

## Re-appointment of Board Member

To: Local Pension Fund Board

Meeting Date: 28 April 2023

From: Democratic Services Manager, Michelle Rowe

Outcome: To address the need for appointment of a Unison employee representative to the Local Pension Fund Board.

Recommendation: The Pension Fund Board is asked to recommend to the Monitoring Officer the re-appointment of Barry O'Sullivan for a further four year term running to the end of July 2027.

### Officer contact:

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### Member contacts:

Names: Parish Councillor, Denis Payne/ Mr Barry O'Sullivan  
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## 1. Background

- 1.1 Appointments to this board are for a period of four years. When setting up the original Local Pension Fund Board in 2015, employee representatives were selected after placing advertisements on the Council's website and Pension Fund website pages. Following interviews by a panel including the Monitoring Officer, Barry O'Sullivan was appointed until July 2019. He was then reappointed by the Monitoring Officer for an additional term, following recommendation from the board on 3 May 2019. He now serves as Vice-Chair for the Local Pension Fund Board.

## 2. Main Issues

- 2.1 Appendix 1 to the report sets out the relevant extract from the regulations in respect of board membership. In terms of final approval by the administering authority, this would be a decision by the County Council's Monitoring Officer.

- 2.2 Mr O'Sullivan's appointment is scheduled to terminate 31 July 2023. However, he has expressed he would be content to continue in this role. Unison, the body from which Mr O'Sullivan was appointed, has also expressed their desire for his renewed appointment, stating:

'For the past eight years, Barry has represented Unison members on the Local Pension Fund Board. During that time, he has never failed to impress the importance of maintaining a safe funding position for current and future members. His work for Unison members is unsurpassed in this respect, and we express our sincere gratitude for his diligent stewardship.'

- 2.3 Fully participating in the business of Local Pension Fund Board requires a considerable amount of training in terms of the background knowledge regarding pensions' regulations and Pension Fund investments. Considering the amount of training undertaken by Mr O'Sullivan and the difficulty of finding people with a similar level of knowledge, it is proposed that the board recommend to the Monitoring Officer that he is re-appointed for a further four-year term. There appears to be no legal reason to prevent this.
- 2.3 Should this appointment not be recommended, a recruitment exercise would be required, causing additional expenditure for the Council. Appointment of a new Vice-Chair would also be necessary.

## 3. Alignment with corporate priorities

- 3.1 Environment and Sustainability

There are no significant implications for this priority.

- 3.2 Health and Care

There are no significant implications for this priority.

- 3.3 Places and Communities

There are no significant implications for this priority.

3.4 Children and Young People

There are no significant implications for this priority.

3.5 Transport

There are no significant implications for this priority.

4. Significant Implications

Not applicable.

5. Source documents guidance

5.1 None.

6. Appendices

6.1 Attached.

## The Local Government Pension Scheme (Amendment) (Governance) Regulations 2015

### 3. Governance

#### Local pension boards: membership

107.—(1) Subject to this regulation each administering authority shall determine—

- (a) the membership of the local pension board;
- (b) the manner in which members of the local pension board may be appointed and removed;
- (c) the terms of appointment of members of the local pension board.

(2) An administering authority must appoint to the local pension board an equal number, which is no less than 4 in total, of employer representatives and member representatives and for these purposes the administering authority must be satisfied that—

- (a) a person to be appointed to the local pension board as an employer representative has the capacity to represent employers; and
- (b) a person to be appointed to the local pension board as a member representative has the capacity to represent members.

(3) Except where a local pension board is a committee approved under regulation 106(2) (committee that is a Scheme manager is also local pension board)—

- (a) no officer or elected member of an administering authority who is responsible for the discharge of any function under these Regulations (apart from any function relating to local pension boards or the Local Government Pension Scheme Advisory Board) may be a member of the local pension board of that authority; and
- (b) any elected member of the administering authority who is a member of the local pension board must be appointed as either an employer representative or a member representative.

(4) Where a local pension board is a committee approved under regulation 106(2) (committee that is a Scheme manager is also local pension board) the administering

authority must designate an equal number which is no less than 4 in total of the members of that committee as employer representatives and member representatives and for these purposes the administering authority must be satisfied that—

(a) a person to be designated as an employer representative has the capacity to represent employers; and

(b) a person to be designated as a member representative has the capacity to represent members.