

WILTSHIRE COUNCIL

WILTSHIRE PENSION FUND COMMITTEE

28 March 2024

LPB Recommendation – Minute 14 – 13 February

Administering Authorities Discretions Policy

Purpose of the Report

1. To note four minor amendments to the Fund's regulatory discretions.

Background

2. In various parts of the LGPS Regulations, the Fund is afforded discretion over how the rules of Scheme operate, allowing a degree of localised decision making.
3. In line with best practice, the Fund summarises its approach to all of these areas of discretion in an Administering Authority Discretions Policy. This whole policy was last reviewed and approved by the Committee on 31 March 2021.
4. As with all key policies and strategies, it is good practice to review its contents periodically, normally every 3 years for policies of this nature.
5. As one of the core policies identified in the Committee's terms of reference, this policy has been submitted to the Committee for your approval.

Considerations for the Committee

6. As no new LGPS Regulations have been published since the last review officers have not undertaken a full review of all the discretions. However, a full review of all policies and procedures will be undertaken over the next 12 months, notably within the administration area and where required, officers will propose changes to discretions to reflect any updates. Where this occurs, a revised Administering Authorities Discretions Policy will be brought back for further approval.
7. The Committee is asked to note, that whilst it is common place to summarise all discretions into a single document, the discretions themselves are wide-ranging and are mostly independent of one another which is why a partial review was deemed a reasonable way forward.
8. For information, the four minor amendments to the Fund's regulatory discretions are:
 - a). Name changes to reflect the new operational staffing structure from January 2023.
 - b). Policy No. 2: Under WPF discretion column, just after... R3(5) & RSch 2, Part 3, para1) "and s75 of the NHS Act" has been included.
 - c). Policy No. 3: Under WPF discretion column just after...where, possible, through reasonable means "and within a reasonable period (specified by the Administering Authority)" has been included.
 - d) Policy No. 4: Under WPF discretion column reference to "Fund" have been changed to "Administering Authority".
9. The Board reviewed the Administering Authority Discretions Policy at its meeting in February and has recommended the changes made by officers to the Committee.

Environmental Impact of the Proposal

10. Not applicable.

Financial Considerations & Risk Assessment

11. There are no specific financial and risk assessments resulting from this report.

Legal Implications

12. There are no material legal implications from this report.

Safeguarding Considerations/Public Health Implications/Equalities Impact

13. There are no known implications at this time.

Proposals

14. The Committee is asked to approve the recent amendments to the Administering Authority Discretions Policy.

Jennifer Devine
Head of Wiltshire Pension Fund

Report Author: Richard Bullen, Fund Governance Manager

Appendix 1: Administering Authority Discretions Policy