 On the exit of the admission body, its liabilities will become 'orphan liabilities' in the Fund. This means that should a shortfall arise in respect of these liabilities after the admission body has exited the Fund, all remaining employers in the Fund would be required to pay additional contributions to pay off this shortfall.

4.12 In that case, the exit valuation of the admission body would be carried out on the low risk funding target in order to protect the other employers in the Fund. This assumes that after the exit of the admission body the Administering Authority would wish to back the orphan liabilities with low risk investments such as government bonds.

4.13 The assumptions used under the ongoing orphan funding target are broadly designed to target the low risk funding target at exit of the admission body but reflect the fact that exit of the admission body will occur at some point in the future and allow for the possibility of the expected return on government bonds changing before the exit date.

4.14 Prior to the exit date it is still assumed that the assets of the admission body are invested in line with the long term investment strategy of the Fund as a whole and this is reflected in the "in-service" discount rate adopted as part of the ongoing orphan funding target.

4.15 This funding target would generally result in a higher initial contribution rate than if a subsumption commitment existed (where the subsumption funding target would be adopted), but a lower initial contribution rate than if the low risk funding target is adopted (see below), although unlike the matched approach described below investment risk underlying the Fund's investment strategy is retained under this approach.

Low risk funding target

4.16 This approach is used to reduce the risk of an uncertain and potentially large shortfall being due to the Fund at the exit of the admission body.

4.17 The low risk approach assumes a notional investment in government bonds for the admission body. Under this approach the investment risk is substantially reduced and it is expected that the assets and liabilities of the admission body would move broadly in line with either other. It does not eliminate investment risk and other funding risks remain, but it gives more certainty that the employer rate is providing funding to ‘match’ the liabilities. However it gives a substantially higher contribution rate as no allowance for any expected outperformance of the Fund's assets over the low risk funding target is factored in.

5 Termination of an employer

Exit events

5.1 In accordance with Regulation 64 the LGPS Regulations 2013, when an employer (including an admission body) leaves the Fund, an exit valuation is carried out by the Fund’s actuary to determine the level of any surplus or deficit in the outgoing employer's share of the Fund. All actuarial and legal fees relating to the exit will be passed on to the exiting employer unless a prior agreement is in place with the transferring employer.

5.2 There are a number of events that will trigger an exit:

- when a contract comes to an end;
- when a contract is terminated early;
- when the employer no longer has any active members in the Fund;
- when the admission body is in breach of its obligations under the admission agreement, or the admission agreement is otherwise terminated by one of the parties;
- the insolvency, winding up or liquidation of the admission body
- the withdrawal of approval by HMRC to continue as a Scheme employer; or
- the admission body fails to pay any sums due in a timely manner.

5.3 When an admission agreement comes to an end or a scheduled body exits the Fund, any active 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.

Basis of exit valuations

5.4 An exit valuation is carried out to value the liabilities of the employer at the date of exit. The basis used to calculate the liabilities depends on the circumstances of the exit and in particular who takes responsibility of any future liabilities. The Fund's policy is outlined below; however each exit will be assessed on a case by case basis.

5.5 If the employer has a subsumption commitment in place from a suitable Scheme employer within the Fund, the subsumption funding target will be used as the basis of the exit valuation. If the transferring employer requested that the low risk funding target was adopted on admission to the Fund, the same funding target will be used as the basis of the exit valuation. The subsuming employer will, following any termination payment made by the employer, be responsible for any future liabilities that arise in relation to the former employees of the exiting employer. Any liabilities formally attributable to the exiting employer will be assessed at each Triennial Valuation and the subsuming employer's contribution rates will be adjusted to reflect this.

5.6 For all other exiting employers where there is no subsumption commitment in place, the Fund's policy is to use the low risk funding target as the basis of the exit calculation. This is to protect the other employers in the Fund who will become responsible for any future 'orphan liabilities' that arise in relation to the former employees of the exiting employer post exit.

Grouped Scheduled Bodies - Town and Parish Councils admitted prior to 31 March 2008

5.7 On termination of participation within the grouped scheduled bodies, the exit valuation is based on a simplified share of the group deficit amount, which is calculated on a subsumption funding target. This involves calculating the notional deficit share, as at the last triennial valuation, based on the proportion of payroll that body has within the group. An adjustment to the date of exit will normally be made in line with the assumptions adopted as at the last triennial 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. Any liability that cannot be reclaimed from the exiting employer will be underwritten by the group and not all employers in the Fund.

5.8 Following the termination of the grouped body, any residual assets and liabilities will be subsumed by any guarantor body for the group, or in the absence of a guarantor, subsumed by the Fund as a whole.

Grouped Bodies - LMS Pools admitted prior to 1 April 2019

5.9 On termination of an admission body within the LMS pool, a termination valuation will generally be calculated on a scheduled body funding target. The assets and liabilities relating to the active employees will, assuming there is a subsumption commitment in place in the admission agreement relating to that admission body, be subsumed by NYCC or the CoYC depending on which pool they are in. If there is no subsumption commitment in place, the parties will be offered the opportunity to put one in place on exit. If this option is not taken then the low risk funding target will be used to calculate any exit debt.

Notification of termination

5.10 In many cases termination of an admission agreement can be predicted, for example, because the admission body wishes to terminate their contract. In this case admission bodies are required to notify the Fund of their intention as soon as possible. The Fund requires a minimum of 3 months' written notice for early termination of an admission agreement.

5.11 Where termination is disclosed in advance or in the opinion of the Administering Authority there are circumstances which make it likely that an employer will become an exiting employer, the Fund may request a revised certificate from the Actuary that specifies the amount that the rates should be adjusted by prior to exit in line with Regulation 64(4) of the Regulations. This will allow the Fund to address any shortfall or surplus over a period of time rather than requesting a single lump sum payment on exit.

Payment of exit debt

5.12 If the Fund actuary has calculated a deficit at the exit date the exiting employer is liable for payment. The Fund will usually require a lump sum payment from the exiting employer in the first instance. Where an exit payment cannot be met in full or in part by the exiting employer the Fund will attempt to recover any outstanding payment from a bond or alternative indemnity that may be in place.

5.13 Following the use of any bonds or indemnities (if any), any remaining debt will be recovered in a lump sum payment from the guarantor (if there is one).

5.14 If there is no guarantor any outstanding debt will be recovered from any related employer in the case of a Schedule 2, Part 3, 1(d)(i) body. The Fund may request a lump sum payment or it may be agreed, if the related employer is a contributing employer of the Fund, that the rates and adjustment certificate be revised to allow for the recovery of the remaining debt over a reasonable period of time, as determined by the Fund.

5.15 In any other case the debt will be subsumed by all other employers in the Fund. The rates and adjustment certificate for all contributing employers will be revised to allow for the recovery of any remaining exit debt over a reasonable period of time, determined by the Fund, at the next triennial valuation following exit.

5.16 Any lump sum payments will be required within 30 days following the issue of the revised rates and adjustment certificate showing the exit payment due unless another period is specified by the Fund. Any late payments will incur charges in accordance with the Fund's Charging Policy.

5.17 In exceptional circumstances the Fund may consider allowing an exiting employer to pay an exit payment over an agreed period of time, where it is not considered to pose a material risk to the solvency of the Fund.

Suspending payment of exit amounts

5.18 At the absolute discretion of the Administering Authority, a suspension notice may be awarded to an exiting employer under Regulation 64(2A) of the Regulations. This can be for a period of up to three years after the exit date (the maximum period permitted by the Regulations).

5.19 Any application for the Administering Authority to grant a suspension notice will normally only be considered if the following criteria apply;

- The employer can provide evidence that it is likely to admit one or more new active members to the Fund within the period of the suspension notice
- The employer is not a ‘closed’ Admitted Body (no new active members are permitted to join the Fund).
- Any application for the Administering Authority to grant a suspension notice is made within three months of the exit date.

5.20 The Administering Authority reserves the right to withdraw a suspension notice if the terms of the agreement to award a suspension notice are not being upheld by the employer.

5.21 If a suspension notice is awarded, the exit valuation will be deferred until the earlier of

- the end of suspension period, or;
- the point at which the suspension notice is withdrawn (for any reason).

5.22 If one or more new active members are admitted to the Fund the employer’s full participation in the Fund will resume.

5.23 During the period of any suspension notice, the employer must continue to make contributions to the Fund as certified in the rates and adjustments certificate.

Surplus on Exit

5.24 If the actuary has calculated a surplus at the exit date, Regulation 64(2ZA) requires the Administering Authority to pay the surplus to the exiting employer within three months of exit or, such longer time as the administering authority and the exiting employer may agree. Payment will only be made by BACS.

5.25 If the scheme employer and admission body wish to change the default position on the payment of an exit credit then they should include suitable provisions in any service agreement between themselves. The Regulations require the Administering Authority to pay the exit credit to the exiting employer in all circumstances and regardless of whether this might be considered fair in light of the relative risk and cost exposure of the parties.

5.26 When an exit credit payment is made, no further payments are due from the Administering Authority in respect of any surplus assets relating to the benefits of any current or former employees of the exiting employer.

North Yorkshire Pension Fund

Appendix 6

Risk Register: **May 2020 Review – summary**
Next Review Due: **November 2020**
Report Date: **3rd June 2020 (pw)**

Identity			Person		Classification														Fallback Plan	
					Pre						RR		Post							
Change	Risk Title	Risk Description	Risk Owner	Risk Manager	Prob	Obj	Fin	Serv	Rep	Cat	RRs	Next Action	Prob	Obj	Fin	Serv	Rep	Cat	FBPlan	Action Manager
▲	**44/4 - Pension Fund Solvency**	Solvency deteriorates due to liability growth exceeding expectations and / or underperforming investment returns, inappropriate actuarial assumptions, or adverse market conditions requiring a review of employer contributions, additional payments or extended recovery period	CD SR	CSD SR Senior Accountant Pensions	H	M	H	L	M	**1**	5	31/05/2020	M	M	H	L	M	**2**	Y	CSD SR Senior Accountant Pensions
◀▶	**44/222 - LGPS Pooling Transition**	Failure to transition effectively to new pooling arrangements resulting in poorer value for money; lower investment returns; and inability to effectively execute investment strategy.	CD SR	CSD SR Senior Accountant Pensions	M	M	H	L	H	**2**	6	30/11/2020	M	M	H	L	M	**2**	Y	CD SR
◀▶	**44/207 - Resources**	Insufficient staffing and system resources to adequately service the needs of the Fund resulting in delays, reduced performance and complaints	CD SR	CSD SR Senior Accountant Pensions CSD SR Head of Pensions Administration	H	M	M	M	M	**2**	4	30/11/2020	M	M	M	M	L	**4**	Y	CSD SR Senior Accountant Pensions CSD SR Head of Pensions Administration
◀▶	**44/8 - Investment Strategy (including Responsible Investment)**	Failure of the investment strategy to achieve sufficient returns from investments whilst maintaining assurances that investments are made in an environmentally and socially responsible manner	CD SR	CSD SR Senior Accountant Pensions	L	M	H	L	H	**3**	6	31/05/2020	L	M	H	L	H	**3**	Y	CSD SR Senior Accountant Pensions
◀▶	**44/20 - Fraud**	Internal and/or external fraud as a result of inappropriate pension administration, investment activity and cash reconciliation results in financial loss, loss of reputation	CD SR	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	L	L	H	L	M	**3**	6	30/11/2020	L	L	H	L	M	**3**	Y	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions
◀▶	**44/1 - Employer Contributions**	Failure to maintain sustainability and affordability of employer contributions and ensure those contributions are efficiently collected at the required times	CD SR	CSD SR Head of Pensions Administration	M	M	M	Nil	M	**4**	5	30/11/2020	M	M	M	Nil	M	**4**	Y	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions

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Risk Register: **May 2020 Review – summary**
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Identity			Person		Classification														Fallback Plan	
					Pre						RR		Post							
Change	Risk Title	Risk Description	Risk Owner	Risk Manager	Prob	Obj	Fin	Serv	Rep	Cat	RRs	Next Action	Prob	Obj	Fin	Serv	Rep	Cat	FBPlan	Action Manager
◀▶	**44/10 - Regulations and Legislation**	LGPS Regulations and Employer Related Legislation not interpreted and implemented correctly resulting in legal challenge	CD SR	CSD SR Head of Pensions Administration	M	L	L	L	M	**4**	2	30/11/2020	M	L	L	L	L	**5**	Y	CSD SR Senior Accountant Pensions CSD SR Head of Pensions Administration
◀▶	**44/11 - Benefit Payments**	Incorrect/late benefits and payments to members resulting in criticism, customer dissatisfaction, under/over payments	CD SR	CSD SR Head of Pensions Administration	M	L	L	L	M	**4**	5	30/11/2020	L	L	L	L	M	**5**	Y	CSD SR Head of Pensions Administration
◀▶	**44/16 - Key Personnel**	Loss and unavailability of key personnel, leading to potential knowledge gaps and delays to provision of advice as new personnel take on key roles resulting in reduced performance and complaints.	CD SR	CSD SR Senior Accountant Pensions CSD SR Head of Pensions Administration	M	M	L	M	M	**4**	3	30/11/2020	L	M	L	M	M	**5**	Y	CSD SR Senior Accountant Pensions CSD SR Head of Pensions Administration
◀▶	**44/14 - IT Systems**	Failure of IT Pension system or other IT systems for more than 2 days (or at a critical time) resulting in backlog, incorrect payments, increased overtime, criticism	CD SR	CSD SR Head of Pensions Administration	L	M	L	M	M	**5**	3	30/11/2020	L	M	L	M	M	**5**	Y	CSD SR Head of Pensions Administration
◀▶	**44/7 - Investment Manager**	Failure of a pension fund investment manager to meet adequate performance levels resulting in reduced financial returns, re-tendering exercise	CD SR	CSD SR Senior Accountant Pensions	L	M	M	L	L	**5**	5	30/11/2020	L	M	M	L	L	**5**	Y	CSD SR Senior Accountant Pensions

Key	
▲	Risk Ranking has worsened since last review.
▼	Risk Ranking has improved since last review
◀▶	Risk Ranking is same as last review
- new -	New or significantly altered risk

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Risk Register: **May 2020 Review – summary**
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Abbreviations		**Classifications**	
CD SR	Corporate Director Strategic Resources	Prob	Probability
CSD SR	Central Services Directorate Strategic Resources	Obj	Impact on Objectives
FB Plan	Fallback Plan	Fin	Financial Impact
LGPS	Local Government Pension Scheme	Serv	Impact on Services
IT	Information Technology	Rep	Reputational Impact
		Cat	Risk Category (1 Very High, 2 High, 3 Medium, 4 Medium/Low and 5 Low)
		RRs	Number of risk reduction actions to be carried out

Likelihood	
Probability	H = > 60% or Probable M = 30% to 60% or Possible L = < 30% or Unlikely
Impact	
Objectives	H = Three or four of the Fund's key objectives adversely impacted M = No more than two of the Fund's key objectives adversely impacted L = No more than one of the Fund's key objectives adversely impacted
Financial	H = Substantial/Over 2% increase in contribution rate or loss of major opportunity M = Notable/0.5%-2% increase in contribution rate or loss of notable opportunity L = Minor/Up to 0.5% increase in contribution rate or loss of some opportunity
Services	H = Widespread impact, 2/3 services affected, significant project slippage M = Declining Performance, notable inconvenience L = Minor service impact, resolved locally, minor inconvenience
Reputation	H = Significant Member/Employer complaints, national media M = Notable Member/Employer complaints, regional media, L = Some Member/Employer complaints, local adverse media coverage

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Appendix 7

North Yorkshire Pension Fund

Risk Register: **May 2020 Review – detailed**
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Phase 1 - Identification

Risk Number	44/4	**Risk Title**	44/4 - Pension Fund Solvency	**Risk Owner**	CD SR	**Manager**	CSD SR Senior Accountant Pensions
Description	Solvency deteriorates due to liability growth exceeding expectations and / or underperforming investment returns, inappropriate actuarial assumptions, or adverse market conditions requiring a review of employer contributions, additional payments or extended recovery period			**Risk Group**	Financial	**Risk Type**	

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; fixed income review; new rates provided for employers; high priority data quality actions have been completed; employer covenants completed as part of the 2019 triennial valuation; DfE as guarantor of academies;

Probability	H	**Objectives**	M	**Financial**	H	**Services**	L	**Reputation**	M	**Category**	1

Phase 3 - Risk Reduction Actions

		Action Manager	Action by	Completed	%
Reduction	44/6 - Consultation with Actuary re assumptions used and discuss and carry out action where necessary (ongoing); this has happened for the 2019 valuation	CSD SR Senior Accountant Pensions	Sun-31-May-20	Tue-31-Dec-19	100%
Reduction	44/7 - Regular review of investment strategy to maximise investments; ongoing action linked to triennial valuations; reviewed as part of the valuation but continues to be monitored quarterly and will need to consider post Covid recovery	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/551 - Continue to monitor risk around unguaranteed funds and pursue DfE for confirmation of their status as guarantor for Academies; DfE have expressed intention to be guarantor of last resort but prime action for any failed academy would be find a new trust/home for funds	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Sun-31-May-20	Tue-31-Mar-20	100%
Reduction	44/1909 - Continue with implementation of de-risking options in light of the current positive funding level	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1912 - Work through transition plan and new operational model for the new pensions pool; implemented post pool operating model and first funds transferred in May 2019; developing the sub funds to allow further transfers; still progressing through the timetable	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		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	44/428 - Increased contribution rate from employers and/or extend recovery period	CSD SR Senior Accountant Pensions

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Risk Register: **May 2020 Review – detailed**
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Phase 1 - Identification							
Risk Number	44/222	**Risk Title**	44/222 - LGPS Pooling Transition	**Risk Owner**	CD SR	**Manager**	CSD SR Senior Accountant Pensions
Description	Failure to transition effectively to new pooling arrangements resulting in poorer value for money; lower investment returns; and inability to effectively execute investment strategy.			**Risk Group**	Change Mgt	**Risk Type**	

Phase 2 - Current Assessment											
Current Control Measures	Pension Fund Committee involvement in key pooling decisions; NYPF officer involvement in pooling working groups; Periodic reporting of updates to the Pension Fund Committee; further detail behind the plans received; providing updates to the pension board on a quarterly basis around governance; legal advice on behalf on partner funds; key decision agreed by full council; pooling briefing provided to members;										
Probability	M	**Objectives**	M	**Financial**	H	**Services**	L	**Reputation**	H	**Category**	2

Phase 3 - Risk Reduction Actions		**Action Manager**	**Action by**	**Completed**	**%**
Reduction	44/161 - Consultation with advisors on the implication of pooling and advice on setting up arrangements including sub funds; ongoing fund advice being sought	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/166 - Ensure PFC, Pension Board and employers are kept up to date on pooling progress; pooling update on PFC agenda each quarter; keeping updated through current revised Covid PFC and Board arrangements	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/447 - Ensure that as the sub-funds are set up that we can invest into and the process of transition is developed, NYPF have as much involvement as possible to shape this and ensure that it is suitable for our needs; continue to establish due diligence prior to fund transfer for each asset class	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/553 - Continue to ensure that pooling transitions are made at optimum time to reduce exposure to market volatility and costs impact, especially key given covid related volatility	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/569 - Ensure that PFC continue to be involved in key pooling decisions and informed of transition progress	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1913 - Ensure post go live reporting and information is as required; working group looking at reporting needs; as and when we move funds the reporting will be checked and monitored	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		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	44/567 - No current alternative to pooling	CD SR

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Risk Register: **May 2020 Review – detailed**
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Phase 1 - Identification							
Risk Number	44/207	**Risk Title**	44/207 - Resources	**Risk Owner**	CD SR	**Manager**	CSD SR Senior Accountant Pensions CSD SR Head of Pensions Administration
Description	Insufficient staffing and system resources to adequately service the needs of the Fund resulting in delays, reduced performance and complaints			**Risk Group**	Capacity/performance	**Risk Type**	

Phase 2 - Current Assessment											
Current Control Measures	Recruited into accountant post (2019); restructure taken place and now bedding in										
Probability	H	**Objectives**	M	**Financial**	M	**Services**	M	**Reputation**	M	**Category**	2

Phase 3 - Risk Reduction Actions		**Action Manager**	**Action by**	**Completed**	**%**
Reduction	44/478 - Assess areas of greatest concern, mapping workload against available resource and engaging with Tech and Change on potential efficiencies from the process mapping exercises, "as is" mapping complete, "to be" and accountancy mapping to do and will continue to work on this as we go through the system procurement and development exercise; the 'to be' mapping can't be done until new system is procured, framework for which is created and ready	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Sun-28-Feb-21		0%
Reduction	44/479 - Develop plan to deal with identified resource gaps; finance mapping taking place as part of new system procurement	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/480 - Obtain sign off for any extra resource need identified	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1895 - Ensure new system procurement process delivers earliest possible realisation of anticipated benefits	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%

Phase 4 - Post Risk Reduction Assessment											
Probability	M	**Objectives**	M	**Financial**	M	**Services**	M	**Reputation**	L	**Category**	4

Phase 5 - Fallback Plan		**Action Manager**
Fallback Plan	44/553 - Obtain assistance from 3rd party administration provider.	CSD SR Senior Accountant Pensions CSD SR Head of Pensions Administration

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Risk Register: **May 2020 Review – detailed**
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Phase 1 - Identification

Risk Number	44/8	**Risk Title**	44/8 - Investment Strategy (including Responsible Investment)	**Risk Owner**	CD SR	**Manager**	CSD SR Senior Accountant Pensions
Description	Failure of the investment strategy to achieve sufficient returns from investments whilst maintaining assurances that investments are made in an environmentally and socially responsible manner			**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; fixed income review; impact of MiFID monitored; full review as part of the triennial review; Pool has a Responsible Investment Policy; NYCC strategy statement includes ethical investment policy

Probability	L	**Objectives**	M	**Financial**	H	**Services**	L	**Reputation**	H	**Category**	3

Phase 3 - Risk Reduction Actions

		Action Manager	Action by	Completed	%
Reduction	44/570 - Consider adopting the Responsible Investment Policy for NYCC; going to PFC in July for a decision	CSD SR Senior Accountant Pensions	Fri-31-Jul-20		0%
Reduction	44/571 - Continue to work to the UK stewardship code (currently a Tier 1 signatory to the seven principles)); need to consider the implications of the changed code as from 2021	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1876 - Continual review of the investment strategy and implement the recommendations, including consideration of pooling arrangements	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1878 - Quarterly monitoring of appropriateness of strategy against prevailing market conditions (including Covid and Brexit)	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1879 - Monitor the advisor and consultants reports and act on professional advice – ongoing given covid advice	CSD SR Senior Accountant Pensions	Sun-31-May-20		0%
Reduction	44/1909 - Continue with implementation of de-risking options in light of the current positive funding level	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%

Phase 4 - Post Risk Reduction Assessment

Probability	L	**Objectives**	M	**Financial**	H	**Services**	L	**Reputation**	H	**Category**	3

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; media management for any reputational incidents	CSD SR Senior Accountant Pensions

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Risk Register: **May 2020 Review – detailed**
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Phase 1 - Identification							
Risk Number	44/20	**Risk Title**	44/20 - Fraud	**Risk Owner**	CD SR	**Manager**	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions
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										
Probability	L	**Objectives**	L	**Financial**	H	**Services**	L	**Reputation**	M	**Category**	3

Phase 3 - Risk Reduction Actions		**Action Manager**	**Action by**	**Completed**	**%**
Reduction	44/572 - Veritau get the output from National Fraud Initiative and pursue any cases of concern for fraud	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/583 - Increase awareness within the teams of potential for the fraud during the Covid period	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1887 - Continually review processes and procedures including authorisation levels; being looked at again as part of the “to be” aspect of the system procurement and development exercise	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1888 - Ongoing internal audit assessment and annual review by external auditors; pension board has asked for expenditure to be look at; in progress	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1890 - Annual independent external audit of pension fund (separate from County Council) and carry out appropriate recommendations – will be carried out over summer	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1894 - Continue to review external manager audit and risk reports	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%

Phase 4 - Post Risk Reduction Assessment											
Probability	L	**Objectives**	L	**Financial**	H	**Services**	L	**Reputation**	M	**Category**	3

Phase 5 - Fallback Plan		**Action Manager**
Fallback Plan	44/434 - Review incident and update procedures/processes accordingly	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions

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Pensions

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Risk Register: **May 2020 Review – detailed**
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Phase 1 - Identification							
Risk Number	44/1	**Risk Title**	44/1 - Employer Contributions	**Risk Owner**	CD SR	**Manager**	CSD SR Head of Pensions Administration
Description	Failure to maintain sustainability and affordability of employer contributions and ensure those contributions are efficiently collected at the required times			**Risk Group**	Legislative	**Risk Type**	

Phase 2 - Current Assessment											
Current Control Measures	Ongoing consultation with Employers; manage the employer contributions through investment strategy; assumptions used in triennial valuation, cost sharing mechanism, funding strategy statement; letter going out advising caution on reductions on future budget position (re not taking payment holiday); Contribution Deferral Policy										
Probability	M	**Objectives**	M	**Financial**	M	**Services**	Nil	**Reputation**	M	**Category**	4

Phase 3 - Risk Reduction Actions					
		Action Manager	**Action by**	**Completed**	**%**
Reduction	44/555 - Work with employers where necessary to find solutions for contribution deferral due to cashflow issues as a direct result of COVID-19 and agree payment schedules to ensure contributions are fully paid by the end of the financial year	CSD SR Head of Pensions Administration	Mon-30-Nov-20		0%
Reduction	44/573 - Continue to review the employer contributions spreadsheet to seek to improve the chasing of late payments	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1821 - Continue to discuss contributions with the employers; employers will be provided with their new rates for the following three financial years and consultation will take place	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Fri-31-Jan-20	Fri-31-Jan-20	100%
Reduction	44/1880 - Maximise investments / returns by implementation of the investment strategy	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1882 - Consult with actuary throughout the 2019 triennial valuation process	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Sun-31-May-20	Tue-31-Mar-20	100%

Phase 4 - Post Risk Reduction Assessment											
Probability	M	**Objectives**	M	**Financial**	M	**Services**	Nil	**Reputation**	M	**Category**	4

Phase 5 - Fallback Plan		
		Action Manager
Fallback Plan	44/428 - Increased contribution rate from employers and/or extend recovery period	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions

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Risk Register: **May 2020 Review – detailed**
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Phase 1 - Identification

Risk Number	44/10	**Risk Title**	44/10 - Regulations and Legislation	**Risk Owner**	CD SR	**Manager**	CSD SR Head of Pensions Administration
Description	LGPS Regulations and Employer Related Legislation not interpreted and implemented correctly resulting in legal challenge			**Risk Group**	Performance	**Risk Type**	

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 mgt agreement; awareness of overriding legislation; broadening of knowledge across MT; LGE advice; nat. technical pension group provide advice; Trustees knowledge and understanding toolkit; Pensions Administration team structure reviewed; training feedback received in order to continually strengthen understanding; GDPR advice and training sessions; mandatory GDPR training for asset owners; impact of MiFID monitored

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 - Ongoing staff training programme, training schedule created and working through some distance issues regarding progression of staff	CSD SR Head of Pensions Administration	Mon-30-Nov-20		0%
Reduction	44/1910 - Continue to promote cross skilling within the section to improve resilience; rotations within the section paused due to Covid	CSD SR Head of Pensions Administration	Mon-30-Nov-20		0%

Phase 4 - Post Risk Reduction Assessment

Probability	M	**Objectives**	L	**Financial**	L	**Services**	L	**Reputation**	L	**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 Senior Accountant Pensions CSD SR Head of Pensions Administration

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Report Date: **3rd June 2020 (pw)**

Phase 1 - Identification							
Risk Number	44/11	**Risk Title**	44/11 - Benefit Payments	**Risk Owner**	CD SR	**Manager**	CSD SR Head of Pensions Administration
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; use of task checklists; ESS; payment timetable flowchart										
Probability	M	**Objectives**	L	**Financial**	L	**Services**	L	**Reputation**	M	**Category**	4

Phase 3 - Risk Reduction Actions		Action Manager	Action by	Completed	%
Reduction	44/476 - Complete creation and implementation of a data improvement plan; plan created, now implementing the action plan	CSD SR Head of Pensions Administration	Tue-31-Mar-20	Sat-30-Nov-19	100%
Reduction	44/556 - Complete system review and process mapping in readiness for new system procurement exercise; "as is" mapping complete March 20	CSD SR Head of Pensions Administration	Mon-30-Nov-20		0%
Reduction	44/1893 - Improved communication with employers, with particular regard to customer expectations; charging has been introduced employer relationship role created in the team	CSD SR Head of Pensions Administration	Mon-30-Nov-20		0%
Reduction	44/1896 - Regular liaison with ESS regarding operational arrangements; will continue holding monthly meetings to ensure understanding of the issues on both sides leading to continued improvement; ongoing via employer relationship role	CSD SR Head of Pensions Administration	Mon-30-Nov-20		0%
Reduction	44/1911 - Continue to implement the plans for the managed reduction of outstanding work	CSD SR Head of Pensions Administration	Mon-30-Nov-20		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 Head of Pensions Administration

North Yorkshire County Council
Risk Management Service

North Yorkshire Pension Fund

Risk Register: **May 2020 Review – detailed**
Next Review Due: **November 2020**
Report Date: **3rd June 2020 (pw)**

Phase 1 - Identification

Risk Number	44/16	**Risk Title**	44/16 - Key Personnel	**Risk Owner**	CD SR	**Manager**	CSD SR Senior Accountant Pensions CSD SR Head of Pensions Administration
Description	Loss and unavailability of key personnel, leading to potential knowledge gaps and delays to provision of advice as new personnel take on key roles resulting in reduced performance and complaints.			**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; increase resources agreed in finance team; Joint Head of Pension Fund Investments appointed;

Probability	M	**Objectives**	M	**Financial**	L	**Services**	M	**Reputation**	M	**Category**	4

Phase 3 - Risk Reduction Actions

		Action Manager	Action by	Completed	%
Reduction	44/1905 - Continue to build resilience, particularly at Senior Accountant level, to meet current and anticipated future demands and complexity, accountant in place	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1907 - Carry out appropriate induction and ongoing training for new PFC members	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1908 - Ensure inclusion of key personnel with relevant external advisers or feedback from such meetings/telephone calls (on going)	CSD SR Head of Pensions Administration CSD SR Senior Accountant Pensions	Mon-30-Nov-20		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	44/441 - Identify temporary cover arrangements plus additional resources where required	CSD SR Senior Accountant Pensions CSD SR Head of Pensions Administration

North Yorkshire County Council
Risk Management Service

North Yorkshire Pension Fund

Risk Register: **May 2020 Review – detailed**
Next Review Due: **November 2020**
Report Date: **3rd June 2020 (pw)**

Phase 1 - Identification

Risk Number	44/14	**Risk Title**	44/14 - IT Systems	**Risk Owner**	CD SR	**Manager**	CSD SR Head of Pensions Administration
Description	Failure of IT Pension system or other IT systems for more than 2 days (or at 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, modern council; modern council working to aid resilience,

Probability	L	**Objectives**	M	**Financial**	L	**Services**	M	**Reputation**	M	**Category**	5

Phase 3 - Risk Reduction Actions

		Action Manager	**Action by**	**Completed**	**%**
Reduction	44/477 - Ensure business continuity and system resilience matters are appropriately considered with the procurement exercise for the new pension system	CSD SR Head of Pensions Administration	Mon-30-Nov-20		0%
Reduction	44/1884 - Ensure that contingency planning arrangements are regularly reviewed and updates logged on the corporate system; running with contingency arrangements through Covid situation	CSD SR Head of Pensions Administration	Mon-30-Nov-20		0%
Reduction	44/1898 - Sense check any IT recovery assumptions with Tech & Change run systems	CSD SR Head of Pensions Administration	Mon-30-Nov-20		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 Head of Pensions Administration

North Yorkshire County Council
Risk Management Service

North Yorkshire Pension Fund

Risk Register: **May 2020 Review – detailed**
Next Review Due: **November 2020**
Report Date: **3rd June 2020 (pw)**

Phase 1 - Identification

Risk Number	44/7	**Risk Title**	44/7 - Investment Manager	**Risk Owner**	CD SR	**Manager**	CSD SR Senior Accountant Pensions
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; diversified portfolio of investments;										
Probability	L	**Objectives**	M	**Financial**	M	**Services**	L	**Reputation**	L	**Category**	5

Phase 3 - Risk Reduction Actions

		Action Manager	Action by	Completed	%
Reduction	44/574 - Closer monitoring of the managers where NYCC only funds are being reduced / removed.	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1873 - Continue to monitor and report on investment returns on a regular basis	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1874 - Continue to meet/report to PFC by Fund Managers and assess critical analysis by advisers	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1875 - When pool options are unavailable, carry out a tender exercise and use best practice procurement process to ensure positive outcome re new investment manager(s)	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%
Reduction	44/1913 - Ensure post go live reporting and information is as required; working group looking at reporting needs; as and when we move funds the reporting will be checked and monitored	CSD SR Senior Accountant Pensions	Mon-30-Nov-20		0%

Phase 4 - Post Risk Reduction Assessment

Probability	L	**Objectives**	M	**Financial**	M	**Services**	L	**Reputation**	L	**Category**	5

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 Senior Accountant Pensions

North Yorkshire County Council
Risk Management Service

NORTH YORKSHIRE PENSION FUND

RISK MANAGEMENT POLICY

TABLE OF CONTENTS

1.0 INTRODUCTION

1.1 North Yorkshire County Council (NYCC, the Council) is the statutory administering authority for the North Yorkshire Pension Fund (NYPF, the Fund), which is part of the Local Government Pension Scheme (LGPS). All aspects of the Fund's management and administration are overseen by the Pension Fund Committee (PFC), which is a committee of the Council.

1.2 The primary objective of the Fund is to provide retirement benefits specified by the LGPS regulations for staff working for local authority employers, and other employers admitted by agreement, in the North Yorkshire area. Investments of the Fund are selected with the aim of fully funding these benefit requirements over an extended number of years.

1.3 The day to day running of the Fund is delegated to the Treasurer, Corporate Director – Strategic Resources of the Council. The Treasurer is responsible for implementing the decisions of the PFC and is supported by specific teams within the Council. All aspects of the day to day management of investment funds are undertaken by external fund managers.

1.4 Risk, uncertainty and change create challenges to the Fund meeting its objectives. Risks, whether recognised or unforeseen, create a threat to achieving performance targets and change. Uncertainty and change, when considered thoroughly however, can also provide the opportunity to introduce new, innovative and effective ways to manage the Fund.

1.5 This Risk Management Policy has been developed by officers of the Fund and sets out the Fund’s strategic approach to effective risk management. The Policy is to be approved at least every 3 years by the PFC, as responsibility for the Fund’s risk management rests with them.

2.0 RISK MANAGEMENT DEFINITION

2.1 A ‘risk’ is the chance or possibility of loss, damage, injury or failure to achieve objectives caused by an unwanted or uncertain action or event.

2.2 ‘Risk Management’ is the approach to managing all of the Pension Fund’s key service risks and opportunities with the aim of maximising service delivery effectiveness and efficiency. Risk management is critical to the overall management of the Pension Fund, including the management of staff, physical assets and financial resources.

2.3 Risk management is not about being ‘risk averse’, it is about being ‘risk aware’. The Fund recognises that it is not necessary to eliminate risk entirely, risks are necessary to achieve the objectives of the Fund, for example, investment return targets. It is important to weigh up the risk against the opportunities that can be gained.

3.0 RISK OBJECTIVES OF THE FUND

3.1 The Fund’s risk management objectives are:

- to continue to embed risk management into the culture of the Fund and all of its day-to-day activities
- to manage risk in accordance with best practice and support well considered risk taking
- to aim to reduce the overall cost of risk to the Fund
- to continue to raise awareness of the need for risk management with all those involved in the management of the Fund
- to maintain a robust framework and processes for identifying risks and their likely impact to inform the decision making of the Fund

4.0 BENEFITS OF RISK MANAGEMENT

4.1 It is expected that if the Fund objectives above are being met that the following benefits will be realised:

- an established and reliable basis for decision making that can be justified
- improved governance of the Fund
- enhanced financial control of the Fund
- strengthened ability to meet the key objectives and targets of the Fund
- improved service for the members of the Fund
- supports innovation and allows the flexibility to be responsive to change
- avoids surprises and minimises loss and waste
- improved reputation of the Fund

5.0 APPROACH TO RISK MANAGEMENT

5.1 Risk management is integral to all aspects of the management of the Fund. The Fund is committed to embedding risk management in all decision making. As such risk management is reflected in all of the Fund's policies, including the following key policies:

- Investment Strategy Statement
- Funding Strategy Statement
- NYPF Annual Report and Accounts

5.2 The Fund operates within the risk framework of the Administering Authority. A Pension Fund Risk Register has been established that feeds into the NYCC Risk Register. This Risk Register identifies and analyses the risks faced by Fund. It covers a broad range of risks including both strategic, investment related risks and operational risks.

5.3 The NYCC standard risk evaluation approach has been adopted by the Fund to allow risk prioritisation and effective allocation of resources. Once risks have been identified and included on the risk register they are assigned a risk ranking, which will be red, amber or green. The ranking matrix is shown in the table below:

Probability	Risk Ranking			
High	6	4	2	1
Med	6	5	4	2
Low	6	5	5	3
Nil	6	6	6	6
	Nil	Low	Med	High
	Highest Impact			

Category	
1	Very High
2	High
3	High Medium
4	Low Medium
5	Low
6	Closed/Complete

5.4 Each risk is ranked based on the following:

- existing risk controls in place
- probability of the risk occurring (based on existing controls)
- impact of the risk occurring (based on existing controls)
- further risk controls which may reduce current probability or impact

5.5 The probability and impact/severity of each risk is measured using High, Medium and Low categories based on thresholds set for each category. These thresholds are reviewed periodically to ensure they remain appropriate. The impact of risks occurring is split into the following 4 distinct areas:

1. failure to meet key objectives
2. financial impact
3. service delivery
4. loss of image or reputation

5.6 **Review**

5.6.1 The risk register is reviewed twice yearly in a risk workshop, attended by Pension Fund officers and officers from the NYCC Risk Management Section, to reflect changes in activity and in market conditions. An overarching risk, considering key Pension Fund risks, is also included on the NYCC Strategic Resources risk register which is reviewed twice yearly by the Corporate Director- Strategic Resources.

5.6.2 The Risk Register is also taken to the Pension Board every 6 months for review and is approved annually by the PFC. As with all of the Fund's governance documents; the risk register is also reviewed annually by the Fund's Independent Professional Observer.

5.7 **Risk Appetite**

5.7.1 The Fund accepts that it will face risks in order to achieve its objectives. However, it will not tolerate those risks which are assessed as having a high likelihood of causing a substantial impact on its financial position or services and/or lead to widespread member or employer complaints (category 1 risks in the table above). Any such risk identified will need to have a risk reduction plan developed and monitored by the PFC and implemented by the risk manager in order to ensure that the risk returns to a tolerable level within an acceptable timescale.

5.8 **Responsibilities**

5.8.1 The responsibility and accountability for managing the risks within the Pension Fund lies with the PFC.

5.8.2 Officers involved in the daily management of the Fund are also integral to managing risk for the Fund, and will be required to have appropriate understanding of risk management relating to their roles.

5.8.3 Advisers and suppliers to the Fund are also expected to be aware of this Policy.

~~10 November~~June ~~2017~~2020

North Yorkshire Pension Fund

Pensions Administration Strategy

April ~~2019~~2020

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

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Pensions Administration Strategy

1.0 Purpose of Strategy

This Strategy sets out the administration protocols between employers and the North Yorkshire Pension Fund (NYPF). ~~-~~The protocols aim to ensure the cost effective running of the Local Government Pension Scheme (LGPS) and the best service possible for LGPS members. The protocols ensure that the statutory requirements and timescales imposed upon both employers and the NYPF can be met and therefore must be followed at all times.

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 the NYPF. The term NYPF is used collectively to reflect all of the above roles within NYCC. The Pension Board also exists to assist the Administering Authority in ensuring that the NYPF is managed and administered effectively and efficiently and complies with pensions' legislation and requirements imposed by the Pensions Regulator.

2.0 Regulatory Background

The protocols cannot override any provision or requirement in the ~~Regulations~~ regulations outlined below or in any other relevant legislation.

This Strategy is made under regulation 59 of the Local Government Pension Scheme ~~(LGPS)~~ Regulations 2013. The principal ~~Regulations~~ regulations underpinning this document are:

- ~~The~~ the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014
- ~~The~~ the Local Government Pension Scheme Regulations 2013
- ~~The~~ the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (and any amendments thereto)
- ~~The~~ the Local Government Pension Scheme (Administration) Regulations 2007
- ~~The~~ the Local Government Pension Scheme (Transitional Provisions) Regulations 2007
- ~~The~~ the Local Government Pension Scheme (Transitional Provisions) Regulations 1997 (and any amendments thereto)
- ~~The~~ the Local Government Pension Scheme Regulations 1997 (and any amendments thereto)
- ~~The~~ the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (and any amendments thereto)
- ~~The~~ the Occupational Pension Schemes (Disclosure of Information) Regulations 1996 (and any amendments thereto)
- the Occupational Pension Schemes (Preservation of Benefit) Regulations 1991
- the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 ("the
- Disclosure Regulations")
- the Pensions Act 1995
- the Pensions Act 2004
- the Pensions Act 2008
- the General Data Protection Regulation 2018
- the Finance Act 2004
- the Automatic Enrolment (Miscellaneous Amendment) Regulations 2013
- the Public Service Pensions (Record Keeping and Miscellaneous Amendments) Regulations 2014 including amendments to any of these Regulations

3.0 Review of the Strategy

This Strategy will be kept under review by the NYPF.

Employers may submit suggestions to improve any aspect of this Strategy at any time.

The Pension Fund Committee and the Pension Board will be asked by the NYPF to formally review and approve the Strategy on an annual basis.

4.0 Performance Levels

Performance level agreements are set out in this document for both employers and the NYPF. These will be reviewed annually and employers will be consulted regarding any changes.

This Strategy is the agreement between the NYPF and employers about the levels of performance and associated matters to ensure that the statutory requirements and timescales can be met at all times.

Performance is monitored and reported quarterly to the Pension Fund Committee. Performance of both employers and the NYPF will also be reported in the pension fund annual report and accounts.

5.0 Responsibilities and Duties of the Employer

5.1 Contact Person

The employer will nominate a person to act as the primary contact with the NYPF. The employer will notify the NYPF ~~Management~~ management team who that person is and ensure that changes of the nominated person are notified to the NYPF immediately.

5.2 Authorised Signatories

Each employer is required to provide a list of nominated individuals to act as authorised signatories whose names and specimen signatures are held by the NYPF. In signing a document an authorised officer is certifying that the form comes from the employer stated and also that the information being provided has been validated and is correct. Consequently if an authorised signatory is certifying information that someone else has completed, they should be satisfied that the correct validation process has been followed and the information is correct.

It is the employer's responsibility to ensure that details of the nominated contact and authorised signatories are correct and to notify the NYPF of any changes immediately. Failure to update authorised signatories will delay payment of pension benefits.

5.3 Disclosure and Pensions Regulator Requirements

The Pensions Regulator details specific requirements for public sector pension schemes set out in the 'Code of Practice No.14'. Paragraphs 128 – 130 refer to the need for employers to understand and comply with the scheme manager's processes to ensure that the statutory requirements and timescales can be met at all times.

From time to time the NYPF's auditors may request member data. They may also request an employer site visit to carry out audits such as ensuring that correct and accurate pay calculations have been carried out. Employers are asked to co-operate with these requests.

In the event of the NYPF being fined by the Pensions Regulator, this fine will be passed on to the employer where that employer's actions caused the fine. Examples of this would be, failure to provide leaver details on time or failure to provide sufficient and accurate year end information leading to delays in issuing Annual Benefit Statements and Pensions Saving Statements.

5.4 **Employee's Guide**

Under the Occupational Pension Schemes (Disclosure of Information) Regulations 2013 the employer must ensure that all new employees eligible to join the LGPS receive a copy of the Employees' Guide to the scheme as follows:

- Where you have received jobholder information, the Guide must be given within one month of the date that information was received.
- Where you have not received jobholder information, the Guide must be given within two months of the date the person became an active member of the scheme.

The guide is available on the NYPF website at https://www.nypf.org.uk/newStarter/default.shtml where you can signpost new members to view and/or download it. Email and paper communications are also acceptable.

5.5 **Member details – Employer performance levels**

The employer **must** forward notifications to the NYPF using the forms on the employer pages of the NYPF website as follows:

Event	**Timescale for employer notifying the NYPF**
New starters **(Employer Pen11 form)**	**Within one month of the employee joining**
Change in member's details **(Change of Members Personal Details form)**	**Within 6 weeks of the event**
Leavers **(SU5 form)**	**Within 6 weeks of the employee leaving**
Advanced Notification of Retirement **(ADNOT form)**	As early as possible but at~~At~~ **least 30 days before the last day of employment**
Retirements **(SU5 form)**	**No later than one month following retirement** Disclosure Regulations require that when a retirement takes place before Normal Pension Age (NPA) the NYPF receives the SU5 no later than one month after the date of retirement. Where a retirement takes place on or after NPA, the NYPF receives the SU5 no more than 20 days after the date of retirement.
Death in Service	**Within 3 working days of the employer being notified of the death of the member**

5.6 **Year-end information**

The employer (or their payroll contractor/agency for which the employer is responsible) shall provide the NYPF with final salary (where applicable) and Career Average Revalued Earnings (CARE) year-end information as at 31 March each year in a notified format (provided by the NYPF) no later than 30 April or the next working day. The employer will certify that the appropriate checks for accuracy and completeness have been carried out before submitting to the NYPF.

The Council's Integrated Finance team also requires 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.

Field Code Changed

5.7 **Contribution deductions**

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

5.8 **Payment of contributions to the NYPF**

Contributions (but not Prudential Additional Voluntary Contributions) should be paid by BACS each month to the NYPF.

All funds due to the NYPF in respect of employees and employers contributions must be cleared in the NYPF bank account by the 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 employers who currently pay by cheque must therefore ensure the cheque is received by the NYPF by the 14th of the month (or the last working day before where the 14th is not a working day).

The employer must email a monthly return to pension.contributions@northyorks.gov.uk, in advance of their payment. The monthly return is in a prescribed format and is provided by the Integrated Finance team. The form must state the employers name and reference number, the period and the amount of the payment split between employee and employer contributions. The employer's contributions should be split between future service rate and where applicable, past service deficit. In addition, it should include the total pensionable pay, details of added-years contributions, Additional Regular contributions, Additional Pension Contributions and any other payroll related adjustments.

Field Code Changed

The following charges will apply for employers failing to meet the deadlines above.

Late payment of contributions	Late submission of monthly return
£100 will be charged for each full month a payment is delayed beyond its due date Plus A **daily** interest charge of 1% above the bank base rate for each day the payment is overdue. This charge will only be triggered when payment is overdue by one month or more	£100 will be charged for each full month a monthly return is delayed beyond its due date

For persistent breaches the employer will, as a matter of last resort, be reported to the Pensions Regulator. In the event of the NYPF being fined by the Pensions Regulator, this fine will be passed on to the employer where that employer's actions caused the fine.

5.9 **Additional Voluntary Contributions (AVCs)**

The employer will pay additional voluntary contributions to the AVC Provider, Prudential, within one week of them being deducted. Under the Pensions Act 2004 the Pensions Regulator may be notified if contributions are not received by 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.

In the event of the NYPF being fined by the Pensions Regulator, this fine will be passed on to the employer where that employer's actions caused the fine.

5.10 **Discretionary Powers**

It is a mandatory requirement that each employer is required to formulate and publish a discretions policy to enable them to exercise the discretionary powers given to them by the ~~Regulations~~regulations. The ~~Regulations~~ regulations also require that a copy of the policy is lodged with the NYPF. Any subsequent changes to the policy must be published and copied to the NYPF within one month of the change.

Employers will be responsible for responding to member complaints where a failure to maintain relevant employer policies results in a dispute case. This will include complying with the Internal Dispute Resolution procedure, where appropriate, and paying the associated fees for appointing a specified person.

5.11 **Employer Decisions**

Certain aspects of the ~~Regulations~~ regulations require an employer decision. The employer is responsible for implementing such areas correctly, (e.g. deduction of contributions at the correct rate, notifying the employee when the rate changes and their right to appeal).

5.12 **Independent Registered Medical Practitioner**

The employer is responsible for determining and employing their own appropriately qualified independent registered medical practitioner (IRMP) and providing details of those practitioners to the NYPF (see also **paragraph 6.4**). See the Pensions Ombudsman Service newsletter for useful information on the role of the IRMP.

5.13 **Employer responsibility for information provided to the NYPF**

The NYPF is not responsible for verifying the accuracy of any information provided by the employer (including year end data) for the purpose of calculating benefits under the provisions of the LGPS and the Discretionary Payments Regulations. The employer is solely responsible for ensuring that information has been validated and is correct. Failure to provide accurate and up to date information will delay payment of pension benefits.

Any over payment made by the NYPF resulting from inaccurate information supplied by the employer shall be recovered by the NYPF from the employer.

The employer is responsible for any work carried out on its behalf by another section of their organisation or by a contractor appointed by them (e.g. Pay or Human Resource sections).

5.14 **General Data Protection Regulation**

Under the General Data Protection Regulation (GDPR), the employer will protect from improper disclosure any information about a member included (where applicable) on any item sent from the NYPF. It will also only use information supplied or made available by the NYPF for the operation of the LGPS. Any data the employer shares with the NYPF must be adequately protected in line with the requirements of the GDPR.

5.15 **Internal Dispute Resolution Procedure**

The employer must identify a 'specified person' for any instances where an Internal Dispute Resolution Procedure (IDRP) application is submitted against the employer and meet the associated costs. The NYPF has an independent specified person who is available for employers to refer cases to.

5.16 **Fines imposed on NYPF**

In the event of the NYPF being fined by the Pensions Regulator, the Pensions Ombudsman, HMRC or other organisation, 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.

5.17 **Charges to the employer**

The NYPF will under certain circumstances consider giving written notice to employers under regulation 70 on account of the employer's unsatisfactory performance in carrying out its scheme functions when measured against levels of performance established under **paragraph 5.5** above. ~~-~~The written notice may include charges imposed by the NYPF for chasing employers for outstanding information as detailed in the NYPF Charging Policy.

6.0 Responsibilities and Duties of the NYPF

6.1 **Regulatory Issues**

The NYPF will administer the Pension Fund in accordance with the LGPS ~~Regulations~~ regulations and any overriding legislation including employer discretions.

The NYPF will issue a membership certificate to new members; this provides notification to members that they have joined the NYPF.

The NYPF is responsible for exercising the discretionary powers given to it by the regulations. The NYPF is also responsible for publishing its policy in respect of the key discretions as required by the regulations.

6.2 **NYPF Performance Levels**

The 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

6.3 **Support to Employers**

The NYPF will support employers in running the LGPS by:

- providing a dedicated employer relationship manager
- providing information, advice and assistance on the scheme and its administration
- distributing regular technical information
- arranging North Yorkshire Pension Fund Officers Group (NYPFOG) meetings/training sessions as required
- delivering adhoc training sessions
- attending pre-retirement seminars
- maintaining an up to date and comprehensive website

See the Communications Policy for full details.

6.4 **Independent Registered Medical Practitioner**

The NYPF will verify that the individuals nominated by the employer (in accordance with **paragraph 5.12**) as independent registered medical practitioners are appropriately qualified to deal with ill health retirement cases.

6.5 **Services to Members**

The NYPF will produce benefit statements for members each year where the employer has submitted useable and accurate year-end financial data.

The NYPF will provide a service to members that meets the requirements of the Occupational Pension Schemes (Disclosure of Information) Regulations 2013.

In addition, the NYPF will communicate with members through appropriate media and encourage at all times the use of member self-service facilities. Full details are provided in the Communications Policy.

6.6 **Multiple Language Literature**

The process for providing multiple language literature has been established and all documents have been amended to include reference on how to obtain an alternative version.

6.7 **Data Protection Act 2018**

Under the Data Protection Act 2018, the NYPF will protect from improper disclosure any information held about a member. Information held will only be used by the NYPF for the operation of the LGPS. Any data shared by the NYPF will be adequately protected in line with the requirements of the act.

6.8 **Internal Dispute Resolution**

The NYPF has identified a 'specified person' for any Internal Dispute Resolution (IDRP) application that is submitted against the Administering Authority.

7.0 Contribution Rates and Administration Costs

The members' contribution rates are fixed within bands by the ~~Regulations~~regulations. The NYPF will notify employers of these rates each year.

Employers' contribution rates are determined by a triennial valuation process. Employers are required to pay contributions to secure the solvency of their portion of the Fund and meet their liabilities over an agreed term.

The 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 contribution rate and, where applicable, the deficit amount for each employer. Employer contribution rates and, where applicable, the deficit amounts apply for 3 years. Some admission agreements may determine that reassessment should take place on a more frequent basis.

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

If the NYPF undertakes work specifically on behalf of the employer, the employer will be charged directly for the cost of that work as detailed in the NYPF Charging Policy.

8.0 Communications

In accordance with the Fund's Communications Policy, the NYPF will work with employers to communicate relevant information to members.

9.0 Notifying Employers of a Change in Policy

The NYPF maintains a list of key contacts at each employer, this Strategy document will be shared with the key contacts each time it is updated.

North Yorkshire Pension Fund (NYPF)

Administering Authority Discretions
for
North Yorkshire County Council
April 2020

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

Discretions from 1 April 2014 in relation to post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members), under:

R = Local Government Pension Scheme Regulations (LGPS) 2013 (SI 2013/2356)
TP = LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 (SI 2014/525)
A = LGPS (Administration) Regulations 2008 (SI 2008/239
B = LGPS (Benefits, Membership and Contributions) Regulations 2007 (as amended) (SI 2007/1166)
T = LGPS (Transitional Provisions) Regulations 2008 (SI 2008/238)
L = LGPS Regulations 1997 (as amended) (SI 1997/1612)

Discretion	Regulation	Exercised by	Agreed Discretion
Whether to agree to an admission agreement with a body applying to be an admission body	**R**3(1A) **R**3(5) & **R**Sch 2, Part 3, para 1	Admin. Authority	The administering authority will enter into admission agreements to allow certain non-local government employers to participate in the fund with the agreement of the Pension Fund Committee providing all criteria of the administering authority can be met. The criteria include supplying financial protection to the Pension Fund in the form of a guarantor or bond and subsumption commitment. However, if the employer is a 'transferee admission body' and there is an obligation to enter into an admission agreement one will be set up providing the criteria are met.
Whether to agree to an admission agreement with a Care Trust, NHS Scheme or Care Quality Commission	**R**4(2)(b)	Admin. Authority	Applications will be considered by the Pension Fund Committee following the provision of all required information from the relevant body including actuarial advice. The potential admission body must cover the cost of obtaining information and advice.
Whether to agree that an admission agreement may take effect on a date before the date on which it is executed	**R**sch2, Parts 3, para 14	Admin. Authority	An admission agreement will take effect from the date it is executed at the earliest. Requests to backdate an admission agreement will be looked at on a case by case basis.

Whether to terminate an admission agreement in the event of - insolvency, winding up or liquidation of the body - breach by that body of its obligations under the admission agreement - failure by that body to pay over sums due to the Fund within a reasonable period of being requested to do so	**R**Sch2, Part 3, para 9(d)	Admin. Authority	A decision will be made following receipt of actuarial and legal advice. The principles in the NYPF Admissions and Terminations Policy will be applied when carrying out calculations to assess the funding levels.
Define what is meant by "employed in connection with"	**R**Sch2, Part 3, para 12 (a)		Mainly or wholly employed in connection with the relevant service area relating to the original outsourcing contract or transfer agreement.
Whether to turn down a request to pay an APC/SCAPC over a period of time where it would be impractical to allow such a request (e.g. where the sum being paid is very small and could be paid as a single payment)	**R**16(1)	Admin. Authority	The administering authority will not impose a level but will instead allow individual Scheme employers to determine what is achievable on individual payroll systems. The administering authority reserves the right to impose a single lump sum payment where lost pay is less than 1% of gross annual pay.
Whether to require a satisfactory medical before agreeing to an application to pay an APC/SCAPC	**R**16 (10)	Admin. Authority	The administering authority has determined that any election to pay an APC/SCAPC (to buy additional pension) must be subject to the employee passing a medical examination carried out by a medical practitioner approved by the Pension Fund. The cost of the medical examination is to be met by the employee.

Whether to turn down an application to pay an APC/SCAPC if not satisfied that the member is in reasonably good health	**R**16(10)	Admin. Authority	The administering authority has determined that any election to pay an APC/SCAPC (to buy additional pension) must be subject to the employee passing a medical examination carried out by a medical practitioner approved by the Pension Fund. The cost of the medical examination is to be met by the employee. If the employee does not pass the medical examination the application will be turned down.
Decide to whom any AVC/SCAVC monies (including life assurance monies) are to be paid on death of the member	**R**17(12)	Admin. Authority	The administering authority will make payment in line with the action to be taken for the payment of the main scheme death grant payable.
Pension account may be kept in such form as is considered appropriate	**R**22(3)©	Admin. Authority	The administering authority will maintain a pension account for each LGPS member using the Fund's software provider's administration module, based on information supplied by the relevant Scheme employer.
Where there are multiple ongoing employments, in the absence of an election from the member within 12 months of ceasing a concurrent employment, decide to which record the benefits from the ceased concurrent employment should be aggregated	**TP**10(9)	Admin. Authority	The administering authority will apply the method which is most beneficial for the member.
Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement	**R**30(8)*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not waive any actuarial reduction on benefits paid on flexible retirement.

Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member only has post 31 March 2014 membership)	**R**30(8)*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not waive any actuarial reduction on benefits paid which a member voluntarily draws before normal pension age
Whether to require any strain on Fund costs to be paid "up front" by employing authority following payment of benefits under **R**30(6) (flexible retirement), **R**30(7) (redundancy/business efficiency), or the waiver (in whole or in part) under **R**30(8) of any actuarial reduction that would otherwise have been applied to benefits which a member voluntarily draws before normal pension age or to benefits drawn on flexible retirement	**R**68(2)	Admin. Authority	Any cost will be paid by the Scheme employer over a period agreed between the administering authority and the Scheme employer. Payment can be made in full as a one off sum at retirement or in instalments over 3 years or over 5 years. The cost will be increased in line with guidance from the Fund Actuary where payment is not made as a single sum at the time of retirement. However the payment of costs by admission bodies will usually be required in full as a one off sum at retirement.
Whether to "switch on" the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60 (other than on the grounds of flexible retirement).	**TP**Sch 2, para 1(2) & 1(1) (c)*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not switch on the 85 year rule for any employee voluntarily drawing benefits on or after age 55 and before age 60

Whether to waive any actuarial reduction for a member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1 April 2014 and post 31 March 2014 membership): a) on compassionate grounds (pre 1 April 2014 membership) and in whole or in part on any grounds (post 31 March 2014 membership) if the member was not in the Scheme before 1 October 2006, b) on compassionate grounds (pre 1 April 2014 membership) and in whole or in part on any grounds (post 31 March 2014 membership) if the member was in the Scheme before 1 October 2006, will not be 60 by 31 March 2016 and will not attain 60 between 1 April 2016 and 31 March 2020 inclusive, c) on compassionate grounds (pre 1 April 2016 membership) and in whole or in part on any grounds (post 31 March 2016 membership) if the member was in the Scheme before 1 October 2006 and will be 60 by 31 March 2016, d) on compassionate grounds (pre 1 April 2020 membership) and in whole or in part on any grounds (post 31 March 2020 membership) if the member was in the Scheme before 1 October 2006, will not be 60 by 31 March 2016 and will attain 60 between 1 April 2016 and 31 March 2020 inclusive	**TP**3(1) **TP**Sch 2, para 2(1), **B**30(5) and **B**30A(5)*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not waive any actuarial reduction and will pay any pension strain costs arising out of a member voluntarily drawing benefits before normal pension age

Whether to require any strain on Fund costs to be paid "up front" by employing authority if the Scheme employer"switches on" the 85 year rule for a member voluntarily retiring (other than flexible retirement) prior to age 60, or waives an actuarial reduction on compassionate grounds under TPSch 2, para 2(1)	**TP**Sch 2, para 2(3)	Admin. Authority	Any cost will be paid by the Scheme employer over a period agreed between the administering authority and the Scheme employer. Payment can be made in full as a one off sum at retirement or in instalments over 3 years or over 5 years. The cost will be increased in line with guidance from the Fund Actuary where payment in not made as a single sum at the time of retirement. However the payment of costs by admission bodies will usually be required in full as a one off sum at retirement.
Whether to extend the time limits within which a member must give notice of the wish to draw benefits before normal pension age or upon flexible retirement	**R**32(7)	Admin. Authority	The time limit will not be extended unless there is evidence of administrative shortcomings.
Decide whether to trivially commute a member's pension under section 166 of the Finance Act 2004 (includes pensions credit members where the effective date of the PSO is after 31 March 2014 and the debited member has some post 31 March 2014 membership of the scheme	**R**34(1)(a)	Admin. Authority	The administering authority has determined that where the total pension is within HMRC limits small pensions will be commuted on request of the member.
Decide whether to trivially commute a lump sum death benefit under section 168 of the Finance Act 2004	**R**34(1)(b)	Admin Authority	The administering authority has determined that where the total pension is within HMRC limits small pensions will be commuted on request of the member's beneficiary.

Decide whether to pay a commutation payment under regulations 6 (payment after relevant accretion), 11 (de minimis rule for pension schemes) or 12 (payments by larger pension schemes) of the Registered Pension Schemes (Authorised Payments) Regulations 2009 (excludes survivor pensions and includes pension credit members where the effective date of the Pension Sharing Order is after 31 March 2014 and the debited member had some post 31 March 2014 membership of the 2014 Scheme)	**R**34(1)(c)	Admin Authority	The administering authority has determined that where the total pension is within HMRC limits small pensions will be commuted on request of the member.
Approve medical advisors used by employers (for ill health benefits)	**R3**6(3)	Admin. Authority	The administering authority must give approval to a Scheme employer as to their choice of medical practitioner.
Decide whether deferred beneficiary meets criteria of being permanently incapable of former job because of ill health and is unlikely to be capable of undertaking gainful employment before normal pension age or for at least three years, whichever is sooner	**R**38(3)	Employer (or Admin. Authority where Employer has become defunct	The administering authority will be guided by the recommendation of an Independent Registered Medical Practitioner (IRMP).
Decide whether a suspended ill health tier 3 member is unlikely to be capable of undertaking gainful employment before normal pension age because of ill health	**R**38(6)	Employer (or Admin. Authority where Employer has become defunct	The administering authority will be guided by the recommendation of an Independent Registered Medical Practitioner (IRMP).

Decide to whom death grant is paid	**TP**17(5) to (8) & **R**40(2), **R**43(2) & **R**46(2)	Admin. Authority	The administering authority has determined where a nomination has been made it will be taken into account along with any other relevant factors. In practice, the decision will normally be to pay the death grant to the nominee(s), but this may not be the case where there have been significant changes in circumstances since the nomination was made or where there are other material factors which indicate that this would not be appropriate. Where there is no nomination and payment is to be made to the member’s spouse or civil partner then Letters of Administration or a Grant of Probate will not be required. Similarly, payment to the estate can be made without Letters of Administration or a Grant of Probate where the death grant is less than £5,000. Where necessary, cases will be referred to the Pension Fund Committee for a decision.
Decide, in the absence of an election from the member, which benefit is to be paid where the member would be entitled to a benefit under 2 or more regulations in respect of the same period of Scheme membership	**R49**(1)(c)	Admin. Authority	The administering authority will apply the method which is most beneficial for the member.
Whether to set up a separate admission agreement fund	**R**54(1)	Admin. Authority	A separate admission agreement fund will not be maintained.
Governance Compliance Statement must state whether the admin authority delegates their function or part of their function in relation to maintaining a pension fund to a committee, a sub-committee or an officer of the admin authority and, if they do so delegate, state:	**R**55*	Admin. Authority	A separate Governance Compliance Statement has been formulated and is kept under review by the North Yorkshire Pension Fund. The policy can be found on the NYPF website:

- the frequency of any committee or sub- committee meetings - the terms, structure and operational procedures appertaining to the delegation and - whether representatives of employing authorities or members are included and, if so, whether they have voting rights The policy must also state: - the extent to which a delegation, or the absence of a delegation, complies with Sec of State guidance and, to the extent it does not so comply, state the reasons for not complying and - the terms, structure and operational procedures appertaining to the Local Pensions Board			https://www.nypf.org.uk/nypf/policiesandstrategies.shtml
Decide on funding strategy for inclusion in Funding Strategy Statement	**R**58*	Admin. Authority	The decision on the funding strategy is made by the Pension Fund Committee and can be found in the ~~Statement of Investment Principles~~ Investment Strategy Statement and the Funding Strategy Statement on the NYPF website: https://www.nypf.org.uk/nypf/policiesandstrategies.shtml
Whether to have a written Pensions Administration Strategy and, if so, the matters it should include	**R**59(1) & (2)	Admin. Authority	The NYPF has produced a Pensions Administration Strategy which is kept under review. All employing authorities are asked to agree the Strategy and to submit suggestions to improve any aspect of the Strategy at any time. The Strategy can be found on the NYPF website: https://www.nypf.org.uk/nypf/policiesandstrategies.shtml

Communication policy must set out the policy on provision of information and publicity to, and communicating with, members, representatives of members, prospective members and Scheme employers; the format, frequency and method of communications; and the promotion of the Scheme to prospective members and their employers	**R**61*	Admin. Authority	A Communications Policy has been formulated and is kept under review by the NYPF. The policy can be found on the Pension Fund website: https://www.nypf.org.uk/nypf/policiesandstrategies.shtml
Whether to extend the period beyond ~~3~~ 6 months from the date an employer ceases to be a Scheme employer, by which to pay an exit credit	**R**64(2ZA)	Admin. Authority	The administering authority will agree to extend the period beyond ~~3~~ 6 months on a case by case basis
Whether to suspend (by way of issuing a suspension notice), for up to 3 years, an employer's obligation to pay an exit payment where the employer is again likely to have active members within the specified period of suspension	**R**64(2A)	Admin. Authority	Any application for the Administering Authority to grant a suspension notice will normally only be considered if the following criteria apply; • The employer can provide evidence that it is likely to admit one or more new active members to the Fund within the period of the suspension notice • The employer is not a 'closed' Admitted Body (no new active members are permitted to join the Fund). • Any application for the Administering Authority to grant a suspension notice is made within three months of the exit date. The Administering Authority reserves the right to withdraw a suspension notice if the terms of the agreement to award a suspension notice are not being upheld by the Scheme employer.

Whether to obtain revision of employer's contribution rate if there are circumstances which make it likely a Scheme employer will become an exiting employer	**R**64(4)	Admin. Authority	The administering authority will be guided by an initial assessment made by the Fund Actuary. A certificate may be obtained following advice from the Fund Actuary and, if appropriate, the Fund Legal Adviser.
Decide frequency of payments to be made over to Fund by employers and whether to make an admin charge.	**R**69(1)	Admin. Authority	All funds due to the NYPF in respect of employer and employee pension contributions must be cleared in the NYPF bank account by 19th of each month (or the last working day if the 19th is not a working day) following the month the contributions relate to. The administering authority has determined that all other sums due to the Fund shall be paid within 30 days of invoice or notification. A penalty system will apply for employers failing to meet the deadlines referred to under regulation R69(1), with a one month grace period for a 'first offence'. The penalty is 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 (£100 for each month payment is delayed) 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 could be reported to the Pensions Regulator.

Decide form and frequency of information to accompany payments to the Fund	**R**69(4)	Admin. Authority	The administering authority has determined that the intervals of the annual/monthly contribution returns must be ahead of the payment dates and that standard forms are used which are completed and sent electronically. Year end information is also required electronically in a standard format to be supplied within a timeframe set each year by the administering authority. A fixed penalty of £100 will apply where the monthly return is delayed or not provided as described above. For persistent breaches of this protocol, the employer could be reported to the Pensions Regulator.
Whether to issue employer with notice to recover additional costs incurred as a result of the employer's level of performance	**R**70 **&TP**22(2)	Admin. Authority	The policy for the payment of additional costs is contained the in both the NYPF Pensions Administration Strategy and the Employer Charging Policy. Any over payment made by the NYPF resulting from inaccurate information supplied by the employer shall be recovered by the NYPF from the employer. In the event of the NYPF being fined by the Pensions Regulator, the 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. If NYPF undertakes work specifically on behalf of the employer, the employer will be charged directly for the cost of that work. Insert link to charging policy here

			https://www.nypf.org.uk/nypf/policiesandstrategies.shtml
Whether to charge interest on payments by employers which are overdue	**R**71(1)	Admin. Authority	The administering authority will charge interest at 1% above the base rate on any employer payments unpaid one month after the due date. Details can be found in the NYPF Pensions Administration Strategy and the Employer Charging Policy.
Decide procedure to be followed by admin authority when exercising its stage two IDRP functions and decide the manner in which those functions are to be Administering Authority exercised	**R**76(4)	Admin. Authority	Any stage two IDRP application will be referred to the Corporate Director, Strategic Resources to assess the appropriateness of the stage one decision when making a determination under stage two.
Whether administering authority should appeal against employer decision (or lack of a decision)	**R**79(2)	Admin. Authority	An appeal will be made when it is believed that action or inaction by a Scheme employer is incorrect under law and is material. This will usually only be done where the administering authority has explained the effect of the action or inaction and the Scheme employer has been given an opportunity to remedy the situation but has failed to do so.
Specify information to be supplied by employers to enable administering authority to discharge its functions	**R**80(1)(b) & TP22(1)	Admin. Authority	The Scheme employer responsibilities are set out in the NYPF Pensions Administration Strategy, standard forms and guidance notes.

Whether to pay the whole or part of the amount that is due to the personnel representatives (including anything due to the deceased member at the date of death) to: - the personal representatives, or - anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965	**R**82(2)	Admin. Authority	The administering authority has determined where a nomination has been made it will be taken into account along with any other relevant factors. In practice, the decision will normally be to pay the death grant to the nominee(s), but this may not be the case where there have been significant changes in circumstances since the nomination was made or where there are other material factors which indicate that this would not be appropriate. Where there is no nomination and payment is to be made to the member's spouse or civil partner then Letters of Administration or a Grant of Probate will not be required. Similarly, payment to the estate can be made without Letters of Administration or a Grant of Probate where the death grant is less than £5,000. Where necessary, cases will be referred to the Pension Fund Committee for a decision.

Whether, where a person is incapable of managing their affairs, to pay the whole or part of that person's pension benefits to another person for their benefit.	**R**83	Admin. Authority	The administering authority will consider using this provision only in exceptional cases where it is thought impractical for the national schemes to be used to obtain either Lasting Power of Attorney or Court of Protection. A decision will be made in relation to each case based on advice obtained from the Fund's Legal Adviser, where thought necessary. A declaration will be obtained from the Scheme member's doctor to confirm that the Scheme member is incapable of managing their own affairs. A declaration will be obtained from the person to receive the benefits to confirm that they will use the pension benefits for the benefit of the Scheme member. This provision is not to be used to replace the national schemes to obtain either Lasting Power of Attorney or Court of Protection and it is only in exceptional circumstances that this provision should be used instead of the national schemes.
Agree to bulk transfer payment	**R**98(1)(b)	Employer / Admin. Authority	A decision will be made based on advice obtained from the Fund Actuary in relation to each case where a bulk transfer is being proposed.
Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS	**R**100(6)	Employer and Admin. Authority	The time limit will not be extended unless there are exceptional circumstances and/or if there is evidence of administrative shortcomings.
Allow transfer of pension rights into the Fund	**R**100(7)	Admin. Authority	Transfers will be allowed into the Fund but will be subject to the employer-led time limits.

Where a member to whom **B**10 applies (use of average of 3 years pay for final pay purposes) dies before making an election, whether to make that election on behalf of the deceased member	**TP**3(6), **TP**4(6)(c), TP8(4), TP10(2)(a), TP17(2)(b) & B10(2)	Admin. Authority	An election will be made on behalf of the member to provide the most beneficial result.
Make an election on behalf of deceased member with a certificate of protection of pension benefits i.e. determine best pay figure to use in the benefit calculations (pay cuts/restrictions occurring pre 1 April 2008)	**TP**3(6), **TP**4(6)(c), **TP**8(4), **TP**10(2)(a), **TP**17(2)(b**) & T**Sch 1 & **L**23(9)	Admin. Authority	The administering authority will make an election on behalf of the member which will result in applying the final pay which is most beneficial for the member.
Decide to treat a child (who has not reached the age of 23) as being in continuous full-time education or vocational training despite a break	**R**Sch1 & **TP**17(9)(a)	Admin. Authority	The administering authority has determined when paying a child's pension that breaks of a year or less will be ignored. The Pension Fund Committee will consider other cases on their merits.
Decide evidence required to determine financial dependence of cohabiting partner on scheme member or financial interdependence of nominated of cohabiting partner and scheme member	**R**Sch1 & **TP**17(9)(b)	Admin. Authority	Documentary evidence will be requested at the time payment of benefits is due to confirm, to the satisfaction of the administering authority, dependence or interdependence. This could be done, for example, by obtaining documents confirming that there was a bank account or mortgage in joint names.

Decide policy on abatement of pre 1 April 2014 element of pensions in payment following re-employment	**TP**3(13) & **A**70(1) & A71(4)(c)*	Admin. Authority	The administering authority will not reduce pension payments as a result of re-employment. However where pensioners have been awarded additional service as compensation by their former employer the extra pension from this service may be abated due to re-employment with a Scheme employer under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 as amended.
Extend time period for capitalisation of added years contract	**TP**15(1)(c) & **T**Sch 1 & **L**83(5)	Admin. Authority	The administering authority has determined that a member with an added years contract may have up to 3 months from the date the necessary information is given to the employee to opt to capitalise a whole cost contract.
Decide whether to delegate any administering authority functions under the Regulations	**R**105(2)	Admin. Authority	A decision will be made by the Pension Fund Committee on whether the delegation of functions is appropriate and the nature of the arrangement for doing so.
Decide whether to establish a joint local pension board (if approval has been granted by the Secretary of State)	**R**106(3)	Admin. Authority	The administering authority will make decisions via the appropriate committee process.
Decide procedures applicable to the local pension board	**R**106(6)	Admin. Authority	The administering authority will make decisions via the appropriate committee process.
Decide appointment procedures, terms of appointment and membership of local pension board	**R**107(1)	Admin. Authority	The administering authority will make decisions via the appropriate committee process.

*These are manadatory and the administering authority must have a written policy

Discretions in relation to scheme members (excluding councillor members) who ceased active membership on or after 1 April 2008 and before 1 April 2014 under:

A = LGPS (Administration) Regulations 2008 (SI 2008/239)
B = LGPS (Benefits, Membership and Contributions) Regulations 2007 (as amended) (SI 2007/1166)
T = LGPS (Transitional Provisions) Regulations 2008 (SI 2008/238)
TP = LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 (SI 2014/525)
R = Local Government Pension Scheme Regulations (LGPS) 2013 (SI 2013/2356)
L = LGPS Regulations 1997 (as amended) (SI 1997/1612)

Discretion	Regulation	Exercised by	Agreed Discretion
Extend time period for capitalisation of added years contract where the member leaves his employment by reason of redundancy	**TR**15(1)(c) & **T**Sch 1 & **L**83(5)	Admin. Authority	The administering authority has determined that a member retiring on the grounds of redundancy/ efficiency with an added years contract may have up to 3 months from the date the necessary information is given to the employee to opt to capitalise a whole cost contract.
Outstanding employee contributions can be recovered as a simple debt or by deduction from benefits	**A**45(3)	Admin. Authority	Each case will be considered and, based on the circumstances of the case, suitable options will be offered which may include recovery as a simple debt or a deduction from benefits.

Whether to pay the whole or part of the amount that is due to the personnel representatives (including anything due to the deceased member at the date of death to: - personal representatives, or - anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965	**A**52(2)	Admin. Authority	The administering authority has determined where a nomination has been made it will be taken into account along with any other relevant factors. In practice, the decision will normally be to pay the death grant to the nominee(s), but this may not be the case where there have been significant changes in circumstances since the nomination was made or where there are other material factors which indicate that this would not be appropriate. Where there is no nomination and payment is to be made to the member's spouse or civil partner then Letters of Administration or a Grant of Probate will not be required. Similarly, payment to the estate can be made without Letters of Administration or a Grant of Probate where the death grant is less than £5,000. Where necessary, cases will be referred to the Pension Fund Committee for a decision.
Approve medical advisors used by employers (for early payment, on grounds of ill health, of a deferred benefit or a suspended Tier 3 ill health pension)	**A**56(2)	Admin. Authority	The administering authority must give approval to a Scheme employer as to their choice of medical practitioner.
Decide procedure to be followed by admin authority when exercising its stage two IDRP functions and decide the manner in which those functions are to be exercised	**TP**23 & **R**76(4)	Admin. Authority	Any stage two IDRP application will be referred to the Corporate Director, Strategic Resources to assess the appropriateness of the stage one decision when making a determination under stage two.

Whether administering authority should appeal against employer decision (or lack of a decision)	**TP**23 & **R**79(2)	Admin. Authority	An appeal will be made when it is believed that action or inaction by an employer is incorrect under law and is material. This will usually only be done where the administering authority has explained the effect of the action or inaction and the employer has been given an opportunity to remedy the situation but has failed to do so.
Specify information to be supplied by employers to enable administering authority to discharge its functions	**TP**23 & **TP**22(1) & **R**80(1)(b)	Admin. Authority	The Scheme employer responsibilities are set out in the NYPF Pensions Administration Strategy, standard forms and guidance notes.
Decide policy on abatement of pensions following re-employment	**TP**3(13) & **A**70(1) & A71(4)(c)*	Admin. Authority	The administering authority will not reduce pension payments as a result of re-employment. However where pensioners have been awarded additional service as compensation by their former employer the extra pension from this service may be abated due to re-employment with a Scheme employer under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 as amended.
Where a member to whom **B**10 applies (use of average of 3 years pay within the period of 13 years ending with the last day of active membership for final pay purposes) dies before making an election, whether to make that election on behalf of the deceased member	**B**10(2)	Admin. Authority	An election will be made on behalf of the member to provide the most beneficial result.

Whether to pay the whole or part of a child's pension to another person for the benefit of that child	**B**27(5)	Admin. Authority	The administering authority will consider payment of a child's pension to a guardian. A declaration will be obtained from the person to receive the benefits to confirm that they will use the pension benefits for the benefit of the child.
Whether, where a person (other than an eligible child) is incapable of managing their affairs, to pay the whole or part of that person's pension benefits to another person for their benefit.	**A**52(a)	Admin. Authority	The administering authority will consider using this provision only in exceptional cases where it is thought impractical for the national schemes to be used to obtain either Lasting Power of Attorney or Court of Protection. A decision will be made in relation to each case based on advice obtained from the Fund's Legal Adviser, where thought necessary. A declaration will be obtained from the Scheme member's doctor to confirm that the Scheme member is incapable of managing their own affairs. A declaration will be obtained from the person to receive the benefits to confirm that they will use the pension benefits for the benefit of the Scheme member. This provision is not to be used to replace the national schemes to obtain either Lasting Power of Attorney or Court of Protection and it is only in exceptional circumstances that this provision should be used instead of the national schemes
Whether to "switch on" the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60	**TP**Sch2, para 1(2) & 1(1)(c)*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not switch on the 85 year rule for any employee voluntarily drawing benefits on or after age 55 and before age 60
Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30 (member)	~~**R**~~**B**30(5), **TP**Sch2, para 2(1)*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not waive any actuarial reduction and will pay any pension strain costs arising out of a member voluntarily drawing benefits before normal pension age

Whether to "switch on" the 85 year rule for a pensioner member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60	**TP**Sch 2, para 1(2) & 1(1) (c)*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not switch on the 85 year rule for any pensioner member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60
Whether to waive on compassionate grounds, the actuarial reduction applied to benefits paid early under B30A (pensioner member with deferred benefits)	**B**30A(5), **TP**Sch 2, para 2(1)*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not waive any actuarial reduction and will pay any pension strain costs arising out of a member voluntarily drawing benefits before normal pension age
Whether to require any strain on Fund costs to be paid "up front" by Scheme employer if the Scheme employer "switches on" the 85 year rule for a member voluntarily retiring prior to age 60, or waives an actuarial reduction on compassionate grounds under TPSch2, para 2(1)	**TP**Sch2, para 2(3)	Admin. Authority	Any cost will be paid by the Scheme employer over a period agreed between the administering authority and the Scheme employer. Payment can be made in full as a one off sum at retirement or in instalments over 3 years or over 5 years. The cost will be increased in line with guidance from the Fund Actuary where payment in not made as a single sum at the time of retirement. However the payment of costs by admission bodies will usually be required in full as a one off sum at retirement.
Decide whether deferred beneficiary meets permanent ill health and reduced likelihood of gainful employment criteria	**B**31(4)	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will be guided by the recommendation of an Independent Registered Medical Practitioner (IRMP).
Decide whether a suspended ill health tier 3 member is permanently incapable of undertaking any gainful employment	**B**31(7)	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will be guided by the recommendation of an Independent Registered Medical Practitioner (IRMP).

Decide to whom death grant is paid	**B**23(2) & **B**32(2) & **B**35(2) & **T**Sch 1 & **L**155(4)	Admin. Authority	The administering authority has determined where a nomination has been made it will be taken into account along with any other relevant factors. In practice, the decision will normally be to pay the death grant to the nominee(s), but this may not be the case where there have been significant changes in circumstances since the nomination was made or where there are other material factors which indicate that this would not be appropriate. Where there is no nomination and payment is to be made to the member's spouse or civil partner then Letters of Administration or a Grant of Probate will not be required. Similarly, payment to the estate can be made without Letters of Administration or a Grant of Probate where the death grant is less than £5,000. Where necessary, cases will be referred to the Pension Fund Committee for a decision.
Decide evidence required to determine financial dependence of cohabiting partner on scheme member or financial interdependence of cohabiting partner and scheme member	**R**Sch 1 & **TP**17(9)(b)	Admin. Authority	Documentary evidence will be requested at the time payment of benefits is due to confirm, to the satisfaction of the administering authority, dependence or interdependence. This could be done, for example, by obtaining documents confirming that there was a bank account or mortgage in joint names.

Decide to treat a child (who has not reached the age of 23) as being in continuous education or vocational training despite a break	**R**Sch1 & **TP**17(9)(a)	Admin. Authority	The administering authority has determined when paying a child's pension that breaks of a year or less will be ignored. The Pension Fund Committee will consider other cases on their merits.
Decide whether to trivially commute a member's pension under section 166 of the Finance Act 2004	**B**39(1)(a) & **T**14(3)	Admin. Authority	The administering authority has determined that where the total pension is within HMRC limits small pensions will be commuted on request of the member.
Decide whether to trivially commute a lump sum death benefit under section 168 of the Finance Act 2004	**R**39(1)(b)	Admin. Authority	The administering authority has determined that where the total pension is within HMRC limits small pensions will be commuted on request of the member's beneficiary.
Decide whether to pay a commutation payment under regulations 6 (payment after relevant accretion), 11 (de minimis rule for pension schemes) or 12 (payments by larger pension schemes) of the Registered Pension Schemes (Authorised Payments) Regulations 2009 (excludes survivor pensions and pension credit members)	**R**39(1)(c)	Admin. Authority	The administering authority has determined that where the total pension is within HMRC limits small pensions will be commuted on request of the member.
Decide, in the absence of an election from the member, which benefit is to be from the member, which benefit is to be paid where the member would be entitled to a benefit under 2 or more regulations in respect of the same period of Scheme membership	**B**42(1)(c)	Admin. Authority	The administering authority will apply the regulation which will result in the most beneficial outcome for the member.
Make an election on behalf of deceased member with a certificate of protection of pension benefits i.e. determine best pay figure to use in the benefit calculations (pay cuts/restrictions occurring pre 1 April 2008	**T**Sch 1 & **L**23(9)	Admin. Authority	The administering authority will make an election on behalf of the member which will result in applying the final pay which is most beneficial for the member.

*These are manadatory and the administering authority must have a written policy

Discretions in relation to councillor members who ceased active membership on or after 1 April 1998, and any other scheme members who ceased active membership on or after 1 April 1998 and before 1 April 2008 under:

LGPS Regulations 1997 (as amended) (SI 1997/1612)
T = LGPS (Transitional Provisions) Regulations 2008 (SI 2008/238)
A = LGPS (Administration) Regulations 2008 (SI 2008/239)
TP = LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 (SI 2014/525)
R = Local Government Pension Scheme Regulations (LGPS) 2013 (SI 2013/2356)

Discretion	Regulation	Exercised by	Agreed Discretion
Whether to "switch on" the 85 year rule for a member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60	**TP**Sch2, para 1(2), 1(1)(f) & **R**60*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not switch on the 85 year rule for a member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60
Waive, on compassionate grounds the actuarial reduction applied to deferred benefits paid early	31(5) & **TP**Sch 2, para 2(1)*	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not waive any actuarial reduction for a member voluntarily drawing benefits before normal pension age

Decide to whom death grant is paid	38(1) & 155(4)	Admin. Authority	The administering authority has determined where a nomination has been made it will be taken into account along with any other relevant factors. In practice, the decision will normally be to pay the death grant to the nominee(s), but this may not be the case where there have been significant changes in circumstances since the nomination was made or where there are other material factors which indicate that this would not be appropriate. Where there is no nomination and payment is to be made to the member's spouse or civil partner then Letters of Administration or a Grant of Probate will not be required. Similarly, payment to the estate can be made without Letters of Administration or a Grant of Probate where the death grant is less than £5,000. Where necessary, cases will be referred to the Pension Fund Committee for a decision.
Decide to treat child (who has not reached the age of 23) as being in continuous education or vocational training despite a break	**TP**17(9)(a) & **R**Sch 1	Admin. Authority	The administering authority has determined when paying a child's pension that breaks of a year or less will be ignored. The Pension Fund Committee will consider other cases on their merits.
Apportionment of children's pension amongst eligible children	47(1)	Admin. Authority	Each eligible child will receive the same level of pension.
Pay child's pension to another person for the benefit of the child	47(2)	Admin. Authority	Payment will be made after establishing the appropriate beneficiary and obtaining a declaration that the pension will be used for the benefit of the child.

Decide whether to trivially commute a member’s pension under section 166 of the Finance Act 2004 (includes pre 1 April 2008 leavers or Pension Credit members where the effective date of the Pension Sharing Order was pre 1 April 2014 or where the effective date of the Pension Sharing Order is after 31 March 2014 but the debited member had no post 31 March 2014 membership of the 2014 Scheme)	49(1) & **T**14(3)	Admin. Authority	The administering authority has determined that where the total pension is within HMRC limits small pensions will be commuted on the request of the Scheme member.
Decide whether to trivially commute a lump sum death benefit under section 168 of the Finance Act 2004	49(1)	Admin. Authority	The administering authority has determined that where the total pension is within HMRC limits small pensions will be commuted on request of the member's beneficiary.
Decide whether to commute benefits due to exceptional ill-health (including Pension Credit members where the effective date of the Pension Sharing Order was pre 1 April 2014 or where the effective date of the Pension Sharing Order is after 31 March 2014 but the debited member had no post 31 March 2014 membership of the 2014 Scheme)	50 and 157	Admin. Authority	The option to commute benefits will be given in relevant cases.

Whether to require any strain on Fund costs to be paid "up front" by employing authority following early voluntary retirement of a councillor, or early payment of a deferred benefit on health grounds or from age 50 and prior to age 55 with employer consent	80(5)	Admin. Authority	Any cost will be paid by the Scheme employer over a period agreed between the administering authority and the Scheme employer. Payment can be made in full as a one off sum at retirement or in instalments over 3 years or over 5 years. The cost will be increased in line with guidance from the Fund Actuary where payment in not made as a single sum at the time of retirement.
Whether to require any strain on Fund costs to be paid "up front" by employing authority if the ~~Scheme employer~~ employing authority "switches on" the 85 year rule for a member voluntarily retiring on or after age 55 and prior to age 60, or waives an actuarial reduction on compassionate grounds under TPSch2, para 2(1)	**TP**Sch2, para 2(3)	Admin. Authority	Any cost will be paid by the ~~Scheme employer~~ employing authority over a period agreed between the administering authority and the ~~Scheme employer~~ employing authority. Payment can be made in full as a one off sum at retirement or in instalments over 3 ~~years or over~~ or 5 years. The cost will be increased in line with guidance from the Fund Actuary where payment ~~in~~ is not made as a single sum at the time of retirement.
Outstanding employee contributions can be recovered as a simple debt or by deduction from benefits	89(3)	Admin. Authority	Each case will be considered and, based on the circumstances of the case, suitable options will be offered which may include recovery as a simple debt or a deduction from benefits.
Timing of pension increase payments by employers to fund	91(6)	Admin. Authority	Payments should usually be made one month from the date on which the pension increase becomes due.

Whether to pay the whole or part of the amount that is due to the personnel representatives (including anything due to the deceased member at date of death) to: - personal representatives, or - anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965	95	Admin.Authority	The administering authority has determined where a nomination has been made it will be taken into account along with any other relevant factors. In practice, the decision will normally be to pay the death grant to the nominee(s), but this may not be the case where there have been significant changes in circumstances since the nomination was made or where there are other material factors which indicate that this would not be appropriate. Where there is no nomination and payment is to be made to the member's spouse or civil partner then Letters of Administration or a Grant of Probate will not be required. Similarly, payment to the estate can be made without Letters of Administration or a Grant of Probate where the death grant is less than £5,000. Where necessary, cases will be referred to the Pension Fund Committee for a decision.
Approve medical advisors used by employers	97(10)	Admin. Authority	The administering authority must give approval to a Scheme employer as to their choice of medical practitioner.
Decide procedure to be followed by admin authority when exercising its stage two IDRP functions and decide the manner in which those functions are to be exercised	**TP**23 & R76(4)	Admin. Authority	Any stage two IDRP application will be referred to the Corporate Director, Strategic Resources to assess the appropriateness of the stage one decision when making a determination under stage two.

Whether administering authority should appeal against employer decision, or lack of a decision	**TP**23 & R79(2)	Admin. Authority	An appeal will be made when it is believed that action or inaction by an employer is incorrect under law and is material. This will usually only be done where the administering authority has explained the effect of the action or inaction and the employer has been given an opportunity to remedy the situation but has failed to do so.
Specify information to be supplied by employers to enable administering authority to discharge its functions	**TP**23 & **TP**22(1) & **R**80(1)(b)	Admin. Authority	The Scheme employer responsibilities are set out in the NYPF Pensions Administration Strategy, standard forms and guidance notes.
Date to which benefits shown on annual deferred statement are calculated.	106(A)(5)	Admin. Authority	Benefits are calculated to the first Monday in April each year after the start of the tax year (the 'Pensions Increase' date)
Abatement of pensions following re-employment	**TP**3(13), **A**70(1) & **A**71(4)(c)*	Admin. Authority	The administering authority will not reduce pension payments as a result of re-employment. However where pensioners have been awarded additional service as compensation by their former employer the extra pension from this service may be abated due to re-employment with a Scheme employer under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 as amended.
Retention of Contributions Equivalent Premium (CEP) where member transfers out	118	Admin. Authority	The administering authority reserves the right to retain the CEP should this be thought appropriate.

Discharge Pension Credit liability	147	Admin. Authority	Appropriate pension rights will be awarded to the pension credit member under the scheme but a payment of a transfer value can be paid out to an appropriate provider should the pension credit member request this.
*These are manadatory and the administering authority must have a written policy			
Note: benefits paid on or after age 50 and before age 55 are subject to an unauthorised payments charge and, where applicable, an unauthorised payments surcharge under the Finance Act 2006. Also, any part of the benefits which had accrued after 5 April 2006 would generate a scheme sanction charge.			

Discretions in relation to scheme members who ceased active membership before 1 April 1998 under: LGPS Regulations 1995 (SI 1995/1019) TL = LGPS (Transitional Provisions) Regulations 1997 (SI 1997/1613) L = LGPS Regulations 1997 (as amended) (SI 1997/1612) A = LGPS (Administration) Regulations 2008 (SI 2008/239) TP = LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 (SI 2014/525) R = Local Government Pension Scheme Regulations (LGPS) 2013 (SI 2013/2356)			
Discretion	**Regulation**	**Exercised by**	**Agreed Discretion**
Grant application for early payment of deferred benefits on or after age 50 on compassionate grounds.	TP3(5A)(vi), TL4, L106(1) & D11(2)(c)	Employer (or Admin. Authority where Employer has become defunct)	The administering authority will not grant applications for early payment of deferred benefits between the ages of 50 and 55. Over the age of 55, the administering authority will consider on a case by case basis.

Decide to whom death grant is paid	E8	Admin. Authority	The administering authority has determined where a nomination has been made it will be taken into account along with any other relevant factors. In practice, the decision will normally be to pay the death grant to the nominee(s), but this may not be the case where there have been significant changes in circumstances since the nomination was made or where there are other material factors which indicate that this would not be appropriate. Where there is no nomination and payment is to be made to the member's spouse or civil partner then Letters of Administration or a Grant of Probate will not be required. Similarly, payment to the estate can be made without Letters of Administration or a Grant of Probate where the death grant is less than £5,000. Where necessary, cases will be referred to the Pension Fund Committee for a decision.
Whether to pay spouse's pensions for life (rather than ceasing during any period of remarriage or co-habitation)	F7	Admin. Authority	The administering authority will pay a pension for life.
Decide to treat child (who has not yet reached age 23) as being in continuous education or vocational training despite a break	**TP**17(9)(a) &**R**Sch 1	Admin. Authority	The administering authority has determined when paying a child's pension that breaks of a year or less will be ignored. The Pension Fund Committee will consider other cases on their merits
Apportionment of children's pension amongst eligible children	G11(1)	Admin. Authority	The administering authority has determined that it will equally apportion children's pensions amongst all the eligible children.

Pay child's pension to another person for the benefit of the child	G11(2)	Admin. Authority	Payment will be made after establishing the appropriate beneficiary and obtaining a declaration that the pension will be used for the benefit of the child.
Abatement of pensions following re-employment	**TP**3(13), **A**70(1) & **A**71(4)(c))*	Admin. Authority	The administering authority will not reduce pension payments as a result of re-employment. However where pensioners have been awarded additional service as compensation by their former employer the extra pension from this service may be abated due to re-employment with a Scheme employer under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 as amended.
Decide procedure to be followed by admin authority when exercising its stage two IDRP functions and decide the manner in which those functions are to be exercised	**TP**23 & **R**76(4)	Admin. Authority	Any stage two IDRP application will be referred to the Corporate Director, Strategic Resources to assess the appropriateness of the stage one decision when making a determination under stage two.
Whether administering authority should appeal against employer decision, or lack of a decision	**TP**23 & **R**79(2)	Admin. Authority	An appeal will be made when it is believed that action or inaction by an employer is incorrect under law and is material. This will usually only be done where the administering authority has explained the effect of the action or inaction and the employer has been given an opportunity to remedy the situation but has failed to do so.
Specify information to be supplied by employers to enable administering authority to discharge its functions	**TP**23 & **TP**22(1) **R**80(1)(b)	Admin. Authority	The Scheme employer responsibilities are set out in the NYPF Pensions Administration Strategy, standard forms and guidance notes.

*These are manadatory and the administering authority must have a written policy

Discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended) (SI 2000/1410)

Discretionary policies in relation to former employee sof anScheme employerthat is a scheduled body, a designated body, or a body that is deemed to be a scheduled body under the LGPS Regulations 203 and equivalent predecessor regulations (excluding admitted bodies)

Discretion	Regulation	Exercised by	Agreed Discretion
Agree to pay annual compensation on behalf of employer and recharge payments to employer	31(2)	Admin. Authority	Administering authority will make payments and recharge the employer.

Discretions under the Registered Pension Schemes (Modification of Scheme Rules) Regulations 2011 (SI 2011/1791)

Discretion	Regulation	Exercised by	Agreed Discretion
To decide whether it is legally able to offer voluntary scheme pays	2	Admin. Authority	Administering authority will not offer voluntary scheme pays

North Yorkshire Pension Fund

A guide to the Internal Dispute Resolution Procedure

April 2020

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

Introduction

This guide tells you the way you can sort out any problems or complaints you may have with your pension benefits.

If you are not sure which benefits you can get, or you have a problem with your benefits please contact the North Yorkshire Pension Fund (NYPF), contact details are given at the end of this leaflet. The NYPF will try to deal with the problem as quickly and simply as possible.

Informal Enquiry

Many issues are caused by misunderstandings, ~~wrong~~ incorrect information or human error. In most cases, these can be quickly corrected or explained by contacting the person who has made the decision you are disputing. Their contact details will be on the communication you have received.

You don’t have to do this but, **an informal enquiry may save you a lot of time and trouble** and, if an error has been made it will be dealt with as quickly as possible. Most problems that members have are resolved in this way.

If you are still unhappy you may be able to use what is known as the **‘Internal Dispute Resolution Procedure’ (IDRP)** to make a complaint.

The IDRP process is for disputing pensions decisions only

For example, whether you are entitled to immediate payment of pension benefits (including ill health).

If your dispute relates to an employment decision, for example, you have been dismissed, you should contact your employer and ask about their employment appeals process.

What type of complaints does IDRP cover?

From the day you join the scheme various decisions are being made about your pension. These include things like:

- The benefits you can have and how much they will be.
- When your benefits can be paid.

When you (this includes dependants) are told of a decision you should check, as far as you can, that it is based on the correct details and that you agree with the decision.

Who can use IDRP?

You can use IDRP if you are one of the following or have been in the last 6 months:

- **A member:** this means you are paying into the fund, have a pension being paid or have a deferred pension or refund entitlement with us.
- **A dependant:** a widow, widower, civil partner, nominated cohabiting partner or an eligible child.
- **A prospective member:** you are not a member yet but could become one if you opt to join.

How does IDRP work?

The IDRP ~~procedure~~ has 2 stages with many complaints sorted out at stage 1.
You can ask somebody else to deal with the complaint for you. This could be a trade union official, welfare officer, your husband, wife, partner or friend.

~~There is no charge made for the use of the IDRP procedure~~You will not be charged for using the IDRP. You will however have to meet the cost of any postage/stationery or representative's time.

Stage 1

If you need to make a formal complaint, you should:

- Complete the **Stage 1 Internal Dispute Resolution form** which is available to download at https://www.nypf.org.uk/formsandguides/publications.shtml or ~~is available~~ from the NYPF. You should add specific details about what you are disputing and also include any documentation which supports your case.

- Make the complaint within **6 months** of when you were told of the decision you want to complain about.

Your complaint will be looked at carefully by NYPF's referee who is known as the 'nominated person'.

The nominated person will look at the facts of your complaint along with the Scheme rules and any other relevant information. You should get a reply within **2 months,** giving details of the decision or confirming when you will receive a decision.

What happens next?

The decision letter from the nominated person will tell you what should happen next, there are two likely outcomes:

- The original decision is upheld and therefore it will continue to apply. You can choose to escalate your complaint to the second stage of the IDRP ~~process~~.

  Or

- Some or all of the decision is incorrect. The nominated person will write to you giving details of further actions that need to be taken. The actions will be followed up by either your employer or the NYPF (depending who the complaint is against). If you are still unhappy with the decision, you can escalate your complaint to the second stage of the IDRP ~~process~~.

Stage 2 - Taking your complaint further

You can take your complaint to stage 2 if:

- You have had a decision from the stage 1 nominated person but you disagree with it.
- You have not had a reply under stage 1 within **3 months** of making your complaint.
- You have not had a reply within **1 month** of the date you were given by the nominated person.

You should send your stage 2 complaint in writing to the NYPF along with a copy of the stage 1 decision and full details of why you are unhappy with it.

Your complaint will be looked at again by the appointed person for stage 2 who will not have been involved at stage 1.

What happens next?

You should get a decision letter from the appointed person within **2 months** giving details of the decision or confirming when you will receive a decision.

The letter will tell you that **either:**

- The original decision is upheld and therefore it will continue to apply. You can choose to escalate your complaint to t~~T~~he Pensions Ombudsman.

- Some or all of the decision is incorrect. The appointed person will write to you giving details of further actions that need to be taken. The actions will be followed up by either your employer or the NYPF (depending who the complaint is against). If you are still unhappy with the decision, you can escalate your complaint to ~~The~~ the Pensions Ombudsman.

The Pensions Ombudsman

The Early Resolution Service

If you need help raising your concerns, or just to discuss a potential complaint, you can use the Pensions Ombudsman's (TPO) helpline service.

Their staff will listen to your issue and if possible help you there and then; for more complex problems or issues where a number of documents are involved they may pass you on to their Early Resolution Team who can go into more detail. If this happens you will be asked to sign a consent form that allows them to handle your documents and speak to third parties on your behalf.

Using this service will not affect your right to apply to the Ombudsman for formal adjudication if you ~~later~~ choose to do so at a later date.

Phone 0800 917 4487 and select option 1 or
Email: helpline@pensions-ombudsman.org.uk

Please be aware that your call may be recorded for security and quality purposes.

Formal Adjudication

If you are not happy with the decision at stage 2 you can take your complaint to ~~The~~ the Pensions Ombudsman (TPO) free of charge for a formal adjudication. This must be within ~~three~~ **3 years** of when the event you are complaining about happened, or, if later, within ~~three~~ **3 years** of when you first knew about it (or ought to have known about it).

TPO is an independent person who settles disputes between pension scheme members and pension schemes. There is no financial limit on the amount of money that TPO can make a party award you. Its determinations are legally binding on all the parties and are enforceable in court. You can write to TPO with your complaint but you must first have been through stages 1 and 2 of the IDRP~~ process~~.

You can contact TPO at:

The Pensions Ombudsman
10 South Colonnade
Canary Wharf
E14 4PU

Telephone: 0800 917 4487
Email: enquiries@pensions-ombudsman.org.uk
Website: www.pensions-ombudsman.org.uk (where you can submit an online complaint form)

If you have general requests for information or guidance concerning your pension arrangements contact:

The Money and Pensions Service
Holborn Centre
120 Holborn
London
EC1N 2TD

Telephone: 0115 9659570
Website: https://moneyandpensionsservice.org.uk

Contact NYPF

More detailed information about the scheme is available on the NYPF website at www.nypf.org.uk or you can contact the NYPF in the following ways:

Email: pensions@northyorks.gov.uk
Telephone: 01609 536335

In writing:
North Yorkshire Pension Fund
County Hall
Northallerton
North Yorkshire
DL7 8AL

North Yorkshire Pension Fund

Governance Roles and Responsibilities

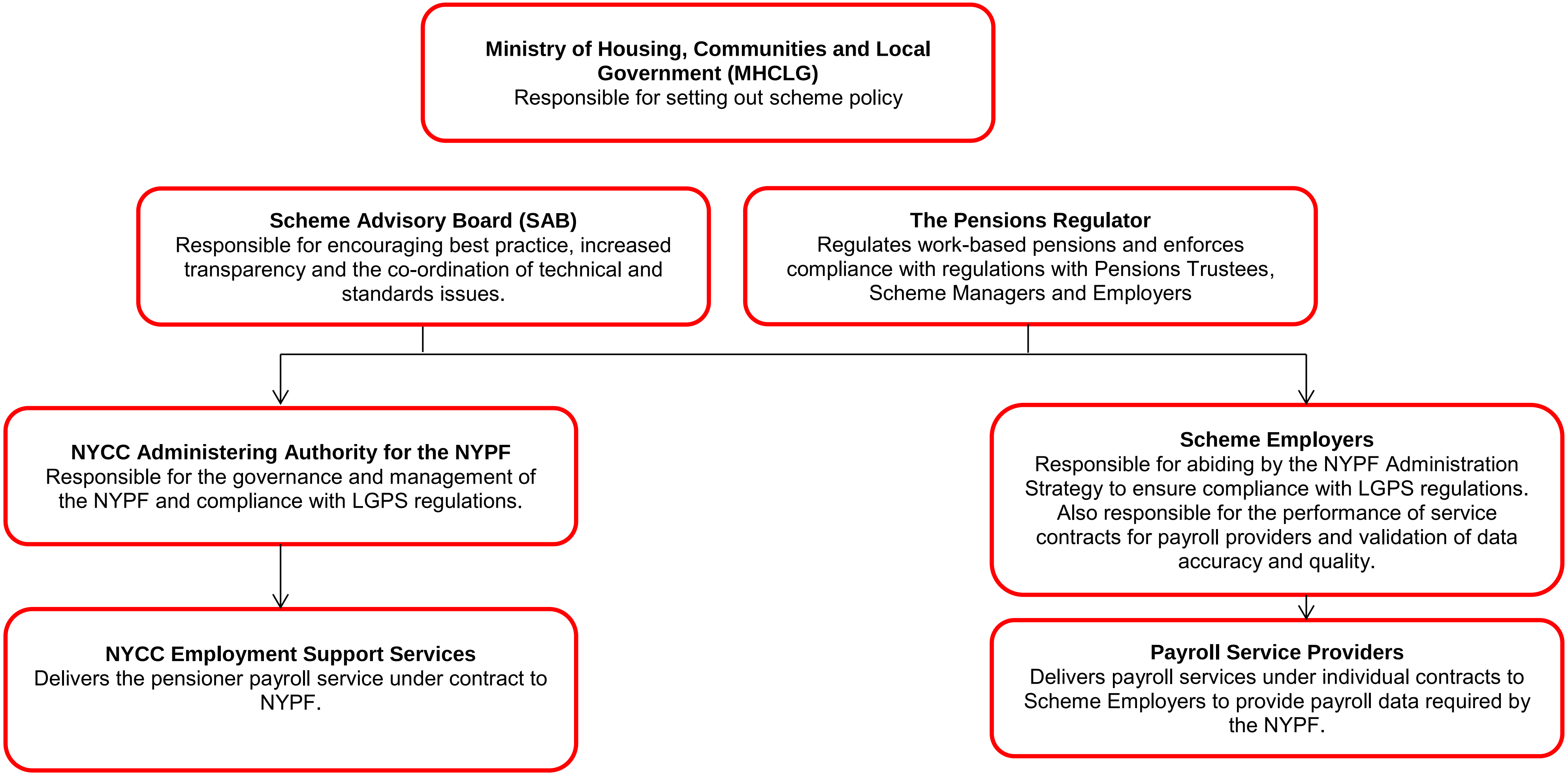
April 2020

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

As recommended by the Pensions Regulator, this document clarifies the roles, responsibilities, decision-making, governance structures and processes for the Local Government Pension Scheme (LGPS) administered by the North Yorkshire Pension Fund (NYPF). It also sets out the escalation procedures in the event of a breach of statutory requirements for the administration of the LGPS and relates to:

- North Yorkshire County Council (NYCC) as the Administering Authority of the NYPF
- Scheme Employers who participate in the NYPF as a statutory requirement or are admitted in certain circumstances
- Contractors who have service contracts with the Administering Authority or Scheme Employers.

Roles and Responsibilities
The following chart sets out the relationships between the parties and the commentary below provides further details.



Body	Responsibility	Delivered by
Ministry of Housing, Communities and Local Government (MHCLG)	Setting out scheme policy	• Set out scheme policy i~~o~~n regulations, including the role of the scheme manager, Pension Board and Scheme Advisory Board
Scheme Advisory Board (SAB)	Responsible for encouraging best practice, increased transparency and the co-ordination of technical and standards issues.	• Considers items passed from MHCLG, the Board's sub committees and other stakeholders as well as items formulated within the Board • Liaison role with ~~The~~ the Pensions Regulator • Creation of guidance and standards for local scheme managers and Pension Boards
The Pensions Regulator	Regulates the governance and administration of work-based pensions and enforces compliance with regulations with Pensions Trustees and Employers. The Pensions Regulator's objectives are to: • improve confidence in work-based pensions; • promote good administration; • maximise employer compliance with regulations and employer duties	• Providing regulatory guidance and codes of practice setting out requirements • Working with central government to embed regulatory changes for pension reforms • Supporting the development of policy initiatives • Monitoring performance • Enforcing compliance • Applying sanctions and or penalties on Trustees and Employers for non-compliance
North Yorkshire County Council **Administering Authority** **North Yorkshire Pension Fund**	Responsible for the governance and management of the NYPF and compliance with LGPS regulations. Responsible for investment decision making including managing Pooling arrangements. Also responsible for the performance of the pensioner payroll service contract with NYCC Employment Support Services.	• Managing and governing the Pension Fund through NYCC's Pension Fund Committee and Pension Board • Providing a framework of policies and procedures for compliance with the LGPS regulations • Reporting on compliance and performance to The Pensions Regulator • Monitoring performance of the NYCC Employment Support Services contract • Monitoring performance of Scheme Employers • Applying sanctions and or penalties on Scheme Employers for non-compliance • Reporting breaches of regulations to The Pensions Regulator
North Yorkshire County Council Employment Support Services	Responsible for delivering pensioner payroll services to the NYPF under a service contract.	• Delivering the pensioner payroll service under contract to the NYPF • Providing pensioner payroll guidance and support to the NYPF and Scheme Members

Body	Responsibility	Delivered by
Scheme Employers	Responsible for working within the NYPF's policies and procedures to ensure compliance with LGPS regulations. Also responsible for the performance of service contracts for payroll services and validation of data quality.	• Complying with the policies and procedures for the administration of the LGPS scheme for employees • Monitoring performance of outsourced service contracts providing data to the NYPF • Validating the quality of data submitted to the NYPF • Ensuring outsourced service contractors meet the quality standards and submission deadlines
Payroll Service Providers	Deliver payroll services under individual service contracts to Scheme Employers	• Provide payroll services in compliance with the service contract with the Scheme Employer • Ensure that Scheme Employer instructions are actioned for the provision of data to the NYPF • Ensure that data provided meets quality standards and is submitted within deadlines • Ensure that the Scheme Employer validates the data before submission to the NYPF

Escalation Procedures

To ensure that the NYPF meets its statutory responsibilities and obligations, it is important that all parties involved in pension administration carry out their responsibilities efficiently. The following sets out escalation procedures for non-compliance with pensions administration requirements.

North Yorkshire County Council **Administering Authority for the North Yorkshire Pension Fund**	• The Administration Strategy sets out performance standards for the Administering Authority and Scheme Employers including chargeable penalties • The NYPF will support Scheme Employers to meet performance standards • In the event Scheme Employers do not engage proactively to meet performance standards and deadlines then penalties will be imposed on Scheme Employers for non-compliance • For significant performance issues and breaches of the law, the NYPF will report events to The Pensions Regulator

North Yorkshire Pension Fund

Employer Charging Policy

April ~~2019~~2020

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

Contents

1.0 Introduction

The LGPS regulations provide pension funds with the ability to recover from an employer any additional costs associated with the administration of the scheme incurred as a result of the poor level of performance of that employer.

This document sets out the policy for charging employers and should be read in conjunction with the Pensions Administration Strategy.

2.0 Approach to Managing Performance

Ensuring compliance with the LGPS and Disclosure of Information regulations is the responsibility of the Fund and employers including where the payroll service is outsourced.

The Fund and employers will ensure that all functions and tasks are carried out to agreed standards. The Fund will monitor, measure and report on both the Fund's and employers' compliance with the agreed standards as detailed in the Pensions Administration Strategy (PAS).

The Fund will review performance against the PAS on an ongoing basis and will liaise with employers in relation to any concerns. The Fund monitors its own performance against internal key performance indicators and reports to the Pension Fund Committee (PFC) on a quarterly basis. Employers performance will be measured against the standards set out in the PAS and will be reported to the PFC. The Fund also monitors and reports on data quality in line with the Pension Regulator's Code of Practice 14.

The table below details the regulatory timescales for providing information and notifications to the NYPF.

Event	**Timescale for employer notifying the NYPF**
New starters **(Employer Pen11 form)**	**Within one month of the employee joining**
Change in member's details **(Change of Members Personal Details form)**	**Within 6 weeks of the event**
Leavers **(SU5 form)**	**Within 6 weeks of the employee leaving**
Advanced Notification of Retirement **(ADNOT form)**	As early as possible but at~~At~~ **least 30 days before the last day of employment**
Retirements **(SU5 form)**	**No later than one month following retirement** Disclosure Regulations require that when a retirement takes place before Normal Pension Age (NPA) the NYPF receives the SU5 no later than one month after the date of retirement. Where a retirement takes place on or after NPA, the NYPF receives the SU5 no more than 20 days after the date of retirement.
Death in Service	**Within 3 working days of the employer being notified of the death of the member**

In addition, employers must make both employee contributions and employer contributions, in accordance with the rates and adjustment certificate, to the Fund each year. All funds due to the NYPF in respect of employees and employers contributions must be cleared in the NYPF bank account by the 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.

Under the regulations, all payments made to the Fund must be accompanied by a statement. The employer must email a monthly return to pension.contributions@northyorks.gov.uk, in advance of their payment.

Where persistent and ongoing issues occur and no improvement is demonstrated by the employer, and/or no willingness is shown by the employer to resolve the identified issues further action will be taken as detailed in this policy.

3.0 Charging Policy

The LGPS regulations enable pension funds to recover any additional costs associated with the administration of the scheme incurred as a result of poor performance by an employer (including the administering authority).~~.~~ It~~It~~ is the Fund's policy to ~~recover additional costs incurred in the administration of the scheme as a direct result of the poor performance of any employer (including the administering authority).~~do this ~~This is~~ to ensure that other employers do not incur higher administration costs or loss of investment return as a result of an individual employer's poor performance.

The Fund's policy is to chase outstanding information on a regular basis as follows:

- Original request issued (no charge).
- The first chaser will be issued 10 working days after the date of the original request and this will trigger the first charge.
- A further two chasers will be issued 10 working days apart and will incur a charge for each chaser (so one original request and three chasers in total).
- Case will be escalated to the Pensions Management Team who will issue a final chaser which will clarify the regulatory requirements including reporting to ~~The~~ the Pensions Regulator. This will also incur a charge.
- If no response is received within 10 working days the Pensions Employer Relationship Manager will make contact to discuss an improvement plan.

The Fund will issue employers with contribution spreadsheets at the start of each financial year which sets out when the payments and accompanying information is due, in line with the PAS. The Fund's policy is to chase any late payments or accompanying documentation one month after the due date at which point the first charge will be triggered. For each subsequent month that the payment or information is still outstanding additional charges will be applied as per the charging scale detailed below in 4.0.

A quarterly invoice will be issued to the employer detailing any additional costs, taking account of time and resources in resolving the issues, in accordance with the charging scale set out in this policy. A report will be presented to the quarterly PFC meeting detailing charges levied against employers and outstanding payments.

The frequency of charging will be monitored and where significant volumes are identified the Fund will contact the employer concerned and offer support and guidance. Working collaboratively with the Fund the employer will be expected to identify and agree the following:

- Training requirements
- A robust and measurable improvement plan
- Regular contact with the Pensions Employer Relationship Manager to provide progress updates against the data improvement plan
- Clear milestones
- Accountabilities
- Appropriate internal monitoring is put in place
- Timescales

If poor performance continues which impacts the Fund's ability to perform its statutory functions, or the employer is not taking steps to improve its performance, the Fund will be required to report the employer to ~~The~~ the Pensions Regulator.

If an employer fails to pay any amount due to the Fund (other than monthly contributions) within 30 days, interest for late payment will be charged at 1% above the bank base rate.

4.0 Charging Scales

Item	Charge	NYPF Charge Code
Starter information		
Chase for missing information where one request has already been made	£5.00 per record, per chase	C1
Chase for missing information or incorrect information to be corrected where one request has already been made	£5.00 per record, per chase	C2
Employer estimate (Estform1)		
Chase for missing information or incorrect information to be corrected where one request has already been made	£5.00 per record, per chase	C13
ADNOT (Advanced Notification of Retirement)		
Chase for missing form where one request has already been made	£5.00 per record, per chase	C5
Chase for missing information or incorrect information to be corrected where one request has already been made	£5.00 per record, per chase	C6
Death in service		
Chase for missing SU5 leaver form where one request has already been made	£10.00 per record, per chase	C7
Chase for missing information or incorrect information to be corrected where one request has already been made	£5.00 per record, per chase	C8
SU5 leaver form		
Chase for missing form where one request has already been made	£10.00 per record, per chase	C3
Chase for missing information or incorrect information to be corrected where one request has already been made	£5.00 per record, per chase	C4
Employer Authorisation (ill health and redundancy/efficiency)		
Request for missing employer authorisation	£10.00 per record, per chase	C9
Request for missing cost codes (NYCC only)	£10.00 per record, per chase	C10

Item	Charge	NYPF Charge Code
Data		
Post information: chase for missing or incorrect information where one request has already been made e.g. hours, service etc.	£5.00 per record, per chase	C11
Pay information: chase for missing or incorrect information where one request has already been made	£5.00 per record, per chase	C12
Year End		
Failure to submit year end file by 30 April (charged by the number of pensionable members held on the NYPF database)	*The following charges will apply for each full month the file is delayed beyond 30 April	
1 – 99	*£50.00 per file	
100 – 999	*£100.00 per file	
1,000 – 1,999	*£200.00 per file	
2,000 – 4,999	*£300.00 per file	
5,000 – 9,999	*£400.00 per file	
10,000 +	*£500.00 per file	
Incorrect file formatting	**£5.00 per record	
Missing or incorrect data	**£5.00 per record	
Reason for pay changes outside of tolerances not given	**£5.00 per record	
Missing starter and leaver information	**£5.00 per record	
	**Subsequent chasers will be charged at £2.50 per chase, per record	
If an employer annual return is received by 30 April and the return is accepted, no charge will apply. If the annual return is received by 30 April and the return is rejected but subsequently re-submitted and accepted within two weeks, no charge will apply.		
Monthly contributions	*The following charges will apply for each full month the file is delayed beyond it's due date	
Charge for late payment	*£100 per file plus a daily interest surcharge for the period the payment is outstanding of 1% above the bank base rate	
Charge for late submission of supporting documentation	*£100 per file	
Accounting IAS19/FRS102 valuations	Professional fees recharged where late information is provided by the employer. Cost will be notified prior to work starting	
Actuarial & legal advice Actuarial & legal advice for admission bodies and academy conversions	Professional fees recharged . Cost will be notified prior to work starting	
Technical Advice Ad hoc technical advice, (where re-charging is deemed appropriate because the advice is not of general benefit to the Fund overall)	Professional fees recharged. Cost will be notified prior to work starting	

Appendix 14

North Yorkshire Pension Fund

Breaches Policy

April ~~2019~~2020

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

Contents

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Breaches of the law

Background

North Yorkshire Pension Fund has prepared this document to set out its policy and procedures on identifying, managing and where necessary reporting breaches of the law as covered in paragraphs 241 to 275 of The Pensions Regulator's Code of Practice no 14 (Governance and administration of public service pension schemes) – "the Code of Practice".

This policy sets out the responsibility of elected members, officers of the North Yorkshire Pension Fund ("the Fund") and the Local Pension Board in identifying, managing and where necessary reporting breaches of the law as they apply to the management and administration of the Fund.

This policy does not cover the responsibility of other "reporters" (described later in this policy) in relation to their obligation to report breaches in accordance with the Code of Practice where they relate to the management and administration of the Fund. Where a breach of the law is identified both the Fund and the Local Pension Board will take all necessary steps to consider the breach and report it to The Regulator, rather than having the breach reported by any of the other "reporters".

This policy will be reviewed by the Fund at least annually. The Fund will monitor all breaches and will ensure that adequate resources are allocated to managing and administering this process.

The Administering Authority Monitoring Officer will be responsible for the management and execution of this breaches policy.

The Head of Pensions Administration will ensure that training on breaches of the law and this policy is conducted for all relevant officers and elected members, as well as members of the Local Pension Board at induction and on an ongoing basis.

Overview

The identification, management and reporting of breaches is important. It is a requirement of the Code of Practice; failure to report a breach without "reasonable excuse" is a civil offence that can result in civil penalties.

At the same time, in addition to identifying, rectifying and where necessary reporting a breach it provides an opportunity to learn from mistakes and review and improve processes in the areas where the breach occurred. All staff are required to take a pro-active approach to the identification, management and reporting of all breaches that have occurred, or are likely to occur.

The Fund will maintain a log of all breaches under the LGPS regulations and wider pension law, statutory guidance or codes of practice under the remit of The Pensions Regulator in accordance with the 2004 Pension Act.

Where a breach has occurred it should be identified as either an area of non-compliance under the LGPS regulations, a breach under Pension Law as defined within section 13 of the 2004 Pension Act or The Pensions Regulator's code of practice 14.

The definition of pension law under the jurisdiction of the Pensions Regulator is any enactment contained in or made by virtue of:

a) The Pension Schemes Act 1993 (c. 48)
b) Part 1 of the Pensions Act 1995 (c. 26), other than sections 62 to 66A of that Act (equal treatment)
c) Part 1 or section 33 of the Welfare Reform and Pensions Act 1999 (c. 30), or
d) This Act
e) Section 5(4) (Pension Board: conflicts of interest and representation), 6 (Pension Board: information), 14 (information about benefits) or 16 (records) of the Public Service Pensions Act 2013
f) Paragraph 2 of Schedule 18 to the Pensions Act 2014 (c 19)
g) The Pension Schemes Act 2015

Therefore as the LGPS Regulations are made under the Superannuation Act 1972, The Pensions Regulator views the provisions as being similar to a private pension scheme's rules which are the preserve of trustees and not of The Regulator.

As such in the event of non-compliance under the LGPS Regulations the failings should be documented in an internal log specifying the corrective action to be undertaken to strengthen operational procedures and controls in order to prevent or mitigate the impact of any future re-occurrences.

Alternatively where the failure is identified by the Fund or Local Pension Board as a breach of pension law under the jurisdiction of The Pensions Regulator, or the code, it should be recorded, assessed and where defined to be of material significance to The Pensions Regulator, must be reported as soon as reasonably practical.

The Fund and the Local Pension Board cannot rely on waiting for other reporters to report a breach.

What is a breach of the law?

A breach of the law is *"an act of breaking or failing to observe a law, agreement, or code of conduct."* It can encompass many aspects of the management and administration of the scheme, including failure:

- to do anything required under overriding legislation, applicable statutory guidance or codes of practice
- to maintain accurate records
- to act on any fraudulent act or omission that is identified
- of an employer to pay over member and employer contributions on time
- to pay member benefits either accurately or in a timely manner
- to issue annual benefit statements on time or non-compliance with The Regulator's Code of Practice No 14.

What is Non-compliance under the LGPS Regulations?

Non-compliance with the LGPS regulations can encompass many aspects of the management and administration of the scheme, including failure:

- to do anything required under the LGPS regulations
- to comply with policies and procedures (e.g. the Fund's Investment Strategy Statement, Funding Strategy Statement, discretionary policies, etc.);

Responsibilities in relation to breaches

Responsibility to report identified breaches of the law in relation to the Code of Practice falls on the following (known as "reporters"):

- Members and officers of the Fund, as the Scheme Manager
- Members of the Local Pension Board
- Scheme employers
- Professional advisers (including the Fund's actuary, investment advisers, legal advisers)
- Third party providers (where employed)
- any other person involved in advising the scheme manager in relation to the scheme

This policy applies only to members and officers of the Fund and members of the Local Pension Board. It is for the other reporters to ensure adequate procedures and policies are put in place in order to identify, assess and where necessary report breaches. Both the Fund and the Local Pension Board will take all necessary steps to consider the breach and report to The Regulator, rather than having the breach reported by any of the other "reporters".

Requirement to report a breach of the Law

Breaches of the law which affect pension schemes should be considered for reporting to The Pensions Regulator.

The decision whether to report an identified breach depends on whether:

- there is reasonable cause to believe there has been a breach of the law
- and if so, is the breach likely to be of material significance to The Regulator?

It is important to understand that not every breach that is identified needs to be reported to The Regulator. For example, where it can be demonstrated that appropriate action is being taken to rectify the breach, or the breach has occurred due to teething problems with new or revised systems or processes, it may not be necessary to report the incident to The Regulator. All incidents of breaches identified should be recorded in the

Fund's breaches log. This log will be reviewed on an on-going basis to determine any trends in the breaches log that might indicate any serious failings or fraudulent behaviour.

Where such failings or fraudulent behaviour are identified immediate action will be taken to agree a plan of action to rectify the matter and prevent such an occurrence in the future.

Examples of potential breaches, including when they should and should not be reported to The Pensions Regulator are included in Appendix A.

When should a breach be reported to The Regulator?

The Code of Practice requires that a breach should be notified to The Regulator as soon as is reasonably practical once there is reasonable cause to believe that a breach has occurred and that it is of material significance to The Regulator. In any event, where a breach is considered to be of material significance it must be reported to The Regulator no later than one month after becoming aware of the breach or likely breach.

Where it is considered that a breach is of such significance that The Regulator is required to intervene as a matter of urgency (for example, serious fraud) the matter should be brought to the attention of The Regulator immediately (e.g. by calling them direct). A formal report should then be submitted to The Regulator, marked as "urgent" in order to draw The Regulator's attention to it.

Where prompt and effective action is taken to investigate and correct the breach and its causes and, where appropriate, notify any affected members, The Regulator will not normally consider this to be materially significant.

A breach is likely to be of concern and material significance to The Regulator where a breach has been identified and those involved:

- do not take prompt and effective action to remedy the breach and identify and tackle its cause in order to minimise risk of recurrence
- are not pursuing corrective action to a proper conclusion
- fail to notify affected scheme members where it would have been appropriate to do so.

Assessing "reasonable cause"

It is important that the Fund and the Local Pension Board are satisfied that a breach has actually occurred, rather than acting on a suspicion of such an event.

It will be necessary, therefore, for robust checks to be made by members and officers when acting on any suspicion of a breach having occurred. Where necessary this will involve taking legal advice from Legal Services (who may recommend specialist external legal advice if necessary) as well as other advisers (e.g. auditors, the Fund's actuary or investment advisers).

Deciding if a breach is "materially significant" and should be reported to The Regulator

The Regulator has produced a decision tree to assist schemes in identifying the severity of a breach and whether it should be reported. When determining materiality of any breach or likely breach the Fund and Local Pension Board will in all cases consider the following:

- **cause** – e.g. dishonesty, poor governance, incomplete or inaccurate information, acting or failing to act in contravention of the law
- **effect** – e.g. ineffective internal controls, lack of knowledge and understanding, inaccurate records, potential for further breaches occurring
- **reaction** – e.g. taking prompt and effective action to resolve a breach, notifying scheme members where appropriate; and
- **wider implications** – e.g. where a breach has occurred due to lack of knowledge or poor systems and processes making it more likely that other breaches will emerge in the future

The decision tree provides a “traffic light” system of categorising an identified breach and is shown at Appendix A:

- **Green** – not caused by dishonesty, poor governance or a deliberate contravention of the law and its effect is not significant and a plan is in place to rectify the situation. In such cases the breach may not be reported to The Regulator, but should be recorded in the Fund’s breaches log

- **Amber** – does not fall easily into either green or red and requires further investigation in order to determine what action to take. Consideration of other recorded breaches may also be relevant in determining the most appropriate course of action

- **Red** - caused by dishonesty, poor governance or a deliberate contravention of the law and having a significant impact, even where a plan is in place to rectify the situation. The Fund or Local Pension Board must report all such breaches to The Regulator in all cases

If it is unclear as to whether the breach or likely breach is significant, in the first instance full details should always be reported to the Board to determine the appropriate course of action.

It should be noted that failure to report a significant breach or likely breach is likely, in itself, to be a significant breach.

The Fund will use The Regulator’s decision tree as a means of identifying whether any breach is to be considered as materially significant and so reported to The Regulator.

Any failure of a scheme employer to pass over employee contributions that are considered to be of material significance must be reported to The Regulator immediately.

In order to determine whether failure to pay over employee contributions is materially significant or not the Fund will seek from the employer:

- the cause and circumstances of the payment failure
- what action the employer has taken as a result of the payment failure, and
- the wider implications or impact of the payment failure

Where a payment plan is agreed with the employer to recover outstanding contributions and it is being adhered to or there are circumstances of infrequent one-off late payments or administrative failures the late payment will not be considered to be of material significance.

All incidences resulting from the unwillingness or inability of the employer to pay over the employee contributions, dishonesty, fraudulent behaviour or misuse of employee contributions, poor administrative procedures or the failure to pay over employee contributions within 90 days from the due date will be considered to be of material significance and reported to The Regulator.

Once a breach or likely breach has been identified, regardless of whether it needs to be reported to The Regulator, the relevant manager in consultation with the Monitoring Officer, must review the circumstances of the breach in order to understand why it occurred, the consequences of the breach and agree the corrective measures required to prevent re-occurrence, including an action plan where necessary. All breaches must be recorded in the Fund’s breaches log.

Process for reporting breaches

All relevant officers and elected members of the Fund, as well as all members of the Local Pension Board have a responsibility to:

- identify and assess the severity of any breach or likely breach
- report all breaches or likely breaches to the Monitoring Officer
- in conjunction with relevant officers agree a proposed course of action to rectify the breach and put in place measures to ensure the breach does not re-occur, obtaining appropriate legal or other advice where necessary
- ensure that the appropriate corrective action has been taken to rectify the breach or likely breach and to prevent it from recurring; and
- co-operate with, and assist in, the reporting of breaches and likely breaches to the Pension Fund Committee, Local Pension Board and where necessary The Regulator

Responsibilities of the Monitoring Officer

The Fund will appoint one of the administering authority's senior officers to be responsible for the management and execution of this breaches policy. That officer will be the Monitoring Officer and will be the Head of Pensions Administration.

The Monitoring Officer will be responsible for recording and reporting breaches and likely breaches as follows:

- record all identified breaches and likely breaches of which they are aware in the Fund's breaches log
- investigate the circumstances of all reported breaches and likely breaches
- ensure, where necessary that an action plan is put in place and acted on to correct the identified breach and also ensure further breaches of a similar nature do not re-occur
- report to the Pension Fund Committee and Local Pension Board:
  - all materially significant breaches or likely breaches that will require reporting to The Regulator as soon as practical, but no later than one month after becoming aware of the breach or likely breach; and
  - all other breaches at least quarterly as part of the Committee cycle
- report all materially significant breaches to The Regulator as soon as practical but not later than one month after becoming aware of the breach

The Monitoring Officer will determine whether any breach or likely breach is materially significant, having regard to the guidance set out in the Code of Practice and after consultation where considered appropriate with the Pension Fund Committee and Local Pension Board.

Where uncertainty exists as to the materiality of any identified breach the Fund or Local Pension Board will be required to informally notify The Regulator of the issue and the steps being taken to resolve the issue.

How should a breach be reported to The Regulator?

All materially significant breaches must be reported to The Regulator in writing. This can be via post or electronically. The Regulator encourages the use of its standard reporting facility via its on-line Exchange service.

The Fund will report all material breaches to The Regulator via the online Exchange function.

How are records of breaches maintained?

All breaches and likely breaches are to be reported to the Monitoring Officer as soon as they are identified. The Monitoring Officer will log all breaches on the Fund's breaches log, including the following information:

- date the breach or likely breach was identified
- the pension scheme's registry number (if available)
- name of the employer (where appropriate)
- any relevant dates
- a description of the breach, its cause and effect, including the reasons it is, or is not, believed to be of material significance
- whether the breach is considered to be red, amber or green
- a description of the actions taken to rectify the breach
- whether the concern has been reported before, and
- a brief description of any longer term implications and actions required to prevent similar types of breaches recurring in the future.

The Monitoring Officer will be responsible for ensuring the effective management and rectification of any breach identified. The Head of Pensions Administration will be responsible for submission of any report to The Regulator. Any documentation supporting the breach will be maintained by the Head of Pensions Administration.

Whistleblowing

It is a statutory duty to report breaches of the law. In rare cases this may involve a duty to whistleblow on the part of an employee of the Fund or a member of the Local Pension Board. The duty to report does not override any other duties a "reporter" may have, such as confidentiality. Any such duty is not breached by reporting to The Regulator. Given the statutory duty that exists, in exercising this breaches policy the Fund will ensure it adheres to the requirements of the Employment Rights Act 1996 in protecting an employee making a whistleblowing disclosure to The Regulator.

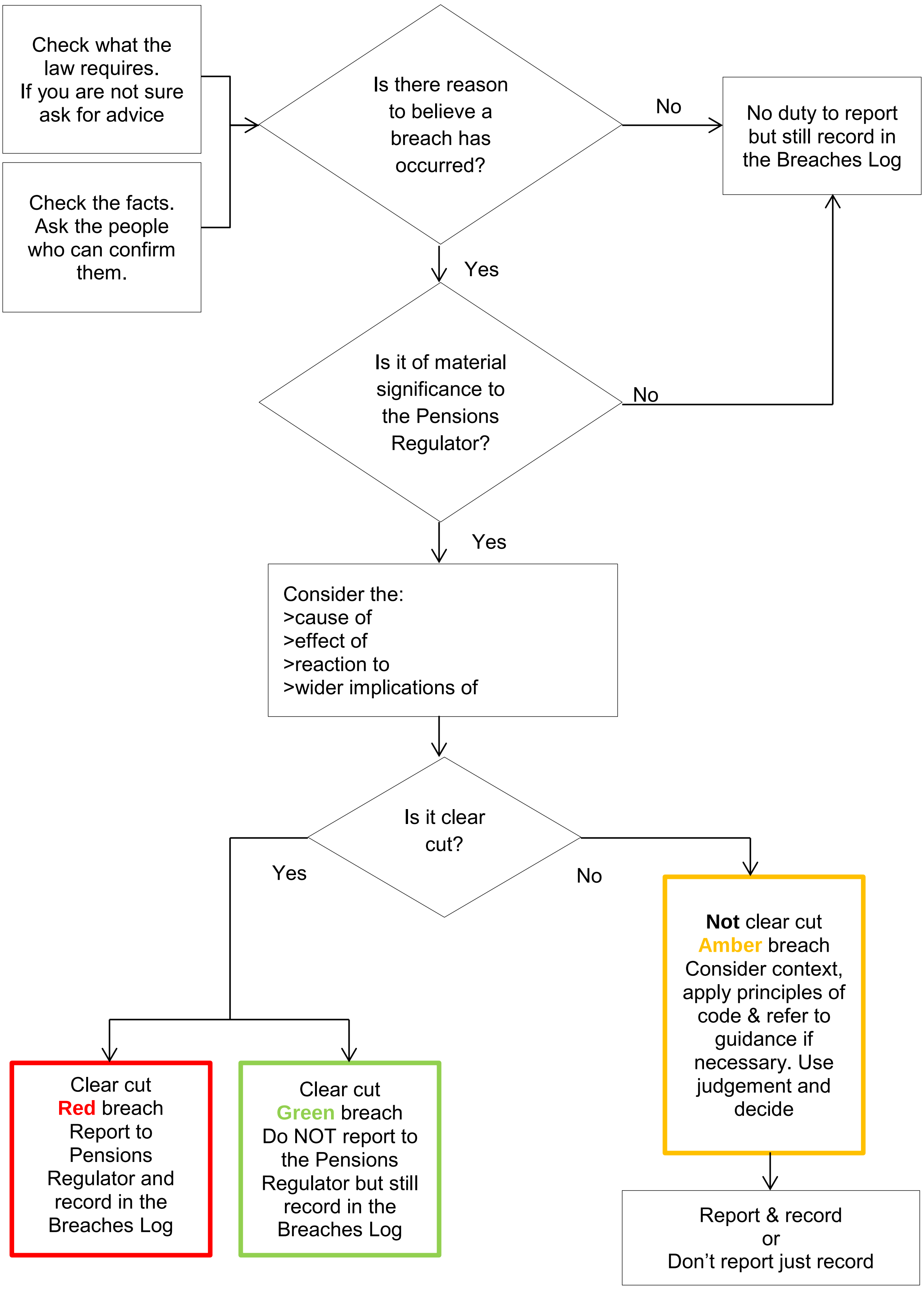
The duty to report, however, does not override 'legal privilege', so oral and written communications between the Fund or Local Pension Board and a professional legal adviser do not have to be disclosed.

Training

The Head of Pensions Administration will ensure that all relevant members and officers, as well as members of the Local Pension Board receive appropriate training on this policy at the commencement of their employment or appointment to the Local Pension Board as appropriate and on an ongoing basis.

Appendix A

Deciding if a breach is "materially significant" and should be reported to The Regulator



Appendix B

Examples of breaches

Example 1

An employer is late in paying over employee and employer contributions and is in breach of the statutory period for making such payments. The employer is contacted by officers from the administering authority, it immediately pays the moneys that are overdue, and improves its procedures so that in future contributions are paid over on time. In this instance there has been a breach but members have not been adversely affected and the employer has put its house in order regarding future payments. The breach is therefore not material to The Regulator and need not be reported.

Example 2

An employer is late in paying over employee and employer contributions, and is in breach of the statutory period for making such payments. It is also late in paying AVCs to the AVC provider. It is contacted by officers from the administering authority, and the employer eventually pays the monies that are overdue, including AVCs to the AVC provider. This has happened before, and there is no evidence that the employer is putting its house in order. In this instance there has been a breach that is relevant to The Regulator, in part because of the employer's repeated failures, and also because those members paying AVCs will typically be adversely affected by the delay in investing their AVCs.

Example 3

An employer is late in submitting its statutory year-end return of pay and contributions in respect of each of its active members and as such it is in breach. Despite repeated reminders it still does not supply its year-end return. Because the administering authority does not have the year-end data it is unable to provide annual benefit statements to the employer's members by 31 August. In this instance there has been a breach which is relevant to The Regulator, in part because of the employer's failures, in part because of the enforced breach by the administering authority, and also because members are being denied their annual benefits statements.

Example 4

A pension overpayment is discovered. The administering authority has failed to pay the right amounts to the right person at the right time and a breach has therefore occurred. The overpayment is however, for a modest amount and the pensioner could not have known that they were being overpaid. The overpayment is therefore waived. In this case there is no need to report the breach as it is not material.

Appendix C

Form to report a breach to the Monitoring Officer

Name of Reporter:	
Position:	
Telephone number	
Email address	
Address	
Description of the breach (please include any relevant dates)	
Do you believe that the breach is of material significance to The Pensions Regulator?	
Please give your reasons	
Have you reported the breach to The Pensions Regulator?	
Please give your reasons	

Please send the completed form by email or post to:

Phillippa Cockerill
Monitoring Officer
North Yorkshire Pension Fund
County Hall
Northallerton
North Yorkshire
DL7 8AL

Telephone: 01609 535879
E~~-~~mail: Phillippa.cockerill@northyorks.gov.uk

Appendix D

Example Record of Breaches

Date	Category	Description of Breach	Cause of Breach	Effect of Breach & Wider Implications	Response to Breach	Sent to PFC	Sent to PB	Outcome of Referral	Reported to Regulator	Progress Review 1	Progress Review 2
30/9/2015	Contributions	No employer or employee contributions paid by employer for two months (June and July) Queried with employer on 23/8/215	Employer advised Fund on 26/8/2015 that late payment of contribution due to installation of new payroll system and outstanding contribution will be paid without delay	Where contributions remain outstanding for more than 90 days, then likely to be of material significance to The Regulator	Investigations showed that the employer had not previously been late in paying contributions. Not reported as outstanding contribution paid over on 31/08/2015 and therefore not of material significance as paid within 90 days of the due date	Y	Y	Position noted. As contributions were received within a reasonable timeframe it was confirmed no requirement to report	N	Contributions for August paid on 19/09/2015	Monitor payments on 19/10/2015 to ensure that late payment was a one off failure
1/12/2~~0~~17	Regulations	Regulation 40 Death Grant payments	Failure to Identify beneficiaries of estate of deceased. Correct procedure not followed.	Member died in service without an expression of wish form. Fund did not identify correct dependents, leading to possible 2nd payment of death grant. Dependent, a long term partner of deceased appealed the decision to pay on strength of letters of administration.	Investigations showed that the Probate office was limited by their regulations which pre-judged against a partner and Fund had failed to recognise this.	Y	Y	Position noted. As staff training is being provided and policy updated no further action taken. Overpaid death grant written off by Fund.	N	Ensure all staff trained and policy updated.	Procedure documented and incorporated into system

				Recipient Relative identified by probate office refused to repay death grant.							

North Yorkshire Pension Fund

Privacy Notice
April 2020

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

North Yorkshire Pension Fund – Privacy Notice

This Privacy Notice is designed to help you understand how and why North Yorkshire County Council processes your personal data in relation to the North Yorkshire Pension Fund. This notice should be read in conjunction with the County Council's Corporate Privacy Notice and Employment Privacy Notice.

Who are we?

The North Yorkshire Pension Fund (NYPF) is responsible for the administration of the Local Government Pension Scheme (LGPS). The service is carried out by North Yorkshire County Council (NYCC) and for the purposes of the Data Protection Act 2018 NYCC is the Data Controller.

The Council has appointed **Veritau Ltd** to be its Data Protection Officer. Their contact details are:

Data Protection Officer
Veritau Ltd
County Hall
Racecourse Lane
Northallerton
DL7 8AL
01609 53 2526

What personal information do we collect?

The types of data we hold and process will typically include:

- Contact details, including name, address, telephone numbers and email address.
- Identifying details, including date of birth, ~~and n~~National I~~i~~nsurance number~~.~~ and employee and membership numbers.
- Information ~~relating to your benefits in the Fund,~~ that is used to calculate and assess eligibility for benefits, including length of service or membership and salary.
- ~~Other~~ Financial information in relation to your membership of the Fund ~~or~~ to enable the calculation or payment of benefits, for example bank account and tax details.
- Information about your family, dependents or personal circumstances, for example, marital status and information relevant to the distribution and allocation of benefits payable on death.
- Information about your health, for example, to assess eligibility for benefits payable on ill health, or where your health is relevant to a claim for benefits following the death of a member of the Fund.
- Information about a criminal conviction if this has resulted in you owing money to your employer or the Fund and the employer or Fund may be reimbursed from your benefits.

We obtain some of this personal data directly from you. We may also obtain data from your employer (for example, salary information) and from other sources including public databases

Why do we collect your personal information?

NYPF collects and processes this data in order to provide you and your beneficiaries with pension benefits. We will also use this personal data for statistical and financial modelling and reference purposes (for example, when we assess how much money is needed to provide members' benefits and how that money should be invested), and to comply with our legal obligations.

Who do we share this information with?

From time to time we will share your personal data with third parties, including our contractors, advisors, dispute resolution and law enforcement agencies and insurers in order to comply with our obligations under law, and in connection with the provision of services that help us carry out our duties, rights and discretions in relation to the Fund.

We are also required in certain circumstances to share your information with government organisations such as Her Majesty's Revenue and Customs (HMRC) and the Department for Work and Pensions (DWP) so that they can monitor our performance and ensure that public funds are safeguarded.

We will share your data with any persons in connection with any transfer of employment under TUPE (Transfer of Undertakings (Protection of Employment) regulations) that results in a transfer to another pension scheme.

In order to comply with statutory and contractual obligations, the NYPF may share or disclose your information with any of the following recipients as may be necessary to administer the scheme:

Name and type of service/adviser	Reasons for sharing data
Aon Hewitt Scheme Actuary* and Scheme Benefits Consultant Aon Hewitt's Privacy Notice	To calculate the value of the scheme's assets and liabilities, to set employer contribution rates, to calculate specific benefits or to advise on scheme administration functions (*An adviser on financial questions involving probabilities relating to mortality and other contingencies)
Ward Hadaway Scheme legal advisers	To prepare legal documentation in relation to new and existing employers
Prudential Scheme AVC Provider*	To facilitate the creation and maintenance of individual member's Additional Voluntary Contributions (AVC) accounts (*The NYPF is required by law to have an ~~Additional Voluntary Contributions (~~AVC~~)~~ provider. The NYPF partners with Prudential to provide AVC options to its members. Through that arrangement, Prudential hold and process your data in order to administer your AVC account.)
Citibank Overseas Payments Provider	To transmit payments to scheme members with non-UK bank accounts
Local Government Association LGPS National Insurance Database	To enable the NYPF to identify if its members have benefits in other LGPS schemes to ensure that appropriate benefits are paid
Department for Work and Pensions DWP Tell Us Once Service	To enable the NYPF to be notified of the death of a scheme member
Accurate Data Services Life Existence Checks Address tracing	To enable the NYPF to be notified of the death of a scheme member To enable the NYPF to pay pension benefits to a scheme member
Veritau Ltd and Deloitte Scheme Auditors	To enable the audit of processes, calculation of benefits and scheme governance arrangements
ITM ~~Guaranteed Minimum Pension (GMP)~~Data reconciliation services	To enable the NYPF to reconcile data between databases and pensioner ~~GMPs~~ data with HMRC
Government Actuary's Department National LGPS Cost	To facilitate the calculation of the triennial assessment of the cost of the LGPS on a national basis as per the Public Service Pensions Act 2013
Other LGPS administering authorities Scheme managers of other LGPS funds	To determine pension benefit entitlements

We obtain some of this personal data directly from you. We may also obtain data from your employer (for example, salary information) and from other sources including public databases

How long do we keep your information for?

Personal data will be retained for **the greater of**:

- such period as the m~~M~~ember (or any Beneficiary who receives benefits after the m~~M~~ember's death) are entitled to benefits from the Fund and for a period of 15 years after those benefits stop being paid;
- 100 years from the m~~M~~ember's date of birth;
- 100 years from the date of birth of any Beneficiary who received benefits from the Fund after the m~~M~~ember's death.

During any period when we retain personal data, we will keep that personal data up to date and take all reasonable steps to ensure that inaccurate data is either erased or rectified without delay. We will periodically review the personal data that we retain and consider whether it is still required; any personal data that we no longer require will be destroyed.

~~In order to make pension payments to members and subsequent beneficiaries, the fund has determined that it must retain a member's data for 50 years following the death of the last beneficiary.~~

~~NYPF will retain as much information as is necessary to enable any future queries regarding benefits to be answered fully and accurately.~~

What is our lawful basis for processing your information?

The legal basis for our use of your personal data will generally be one or more of the following:

a. GDPR Article 6(1)(a) The individual has given clear consent for you to process their personal data for a specific purpose. This applies to the pension portal only

b. GDPR Article 6(1)(b) The processing of your personal information is necessary for the performance of a contract to which you are party (employment contract). We need to process your personal data to meet our contractual obligations to you in relation to the Fund (for example, under an agreement that you will pay additional voluntary contributions to the Fund), or to take steps, at your request, before entering into a contract.

a. GDPR Article 6(1)(c) We need to process your personal data to satisfy our legal obligations as the Administering Authority of the Fund;

b. GDPR Article 6(1)(e) We need to process your personal data to carry out a task in the public interest or in the exercise of official authority in our capacity as a public body;

c. GDPR Article 6(1)(f) We need to process your personal data for the legitimate interests of administering and managing the Fund and liabilities under it, calculating, securing and paying benefits and performing our obligations and exercising any rights, duties and discretions the Administering Authority has in relation to the Fund;

d. GDPR Article 9(2)(b) The processing of your special category data is necessary for the carrying out of obligations and exercising specific rights of the data controller or of the data subject in the field of employment.

~~GDPR Article 6(1)(b) The processing of your personal information is necessary for the performance of a contract to which you are party (employment contract).~~

~~GDPR Article 6(1)(a) The individual has given clear consent for you to process their personal data for a specific purpose. This applies to the pension portal only.~~

~~GDPR Article 9(2)(b) The processing of your special category data is necessary for the carrying out of obligations and exercising specific rights of the data controller or of the data subject in the field of employment.~~

~~The legal basis for our use of your personal data will generally be one or more of the following:~~

~~a) we need to process your personal data to satisfy our legal obligations as the Administering Authority of the Fund;~~
~~a) we need to process your personal data to carry out a task in the public interest or in the exercise of official authority in our capacity as a public body;~~
~~b) we need to process your personal data for the legitimate interests of administering and managing the Fund and liabilities under it, calculating, securing and paying benefits and performing our obligations and exercising any rights, duties and discretions the Administering Authority has in relation to the Fund;~~
~~c) we need to process your personal data to meet our contractual obligations to you in relation to the Fund (for example, under an agreement that you will pay additional voluntary contributions to the Fund), or to take steps, at your request, before entering into a contract.~~

For more information about how the County Council uses your data, including your privacy rights and the complaints process, please see our Corporate Privacy Notice.

North Yorkshire Pension

Memorandum of Understanding regarding Compliance with Data Protection Law

April 2020

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

Local Government Pension Scheme

Memorandum of Understanding regarding Compliance with Data Protection Law

Contents

Introduction

1.1 The Local Government Pension Scheme ("**LGPS**") in England and Wales is an occupational pension scheme registered under section 153 of the Finance Act 2004 and its rules are currently set out in The Local Government Pension Scheme Regulations 2013 (SI 2013/2356) as amended ("**LGPS Regulations**").

1.2 The LGPS is administered locally by administering authorities who are defined in Regulation 2 of the LGPS Regulations and listed in Part 1 of Schedule 3 of the LGPS Regulations.

1.3 North Yorkshire County Council (NYCC) is an administering authority under the LGPS Regulations. NYCC manages and administers the North Yorkshire Pension Fund (the **NYPF**) within the LGPS in accordance with its statutory duty under Regulation 53 of the LGPS Regulations. Employers with employees who are eligible to be members of the LGPS will participate in the NYPF as a "**Scheme Employer**" (as defined in schedule 1 of the LGPS Regulations).

NYCC and the Scheme Employer (together the "**Parties**") are required to share personal data relating to the Scheme Employer's current and former employees who participate in the NYPF (the "**Members**") and their dependants. This is in order for NYCC to fulfil its statutory duties to manage and administer the NYPF under Regulation 53 of the LGPS Regulations and provide the Members with benefits upon retirement, pay ill-health benefits, pay death grants, pay survivors' pensions to Members' spouses, civil partners and co-habiting partners, pay children's pensions upon the death of the Member and offer Members the option of paying additional voluntary contributions to one or more providers in accordance with Regulations 1 – 52 of the LGPS Regulations.

1.4 Scheme Employers are under a statutory obligation, as detailed in Regulation 80 of the LGPS Regulations, to provide certain personal data relating to its Members on an annual basis to NYCC, including the Member's name, gender, date of birth, national insurance number, pensionable pay, employer and employee pension contributions, details of any additional pension contributions and additional voluntary contributions.

1.5 This Memorandum of Understanding sets out:

(a) the basis on which data will be shared between the Parties;

(b) NYCC's expectations of the Scheme Employer during its participation in the NYPF;

in order to comply with Data Protection Law, including the General Data Protection Regulation (2016/679) ("**GDPR**") which will have direct legal effect in the UK from 25 May 2018.

1.6 References to "**Data Protection Law**" in this Memorandum of Understanding mean:

(a) the Data Protection Act 1998,

(b) the Data Protection Directive (95/46/EC),

(c) the Electronic Communications Data Protection Directive (2002/58/EC),

(d) the Privacy and Electronic Communications (EC Directive) Regulations 2003 (SI 2426/2003) (as amended),

(e) the General Data Protection Regulation (2016/679);

and all applicable laws and regulations relating to personal data and privacy which are enacted from time to time, including (where applicable) the guidance and codes of practice issued by the Information Commissioner's Office and any other competent authority.

2 Data Controllers

2.1 The Parties acknowledge that they will:

(a) not hold a pool of joint data;

(b) be separate and independent data controllers in relation to the copies of the Members' personal data they respectively hold;

(c) act as data controller in relation to personal data transferred to them;

(d) each be responsible for complying with the requirements in Data Protection Law that are applicable to them as data controllers.

2.2 References to Members' personal data includes personal data relating to the Members' dependants (including children) and spouses/civil partners (where applicable).

3 Data Sharing

3.1 The Parties confirm that they understand their respective obligations under Data Protection Law as data controllers and agree to only process personal data relating to the Members:

(a) fairly and lawfully and in accordance with the data protection principles set out in Data Protection Law;

(b) where there are lawful grounds for doing so; and

(c) in accordance with Data Protection Law and best practice guidance (including the Data Sharing Code issued by the Information Commissioner's Office and updated from time to time).

3.2 Each Party will separately inform the Members (as required under Data Protection Law) of the respective purposes for which they will each process their personal data and provide all required information to ensure that the Members understand how their personal data will be processed in each case by NYCC or the Scheme Employer (as applicable). The Scheme Employer's privacy notice to Members will inform them that their personal data will be provided to NYCC and a copy of that notice will be provided to NYCC on request.

3.3 Each Party confirms that it understands its respective obligations under Data Protection Law:

(a) to ensure that the Members' personal data of which it is a data controller is kept and used securely at all times

(b) to take such technical and organisational security measures against unauthorised and unlawful processing of, accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to the Members' personal data transmitted, stored or otherwise processed as may be required.

Such measures will have due regard to the state of technological development and the cost of implementation of these measures, to ensure a level of security appropriate to the harm that might result from such processing and the nature, scope, context and purposes of processing the

Members' personal data and the risk or likelihood and severity for the rights and freedoms of data subjects.

Such measures will ensure:

(a) the ongoing confidentiality, integrity, availability and resilience of processing the Members' personal data;

(b) the ability to restore the availability and access to the Members' personal data in a timely manner in the event of a physical or technical incident;

(c) carrying out of regular testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing.

3.4 Each Party undertakes to notify the other as soon as practical if an error is discovered in the Members' personal data of which it is a data controller and which was received from or a copy of which has been provided to the other Party. This will ensure that such other Party is then able to correct its own records. This will happen whether the error is discovered through existing data quality initiatives or is flagged up through some other route (such as the existence of errors being directly notified to NYCC or the Scheme Employer (as appropriate) by the Member (or the Member's dependants, spouse/civil partner, themselves).

4 Transfer of Members' personal data

4.1 The Parties agree that Members' personal data will only be transferred from one Party to the other via an acceptable method specified by NYCC which may include any of the following:

(a) secure email

(b) SFTP link

(c) access secure website

4.2 Each Party will, when transferring the Members' personal data of which it is the data controller to the other Party, ensure that that data is secure during transit (whether physical or electronic).

4.3 If either NYCC or the Scheme Employer appoints professional advisers, third party administrators or another entity which provides other services involving the transfer of Members' personal data, those third parties will be data processors or data controllers in their own right. NYCC or the Scheme Employer (as applicable) will comply with its own obligations in accordance with Data Protection Law (in particular, by ensuring that any entity to which it transfers Members' personal data also complies with Data Protection Law) and shall ensure that nothing in the terms of engagement between NYCC or the Scheme Employer (as applicable) and such third party would contradict this Memorandum of Understanding.

5 Rights of Members (including the Member's dependants, spouses/civil partners (where applicable))

5.1 Each Party shall, in respect of the personal data of which it is a data controller, respond to any requests from Members to have access to any of their personal data or a complaint or enquiry relating to that Party's processing of the Members' personal data received by that Party in line with its own obligations under the Data Protection Law.

5.2 Each Party agrees to provide reasonable assistance to the other as is necessary to enable the other Party to comply with any such requests in respect of Members' personal data of which that Party is a data controller and to respond to any other queries or complaints from Members.

6 Data Security Breaches and Reporting Procedures

6.1 Each Party confirms that it understands its respective obligations under Data Protection Law in the event of any personal data breach, unauthorised or unlawful processing of, loss or destruction of or damage to any of the Members' personal data, including (where necessary) an obligation to notify the Information Commissioner's Office and/or the Member(s).

7 Responsibilities of Scheme Employers

7.1 Notwithstanding the statutory obligations which apply to Scheme Employers under the LGPS Regulations and as a data controller under Data Protection Law, NYCC, as Administering Authority for the Fund, expects participating Scheme Employers to comply with the responsibilities set out below in relation to Members' personal data.

7.2 On request, the Scheme Employer will inform the Pensions ~~Technical Compliance Team Leader~~Employer Relationship Manager at NYCC of any qualified person appointed to fulfil the role of data protection officer ("**DPO**") together with their contact details. If the Scheme Employer has not appointed a DPO, they will, on request, inform the Pensions ~~Technical Compliance Team Leader~~Employer Relationship Manager at NYCC of the details of a nominated person for GDPR compliance purposes.

7.3 The Scheme Employer will demonstrate to NYCC's satisfaction when dealing with ill health early retirement applications for current employees that explicit Member consent has been received which gives consent to processing by both the Scheme Employer and NYCC. In the absence of such consent, NYCC may not be able to process the Member's application.

7.4 The Scheme Employer acknowledges the financial penalties that can be imposed by the Information Commissioner's Office in relation to breaches of Data Protection Law and will inform NYCC immediately it becomes aware it may be liable to pay such a financial penalty. The Scheme Employer further acknowledges that any liability it may have to pay a financial penalty to the Information Commissioner's Office may result in a revision of the rates and adjustments certificate in accordance with Regulation 62(7) of the LGPS Regulations.

8 Compliance with the Memorandum of Understanding

8.1 Failure by the Scheme Employer to comply with the terms set out in this Memorandum of Understanding may result in NYCC reporting the Scheme Employer's non-compliance to the Information Commissioner's Office;

9 Review and Amendment of Memorandum of Understanding

9.1 NYCC will review the Memorandum of Understanding from time to time. NYCC reserves the right to amend the Memorandum of Understanding at any time and with immediate effect and will provide written notice to the Scheme Employer of such amendment.

North Yorkshire Pension Fund

Training Policy for the Pension Fund Committee

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

Contents

Introduction

North Yorkshire County Council (NYCC) as the administering authority for the North Yorkshire Pension Fund (NYPF) recognises that effective financial administration and decision making can only be achieved where those involved have the relevant skills, knowledge and experience.

The 2004 Pensions Act requires that trustees of occupational pension schemes should be trained and have knowledge and understanding of the law relating to pensions and role of trustees, the principles of scheme funding and investment, and the management and administration of pension scheme benefits. Members of the Pension Fund Committee (PFC) are not legally trustees and are not bound by this law, however they should aim to reach a similar standard

The (PFC) has adopted the recommendations of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Public Sector Pensions Finance Knowledge and Skills and the CIPFA Knowledge and Skills Framework for Elected Members and Non Executives in the Public Sector (**Appendix A**) as the basis of its training policy and programme.

Application of the Policy

The training policy applies to all members of the PFC and council officers that have involvement in managing the Pension Fund, at any level.

Training Requirements

In order to identify and meet training needs and assess whether those governing the Fund are meeting the CIPFA Framework requirements, all PFC Members agree to:

- Complete the Pensions Regulator's online toolkit (new Members) at https://trusteetoolkit.thepensionsregulator.gov.uk/
- Attend a basic training course (LGA Fundamentals or equivalent) designed for new members to the Pensions Committee, or as a refresher when required.
- Undertake, as a Committee, regular training as set out in the annual training plan.
- Highlight any areas where further training is required following subjects covered in PFC meetings or, following attendance at any external training events or conferences.
- Undertake an annual self-assessment of the CIPFA knowledge and skills framework for Elected Members and Non Executives in the Public Sector.

Officers with responsibility for managing the LGPS are expected to have a detailed understanding of the CIPFA Knowledge and Skills Framework requirements for LGPS Practitioners, taking account of the requirements of their roles.

Officers will engage with the Individual Performance Management (IPM) process to identify any knowledge gaps and address training requirements.

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Training Delivery

Training will be delivered using a variety of methods including but not limited to:

- Bespoke sessions, delivered internally by the Fund's actuary, Fund Managers, Investment Consultants and officers
- Attendance at external conferences and seminars
- Regular updates provided at PFC meetings by officers and advisers
- Online material such as the Pension Regulator's Toolkit and other e-learning, webinars and publications
- New PFC Members will be assigned an established PFC Member during the first 12 months of term to act as a 'buddy'.

Relevant training events will be emailed to PFC Members as and when they become available. After attendance at a training event the attendee will provide feedback at the next PFC meeting. Officers will maintain a log of all events attended for compliance with reporting and monitoring requirements.

Review

The policy is reviewed and updated annually.

The PFC will approve a training programme for the next financial year and will review the content and delivery of the training programme at each subsequent meeting.

Costs

All training costs will be met by the Pension Fund.

Appendix

Appendix A - Pensions Fund Committee: Knowledge and Skills Framework

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Pensions Fund Committee: Knowledge and Skills Framework			
Learning needs analysis		**Training requirements and plan**	
Knowledge Area	**Rate my skills** 1 – no knowledge 5 – highly skilled	**Training Requirements**	**Training Plan**
Pensions legislative and governance context			
General pensions framework			
A general awareness of the pensions legislative framework in the UK.	**1 2 3 4 5**		
Scheme specific legislation			
An overall understanding of the legislation specific to the scheme and the main features relating to benefits, administration and investment.	**1 2 3 4 5**		
An awareness of the LGPS (Benefits, Membership and Contributions) Regulations 2007 and the LGPS Administration Regulations 2008 and their main features.	**1 2 3 4 5**		
An appreciation of LGPS discretions and how the formulation of the discretionary policies impacts on the pension fund, employers and local taxpayers.	**1 2 3 4 5**		

Knowledge Area	**Rate my skills** 1 – no knowledge 5 – highly skilled	**Training Requirements**	**Training Plan**
A regularly updated appreciation of the latest changes to the scheme rules.	**1 2 3 4 5**		
Knowledge of the role of the administering authority in relation to the LGPS.	**1 2 3 4 5**		
Pensions regulators and advisors			
An understanding of how the roles and powers of the Pensions Regulator, the Pensions Advisory Service and the Pensions Ombudsman relate to the workings of the scheme.	**1 2 3 4 5**		
General constitutional framework			
Broad understanding of the role of pension fund committees in relation to the fund, administering authority, employing authorities, scheme members and taxpayers.	**1 2 3 4 5**		
Awareness of the role and statutory responsibilities of the treasurer and monitoring officer.	**1 2 3 4 5**		

Knowledge Area	Rate my skills 1 – no knowledge 5 – highly skilled	Training Requirements	Training Plan
Pension scheme governance			
An awareness of the LGPS main features.	**1 2 3 4 5**		
A detailed knowledge of the duties and responsibilities of committee members.	**1 2 3 4 5**		
Knowledge of the stakeholders of the pension fund and the nature of their interests.	**1 2 3 4 5**		
Knowledge of consultation, communication and involvement options relevant to the stakeholders.	**1 2 3 4 5**		
Pensions accounting and auditing standards			
Awareness of the Accounts and Audit Regulations and legislative requirements relating to the role of the committee and individual members in considering and signing off the accounts and annual report.	**1 2 3 4 5**		

Knowledge Area	Rate my skills 1 – no knowledge 5 – highly skilled	Training Requirements	Training Plan
Awareness of the role of both internal and external audit in the governance and assurance process.	**1 2 3 4 5**		
Financial services procurement and relationship management			
Understanding public procurement			
Understanding of the background to current public procurement policy and procedures, and of the values and scope of public procurement and the roles of key decision makers and organisations.	**1 2 3 4 5**		
A general understanding of the main public procurement requirements of UK and EU legislation.	**1 2 3 4 5**		
Supplier risk management			
Awareness of the nature and scope of risks for the pension fund and of the importance of considering risk factors when selecting third parties.	**1 2 3 4 5**		
Performance and risk management			
Total fund			
Understanding of the importance of monitoring asset returns relative to the liabilities and a broad understanding of ways of assessing long term risks.	**1 2 3 4 5**		

Knowledge Area	Rate my skills 1 – no knowledge 5 – highly skilled	Training Requirements	Training Plan
Performance of advisors			
Awareness of the Myners principles of performance management and the approach adopted by the committee.	**1 2 3 4 5**		
Performance of the committee			
Awareness of the Myners principles and the need to set targets for the committee and to report against them.	**1 2 3 4 5**		
Performance of support services			
Awareness of the range of support services, who supplies them and the nature of the performance monitoring regime.	**1 2 3 4 5**		
Financial markets and products knowledge			
Investment strategy			
Awareness of the risk and return characteristics of the main asset classes (equities, bonds, property).	**1 2 3 4 5**		
Understanding of the role of these asset classes in long term pension fund investing.	**1 2 3 4 5**		

Knowledge Area	Rate my skills 1 – no knowledge 5 – highly skilled	Training Requirements	Training Plan
Financial markets			
Understanding of the primary importance of the investment strategy decision.	**1 2 3 4 5**		
A broad understanding of the workings of the financial markets and of the investment vehicles available to the pension fund and the nature of the associated risks.	**1 2 3 4 5**		
An awareness of the limits placed by regulation on the investment activities of local government pension funds.	**1 2 3 4 5**		
Actuarial methods, standards and practices			
Valuations			
Knowledge of the valuation process, including developing the funding strategy in conjunction with the Fund actuary, and inter-valuation monitoring.	**1 2 3 4 5**		
Awareness of the importance of monitoring early and ill health retirement strain costs.	**1 2 3 4 5**		

Knowledge Area	Rate my skills 1 – no knowledge 5 – highly skilled	Training Requirements	Training Plan
A broad understanding of the implications of including new employers into the fund and of the cessation of existing employers.	**1 2 3 4 5**		
Outsourcing			
A general awareness of the relevant considerations in relation to outsourcings and bulk transfers.	**1 2 3 4 5**		

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North Yorkshire Pension Fund

Cashflow Policy

July 2020

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

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Cashflow Policy

1.0 Introduction

1.1 This Policy sets out how the North Yorkshire Pension Fund (NYPF, 'the Fund') will manage its cashflow requirements. As Pension Funds mature the monitoring of the inflows and outflows of the Fund is of increasing importance as benefits payable can begin to overtake the contributions in from employers, putting the Fund into a cashflow negative position. NYPF is now in this position as, due to the high funding position, levels of cash inflows into the Fund are not as high as previously seen. In addition, as part of its de-risking strategy, the Fund is increasingly investing in alternative asset classes that require regular capital commitments over a long term investment period, increasing cashflow requirements.

1.2 The Policy will be kept under review by the Fund with regard to applicable legislation and guidance. The Pension Fund Committee will be asked to formally review and approve the Policy on an annual basis.

2.0 Management of Pension Fund cash

2.1 The Fund holds working cash balances to manage its cashflow requirements on a day-to-day basis. This cash balance is managed by the Administering Authority, North Yorkshire County Council (NYCC), within a separate bank account, in line with 'The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016'. This cash balance is kept to a minimum, with any balances not immediately required being invested in an overnight deposit facility. Cash investments are made in accordance with NYCC's Treasury Management Policy and are placed with an approved list of counterparties. All counterparties are approved at Full County Council.

2.2 The Fund does not have an allocation to cash investments in its long term investment strategy. However, it recognises that in the short term it can be beneficial to hold cash investments for the security of capital values, to aid implementation of the long term strategy and for liquidity purposes. Any cash investments will be placed with NYCC in the same way as the working cash balance.

3.0 Cashflow management and disinvestment policy

3.1 Cashflow of the Fund is monitored regularly by officers. At the start of each year a detailed cashflow projection is produced to determine the value and timing of cash requirements over the year. This projection takes into account the main cash inflows and outflows, including benefits payable and contribution income, the costs of running the Fund and also any investment income and known capital calls to fund investment commitments.

3.2 The policy of the Fund will be to enhance income generation and keep disinvestments to a minimum. The following areas will therefore be of focus going forward:

- Maximisation of income generation within the Fund's current investments, where appropriate
- Review of opportunities for new income generating assets as part of the implementation of the current long term investment strategy
- Reviewing income generation requirements as part of future investment strategy reviews

3.3 Where cashflow monitoring determines that after all available investment income is received, disinvestments are still required to meet cashflow requirements, a plan will be produced to determine where funds will be disinvested and the appropriate timing of the disinvestment. This disinvestment plan will be managed by the Treasurer in year and reviewed by PFC periodically. Disinvestments will be based on the most advantageous option available under current circumstances and will take the following into consideration:

- Liquidity and yield
- Any transaction costs on disinvestment
- Security of capital value
- Alignment to long term investment strategy

3.4 Whilst a disinvestment plan will cover all known cash requirements, there will inevitably be circumstances where additional cash is required unexpectedly. The Fund will ensure that there is a level of liquidity within its portfolio to ensure that cash can be sourced in a timely manner through disinvestment if required. If in the unlikely circumstances immediate liquidity was an issue, under the 2016 Regulations, the authority may borrow by way of a temporary loan or overdraft facility, which is liable to be repaid out of the Fund, for the purposes of paying benefit obligations due under the Scheme or for rebalancing purposes. This must be repaid by the Fund within 90 days. This facility would only be used once all other options have been exhausted and with prior approval from the Section 151 Officer.

5 Cashflow Reporting

5.1 The cashflow of the Fund is reported to the Pension Fund Committee (‘PFC’, ‘the Committee’) on a quarterly basis. The Committee are provided with all cash movements for rebalancing purposes that have taken place in the previous quarter and a three year cashflow projection.

July 2020

NORTH YORKSHIRE COUNTY COUNCIL

PENSION FUND COMMITTEE

3 JULY 2020

INVESTMENT STRATEGY REVIEW

Report of the Treasurer

1. PURPOSE OF REPORT

1.1. To consider an allocation to BCPP's Sterling Investment Grade Credit Fund.

1.2. To approve additional expenditure for the development of the BCPP Property Funds.

2. ALLOCATION TO INVESTMENT GRADE CREDIT

2.1. To remind Members, as part of the latest Investment Strategy Review, the Fund took the decision to allocate 7.5% to liquid credit investments. It is intended that this investment be allocated across both investment grade and sub-investment grade credit strategies. Subsequently, in the November 2019 Pension Fund Committee (PFC) meeting, Members approved an investment of up to 5% in the BCPP Multi-Asset Credit (MAC) Fund, in principle, subject to further due diligence. This sub-fund is due to be launched in 2021 and is to be made up of sub-investment grade credit investments across several asset classes. As there is to be no allocation to investment grade credit within this sub-fund, it was recommended by the Fund's advisers that the allocation to liquid credit be blended across the BCPP MAC and the BCPP Sterling Investment Grade Credit (IGC) sub-funds in order to achieve the requirements and risk appetite of the Fund.

2.2. The IGC sub-fund was launched in February 2020. However, it was decided in the September 2019 PFC meeting that the Fund would not invest on initial launch, instead it would await further details on the MAC sub-fund and then determine the best blend of investment across the sub-funds. It was acknowledged that an investment in either of these sub-funds would be a change in asset class, and the Fund would therefore not benefit from cost sharing by investing on the initial launch, as the cost of liquidating to cash is outside of the cost sharing.

2.3. In the May 2020 PFC workshop, the long term Investment Strategy and progress on implementation were recapped and implementation options were explored in light of the changing market conditions, as a result of the COVID-19 pandemic. In this workshop, the Fund's advisers suggested that now was a good entry point into the IGC asset class in terms of Global IG Credit spreads.

2.4. Following this meeting the investment advisor and consultants, in conjunction with Fund officers, have undertaken a high level due diligence review on the BCPP IGC sub-fund. This is a long-term, low turnover strategy that is externally managed with a performance objective to outperform the benchmark by 60bps (net of fees) over a rolling five-year period. BCPP have appointed three external managers, Royal London Asset Management (RLAM), M&G and Insight, with differentiated strategies to provide diversification through a blend of complementary investment styles. All managers have an equal allocation of the overall investment. The portfolio size was around £2.6bn on launch.

2.5. This high level due diligence has included a review of the documentation available, asking supplementary questions where necessary, and a review of the external managers appointed. This review has not raised any red flags. The managers appointed are considered experienced and are buy-rated and the cost of investing in this sub-fund is competitive. This review will be covered in further detail in the July PFC meeting.

2.6. Members are asked to consider an investment of 2.5% (c.£90m) in the BCPP Investment Grade Credit Fund to take its allocation in liquid credit up to the 7.5% strategic allocation. It is recommended that this investment is funded from the M&G fund. This is where the PIMCO MAC investment is to be funded from and will reduce the overweight allocation to index linked gilts, to bring the allocation more in line with the 10% strategic allocation.

3. BCPP PROPERTY SUB-FUNDS

3.1. BCPP is currently working on the design and business case for the property sub-funds in conjunction with Partner Funds. It is expected that there will be two Funds, a UK Property Fund and a Global Property Fund. There will be a webinar presented to the Committee in the informal workshop on 2 July 2020 that provides an introduction to these sub-funds, including further detail on the anticipated sub-fund characteristics and an initial analysis of costs, payback periods and potential savings for Partner Funds.

3.2. These sub-funds are still at the early stages of the design phase and further work is required on the operating model and other design elements. BCPP will continue to work in collaboration with Partner Funds and their advisers to agree the final design. Property is a particularly difficult area to pool given the high transaction costs involved and the illiquidity of the assets. Partner Funds also have a range of different property investments currently, with some investing directly, some investing in pooled property funds and some holding global property investments, whilst others hold UK only investments. It is therefore anticipated that it will take some time to get to the position where initial commitments can be made by Partner Fund Committees, subject to due diligence. It is likely that Committees' initial investment approvals will be required in the Q1 2021 PFC meetings.

3.3. The budget to further develop these property sub-funds was not included in the original 2020-21 Strategic Plan and Budget as it was intended that any additional resource requirements would be considered as part of the business case phase for sub-funds, once anticipated costs could be estimated more accurately. BCPP have now asked that Partner Funds approve additional funding of up to £800k, £75k per Partner Fund, to be brought forward to allow them to be in a position to proceed with the build of these sub-funds following Partner Fund initial commitments to invest. This additional funding will cover the following:

- Designing the target operating model for both funds,
- Preparing the RFP design for key service providers,
- Regulatory tax and legal assistance, and
- Project management support.

3.4. Members are asked to approve additional expenditure of up to £75k to fund the above elements of the build phase of the BCPP Property Funds.

4. RECOMMENDATIONS

Members are to:

4.1. Consider an investment of 2.5% (c.£90m) in the BCPP Investment Grade Credit Fund.

4.2. Approve additional funding of up to £75k for the development of the BCPP Property Funds.

GARY FIELDING
Treasurer to North Yorkshire Pension Fund
NYCC
County Hall
22 June 2020