

**POLICE ADVISORY BOARD FOR ENGLAND AND WALES**

**NINETEENTH ANNUAL REPORT OF THE INDEPENDENT CHAIR**

**APRIL 2019 - MARCH 2020**

**2019-2020**

## Foreword

The Police Advisory Board for England and Wales (PABEW) was established as a non-departmental public body under section 46 of the Police Act 1964, now section 63 of the Police Act 1996. During the year 2016, the PABEW was reclassified as a Stakeholder Group following a recommendation in the triennial review. Its membership and functions are set out in its constitution, which was revised and agreed in January 2015 and can be found at Annex E. It is tasked to:

- a. advise the Secretary of State on general questions affecting the police in England and Wales;
- b. consider draft regulations which the Secretary of State proposes to make under section 50 or section 52 of the Police Act 1996 with respect to matters other than hours of duty, leave, pay and allowances, or the issue, use and return of police clothing, personal equipment and accoutrements, or the ranks to be held by members of police forces, or the qualifications for appointment and promotion of members of police forces, or periods of service on probation, or the maintenance of personal records of members of police forces and to make such representations to the Secretary of State as it thinks fit;
- c. consider draft regulations which the Secretary of State proposes to make under section 37, 39, 81 or 83 of the Police Act 1997, and to make such representations to the Secretary of State as it thinks fit;
- d. consider draft regulations which the Secretary of State proposes to make under Part 2 of the Police Reform Act 2002, and to make such representations to the Secretary of State as it thinks fit;
- e. consider draft regulations which the Secretary of State proposes to make under section 1 of the Police Pensions Act 1976.
- f. establish the Scheme Advisory Board for the Police Pension Schemes, in accordance with the requirements of s7 of the Public Service Pensions Act 2013.
- g. it may also consider any matter relating to conditions of service (excluding those matters listed in section b above), and any other matter affecting the police which has been referred to it by the Secretary of State, and it will advise the Secretary of State on such matters within any time limit specified by the Secretary of State.

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## **Introduction**

1. This is the nineteenth Annual Report on the work of the Police Advisory Board for England and Wales (PABEW) and the groups which meet under its aegis. It covers the work of the Board from 1 April 2019 to 31 March 2020.

## **What we do**

2. The Board was established by statute to advise the Home Secretary on general questions affecting the police in England and Wales. It fulfils a role comparable to that of consultative bodies found in other fields of employment, and shares with them the objectives of engaging the expertise and experience of managers and staff alike in addressing the challenges of change and reform, and of providing a forum for the resolution of difficulties.
3. There is a separate Policing Advisory Group for Northern Ireland and a consultative forum for the police service in Scotland; both has its own pensions Scheme Advisory Board.
4. To ensure a flow of information and ideas in relation to police pensions a Police Pension Consultative Forum meets quarterly with membership drawn from England, Wales, Scotland and Northern Ireland.

## **Working Methods**

5. Much of the substantive work of the Board is undertaken through expert working parties, which give detailed consideration to issues and make recommendations for decision by the full Board. Discussion by the Police Pensions Consultative Forum also feeds issues into the main quarterly meeting. Board meetings focus on straightforward issues, consider the work of the working parties and the Forum and refer new matters to them, as appropriate, following initial discussion. This approach to business enables full meetings to be completed efficiently.
6. As of 1 July 2019, the agendas of the Police Pension Consultative Forum and the Scheme Advisory Board were combined for efficiency. This has been successful as it has reduced duplication of agenda items and enabled more time for substantive discussion.
7. Working parties often include representatives of organisations able to provide specialist knowledge, in addition to representatives of the parties represented on the PABEW.
8. This has been the fifth year of operation of the Police Pension Scheme Advisory Board (SAB). We have come to establish the role of the board and revised the terms of reference this year to reflect the remit of the board appropriately by broadening the terms to include discussion of

UK wide pensions issues. We continue to rely heavily on the support provided through the NPCC and looking for opportunities to make use of data which is being collected by the Department for their purposes to support our consideration of the efficiency and consistency in administration of the schemes.

9. Minutes of the PABEW and SAB quarterly meetings, which summarise all the work which comes under the aegis of the Board are regularly uploaded to our webpage.

### **Issues and recommendations**

#### **Pensions and Tax Issues**

10. There have been constructive debates about a range of pensions related issues. In October 2019, I wrote to the Minister for Policing on behalf of the SAB to set out their joint response to a letter sent by the Minister's predecessor to policing staff associations regarding the impact of pensions taxation. We were seeking support in introducing a number of flexibilities into the police pension schemes, designed to achieve the objective of flexibility for scheme members, while addressing the issue of cost to the Treasury and maintaining membership of the scheme. At the SAB meeting in July, we invited an official from HM Treasury to assist our discussion. The letter highlighted the following:

- Pension scheme member choice to be available to elect to have an element of pay as pensionable or non-pensionable pay, scheme member choice to vary future accrual 1987 scheme 1/45 per year, (the equivalent uniform accrual rate);
- 2015 member contributions at half rate (= 50/50). This may prove an attractive option for new entrants and for those with Annual Allowance issues;
- The availability of a minimal level of membership, which would be contributory but with death in-service and survivor benefits only - no in service accrual.
- The provision of choice to members with membership of 2 schemes to elect to which scheme any 'scheme pays' pension debit should be applied;
- The availability of commutation at the rate of 25% of pension for members of the 1987 scheme aged over 50 with at least 25 years' service, subject to Chief Constable approval.

11. A response from the Minister for Policing was received however concerns remained around the problems being caused by the current rules on Annual Allowance. Home Office representatives at the meeting assured members that they would continue to put forward any evidence and comments provided by the SAB to HM Treasury.

#### **Wider Pensions challenge**

## OFFICIAL

12. On 15 July 2019, the government announced it would take steps to remove the discrimination retrospectively as a result of the McCloud/Serjeant case. It was confirmed that this would apply to pension scheme members with relevant service across all those public service pension schemes that were introduced in 2014 and 2015, regardless of whether individuals had made a claim. SABs across public sector pension schemes were invited to comment on a paper by HM Treasury titled 'Addressing unjustified age discrimination in transitional arrangements to 2015 pension schemes – working proposals' setting out possible remedies of a deferred and immediate choice. A response was submitted to the Home Office along with minutes from the technical discussions for consideration by HMT in early April. The aim throughout had been to identify practical problems which may arise in applying either option and to note gaps in information which may be key to successful implementation.

### **Regulations and Determinations**

13. The Home Office has continued providing quarterly updates of outstanding regulations and determinations through a tabled paper which covers all matters that fall within the terms of reference of the PABEW or Police Consultative Forum (PFC); this is valued by members.

14. There have been frustrating delays in progressing some changes due to the pressure of other business on the Home Office. In particular legal resource seems to have been stretched. While members appreciate that work relating to exiting the European Union and the response to COVID 19 have been exceptional it would be reasonable to expect matters raised which require legal advice or regulatory change to be completed within agreed timescales. That said, at the April quarterly PABEW meeting, members were pleased to see progress on a number of outstanding matters. I have also written to the Minister for Policing on areas where there is consensus to help speed progress. We look forward to accelerated progress on outstanding advice and regulatory change in the year ahead.

### **Summary**

15. The PABEW operates to raise concerns and constructive discussions about a range of issues relating to policing. All representatives of the PABEW engage and work collaboratively to produce thorough responses to a range of consultations. We shall continue our role and display our commitment to driving change forward.

### **PABEW Discipline Sub-Committee**

16. The PABEW Discipline Sub-Committee continues meeting quarterly to work on police disciplinary and performance arrangements.

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17. At the first meeting of the year, in April, the Sub-Committee considered the sexual harassment implementation plan. Although the official launch date was 13 May, information had already been cascaded through to force PSD and had been published on ChiefsNet on the 23 April. The primary concern expressed by members was the issue of an investigative checklist in advance of guidance to be prepared by the College of Policing and considered it to be in conflict with existing regulations, therefore would give rise to uncertainty for PSDs and had the potential to lead to action for abuse of process. These concerns were set out in a letter dated 29 April to CC Williams. Since these discussions, we received confirmation from NPCC that PSD's were aware that the misconduct elements of the sexual harassment implementation plan were now pending and there will be a second iteration of draft guidance on which the Sub-Committee will be providing feedback.
18. Members had been invited to provide the College of Policing (CoP) with comments on the proposed process for dealing with the review of entries on the police barred list. PABEW had considered the Police Barred List and Police Advisory List regulations and so welcomed the opportunity for comment through this forum. It was recognised at the July meeting, that there had been other opportunities to comment on the process and that the regulations themselves were already in place. The staff associations maintained that the presumption of lifelong inclusion on the list had no legislative basis and that CoP had incorrectly interpreted the legislation; they felt the process was disproportionate and unfairly weighted against individuals seeking removal from the list, which might result in legal challenge. The CoP representative made clear that they had considered the points made and had a circulated their response to the feedback. The Sub-Committee noted that the CoP would keep this process under review and we are expecting a report back to the Sub-Committee when the first review is completed in January 2021.
19. The Sub-Committee also had the opportunity to comment on the draft Home Office Guidance and Conduct and Complaints and Misconduct Regulations relating to former officers at meetings. They provided their responses to the Home Office's formal consultation too. This was followed up by a letter to the Home Office highlighting the two sustained concerns by members; first the need for a clearer explanation as to why, where no finding of gross misconduct has been made, there is an additional general requirement for both the investigator and appropriate authority to make a judgement as to whether the conduct fell below the Standards of Professional Behaviour. Second the requirement for a former officer to attend a hearing had been raised many times, with examples given where this might not be straightforward. The Minister for Policing provided a helpful response with an explanation of the policy objective. We were pleased the Regulations relating to the integrity reforms, including the former officer provision, were laid on 10 January 2020 and implemented from 1 February. The Home Office Guidance will also be subject to ongoing review by the PABEW.

20. During January's meeting, the Sub-Committee noted that the latest version of the IOPC Statutory Guidance had been circulated to forces in December 2019 however a copy had not been sent to the Sub-Committee despite the PABEW being consulted on the document earlier in the year. We have continued to highlight the importance of sharing work which might have an impact on discipline with the Sub-Committee. Members had sight of correspondence from PFEW on the need for consistency between the IOPC Complaints Guidance and the Home Office Guidance. It was agreed that once the guidance had been used for 6 months there should be a review to look at issues that had arisen and to deal with any lack of consistency. This will be looked at again in future quarterly meetings.
21. The Sub-Committee is an effective medium exploring existing and upcoming arrangements relating to police disciplinary, complaints and performance procedures which will affect the sector. We value the contribution from stakeholders who are part of the committee and will consider recommendations of extending memberships after consulting with the full PABEW. As an example, we have recently extended an invitation to the National Association of Legally Qualified Chairs who will in future share discussion and contribute to the development of the discipline system, of which they are now a part.

### **Scheme Advisory Board**

22. The Police Pensions Scheme Advisory Board (SAB) is part of the required governance structure for the reformed public service pension schemes under regulation 7 of the Public Service Pensions Act 2013. Schedule 2 of the Act provides that the Home Secretary is the responsible authority who can make and amend the scheme regulations. Under regulation 7 of the Act there must be a scheme advisory board to advise the responsible authority, at the responsible authority's request, on the desirability of changes to the scheme. The governance arrangements also cover the Police Pension Scheme 1987 and the New Police Pension Scheme 2006.

The SAB can provide advice (on request or otherwise) to a scheme manager or to a police pension board in relation to the effective and efficient administration and management of the police pension schemes.

23. The most significant piece of work assigned to the SAB this year was in relation to the response to HM Treasury's paper on addressing age discrimination which has already been referred to in section 3.2. The Police Pension SAB for England and Wales and the Scottish Police Pensions SAB, working with representatives of stakeholders in Northern Ireland, held three technical working group meetings to look at the proposals, focussing on the practical challenges of the options described. The responses will inform the public consultation to be held over the summer.



24. Over the past year, the SAB has continued to keep in regular contact with The Pensions Regulator (TPR) to help ensure we have been aligning our work with their key priorities: record keeping, internal controls and communications. TPR presented their briefing and engagement strategy to members at the January quarterly meeting. They set out the new ways TPR were working to build stronger relationships with those they regulate.

At the October quarterly meeting, we invited a representative from Government Actuary's Department, Scottish Office, who provided a high-level view of the 2020 valuation. We shall maintain our relationships with external organisations to help facilitate our discussions.

25. After each quarterly meeting, a Chair's letter has gone to scheme managers and pension board chairs. During the year, the letters have been used as ways of seeking information to help the Board with matters in discussion. One example was cyber security where TPR survey data showed police responses were well below the average. We asked for the co-operation of Board Chairs to investigate their responses, drive forward any necessary improvements and confirm that they could provide an accurate response to TPR in future.

#### **Transfer of AVCs from Equitable Life to Utmost Life**

26. The SAB were asked to prepare advice for the Home Secretary on the suitability of the proposed transfer of AVCs from Equitable Life to Utmost Life, how scheme members affected should be informed, and consider any draft regulations. The police pension schemes are unfunded and so members of the SAB had not been appointed for, or expected to have, expertise on investment issues. In those circumstances, it was the view of all members that they could do no more than advise the Secretary of State to exercise her vote having taken full account of the legal and financial advice available to her. It was agreed that we would advise on any consequential regulatory changes and on communications.

27. **Summary:** The four SAB meetings, including the working groups, accounted for in this reporting period demonstrates that the Board has made progress in gathering relevant information, enabling us to effectively administer our functions. The close working between the NPCC Pensions Adviser and colleagues has been of particular value.

#### **UK Police Pensions Consultative Forum**

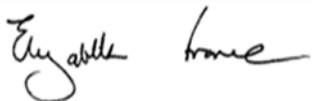
28. Covering UK-wide interests in pension related matters the UKPPCF in contrast to the SAB has a more informal role, which facilitates the exchange of ideas and encourages broad discussion amongst members. Substantive proposals are then progressed to the SAB towards the second half of the combined agenda or to the PABEW main meeting, or the equivalent bodies in Northern Ireland and Scotland, as appropriate, for formal action.

29. **Topics Discussed** included the opt-out data from last years' workforce consensus focussing on the high percentage of mid-career opt outs among the core 25-39 age group of up to 9%. Staff Association's concerns relating to the lack of flexible application of commutation cap and concerns about the legitimacy of pausing the remedy for addressing the cost cap breach were also debated. There have been ongoing discussions about re-joiners and the re-engagement offer to attract officers recently retired to re-join or to seek to retain officers in service who are due to retire in the coming months.
30. **Summary:** The wide-ranging nature of discussion within the forum allows broad consideration of pension issues and, importantly, ensures that representatives from England and Wales, Scotland and Northern Ireland have an opportunity to share issues of concern and best practice.

### **Conclusion**

31. During this reporting year, all groups have continued to work constructively, attendance has been high and contributions well informed. We strive to ensure the best possible advice is provided to Ministers on proposed regulatory change and to play our role in advising on pensions matters. We have continued to build our relationship with the College of Policing and IOPC and we are fully engaged in discussions on discipline.
32. My term as Chair of PABEW ends in February 2021 and so this will be my last annual report. The last six years have delivered a raft of changes affecting the police service; this year they have included implementation of key changes to the discipline process and challenging decisions on the future of pensions. My thanks go to the members of the board and committees; their ability to look at and contribute to thinking on strategic change without losing sight of the issues they have to deal with daily is impressive. I know that the constructive debate and desire to find consensus in the interests policing will continue under my successor.

Elizabeth France CBE

A handwritten signature in black ink, appearing to read 'Elizabeth France', written in a cursive style.

Independent Chair  
Police Advisory Board of England and Wales

July 2020

**ANNEXES**

**Annex A - Members of the PABEW, 2019-20**

**Independent Chair**

Elizabeth France

**Association of Police and Crime Commissioners (APCC)**

Andrew Tremayne

**The London Mayor's Office for Policing and Crime (MOPAC)**

Mike Wadham

**Chief Police Officers' Staff Association (CPOSA)**

Lisa Winward

Shabir Hussain

**Police Federation of England and Wales (PFEW)**

Alex Duncan

John Partington

**Police Superintendents' Association of England and Wales (PSAEW)**

Dan Murphy

Kate Halpin

**National Police Chief's Council (NPCC)**

James Hurley

**Metropolitan Police Service (MPS)**

Mark Pomroy

**Metropolitan Police Service – Trade Union Side**

Valerie Harris

**Police Staff Council – Trade Union Side**

Ben Priestley

Note: Members are regularly represented by alternates, the names of whom appear in the relevant quarterly minutes. We also extend a regular invitation to: The College of Policing, the IOPC, and the Association of Special Constabulary Chief Officers. The Scottish Government, the Police Federation of Northern Ireland, the Department of Justice, Northern Ireland, Police Scotland, the Scottish Police Federation and the Northern Ireland Policing Board.

***While they are not Members the Home Office is appropriately represented at all meetings, presenting proposals for consideration, answering questions from Members and responding to emerging conclusions.***

**Annex B - Members of the SAB, 2019-20**

**Independent Chair**

Elizabeth France

**Association of Police and Crime Commissioners (APCC)**

Andrew Tremayne

Charlotte Radford

**Chief Police Officers' Staff Association (CPOSA)**

Shabir Hussain

**Police Federation of England and Wales (PFEW)**

Alex Duncan

**Police Superintendents' Association of England and Wales (PSAEW)**

Dan Murphy

**National Police Chief's Council (NPCC)**

James Hurley

**National Association of Retired Police Officers (NARPO)**

Steve Edwards

Note: Members are regularly represented by alternates, the names of whom appear in the relevant quarterly minutes. We also extend a regular invitation to: The Scottish Government, The Police Federation of Northern Ireland, the Department of Justice, Northern Ireland, Police Scotland, the Scottish Police Federation and the Northern Ireland Policing Board.

***While they are not Members the Home Office is appropriately represented at all meetings, presenting proposals for consideration, answering questions from Members and responding to emerging conclusions.***

**Annex C – Attendance at PABEW Meetings, 2019-20**

Four quarterly Board meetings were held over the period covered by this Report. No extraordinary meetings of the Board were called. As well as the members listed in Annex A, meetings were attended by Home Office officials, advisers to constituent organisations, members of the secretariat and observers. Their contributions are reflected in the published minutes.

Representation at meetings was as follows:

**30 April 2019**

Chair

The London Mayor's Office for Policing and Crime - 0

Metropolitan Police Service - 0

Association of Police and Crime Commissioners – 1

Police Federation of England and Wales – 1

Police Superintendents' Association – 1

Chief Police Officers' Staff Association – 1

Police Staff Council Trade Union Side – 0

National Police Chief's Council - 1

Metropolitan Police Service Trade Union Side – 1

Observers/in attendance – 10

TOTAL - 16

**17 July 2019**

Chair

The London Mayor's Office for Policing and Crime - 0

Metropolitan Police Service – 0

Association of Police and Crime Commissioners – 1

Police Federation of England and Wales – 1

Police Superintendents' Association – 2

Chief Police Officers' Staff Association – 1

Police Staff Council Trade Union Side – 0

National Police Chief's Council - 2

Metropolitan Police Service Trade Union Side – 1

Observers/in attendance – 10

TOTAL – 19

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**17 October 2019**

Chair

The London Mayor's Office for Policing and Crime - 0

Metropolitan Police Service – 0

Association of Police and Crime Commissioners – 1

Police Federation of England and Wales – 1

Police Superintendents' Association – 1

Chief Police Officers' Staff Association – 1

Police Staff Council Trade Union Side – 0

National Police Chiefs' Council - 2

Metropolitan Police Service Trade Union Side – 1

Observers/in attendance – 10

TOTAL – 17

**29 January 2020**

Chair

The London Mayor's Office for Policing and Crime - 0

Metropolitan Police Service - 1

Association of Police and Crime Commissioners - 1

Police Federation of England and Wales – 1

Police Superintendents' Association - 2

Chief Police Officers' Staff Association – 1

Police Staff Council Trade Union Side – 1

National Police Chiefs Council – 2

Metropolitan Police – Trade Union Side - 1

Observers/in attendance – 10

TOTAL - 20

**Annex D - Attendance at SAB Meetings, 2019-20**

Four quarterly Board meetings were held over the period covered by this Report. No extraordinary meetings of the Board were called. As well as the members listed in Annex B, all meetings were attended by Home Office officials. Representatives from devolved administrations, advisers to constituent organisations, the secretariat and observers also attended. Their contributions are reflected in the published minutes.

Representation at meetings was as follows:

**02 April 2019**

Chair

National Police Chief's Council – 2  
Association of Police and Crime Commissioners – 1  
Police Federation of England and Wales – 3  
Police Superintendents' Association – 1  
Chief Police Officers' Staff Association – 1  
National Association of Retired Police Officers – 1  
Observers/in attendance – 7

TOTAL - 16

**01 July 2019**

Chair

National Police Chief's Council – 3  
Association of Police and Crime Commissioners – 2  
Police Federation of England and Wales – 2  
Police Superintendents' Association – 1  
Chief Police Officers' Staff Association – 1  
National Association of Retired Police Officers – 1  
Observers/in attendance – 12

TOTAL – 22

**01 October 2019**

Chair

National Police Chief's Council – 2  
Association of Police and Crime Commissioners – 1  
Police Federation of England and Wales – 2  
Police Superintendents' Association – 1  
Chief Police Officers' Staff Association – 2  
National Association of Retired Police Officers - 1  
Observers/in attendance – 11

TOTAL – 20

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**13 January 2020**

Chair

National Police Chief's Council – 2

Association of Police and Crime Commissioners – 2

Police Federation of England and Wales – 3

Police Superintendents' Association – 2

Chief Police Officers' Staff Association – 1

National Association of Retired Police Officers - 0

Observers/in attendance – 14

TOTAL - 25



## **Annex E – Constitution (PABEW)**

1. The Police Advisory Board for England and Wales ("the Board") will be established in accordance with this constitution. This constitution takes effect from 27 January 2015 all previous constitutions are revoked from that date.

### **Functions**

2. In accordance with section 63 of the Police Act 1996, the Board will: -
  - h. advise the Secretary of State on general questions affecting the police in England and Wales, and
  - i. consider draft regulations which the Secretary of State proposes to make under section 50 or section 52 of the Police Act 1996 with respect to matters other than hours of duty, leave, pay and allowances, or the issue, use and return of police clothing, personal equipment and accoutrements, or the ranks to be held by members of police forces, or the qualifications for appointment and promotion of members of police forces, or periods of service on probation, or the maintenance of personal records of members of police forces and to make such representations to the Secretary of State as it thinks fit;
  - j. consider draft regulations which the Secretary of State proposes to make under section 37, 39, 81 or 83 of the Police Act 1997, and to make such representations to the Secretary of State as it thinks fit;
  - k. consider draft regulations which the Secretary of State proposes to make under Part 2 of the Police Reform Act 2002, and to make such representations to the Secretary of State as it thinks fit;
  - l. consider draft regulations which the Secretary of State proposes to make under section 1 of the Police Pensions Act 1976.
3. The Board will establish the Scheme Advisory Board for the Police Pension Schemes, in accordance with the requirements of s7 of the Public Service Pensions Act 2013.
4. The Board may also consider any matter relating to conditions of service (excluding those matters listed in section b above) and any other matter affecting the police which has been referred to it by the Secretary of State, and it will advise the Secretary of State on such matters within any time limit specified by the Secretary of State.

### **The Secretary of State**

5. The Secretary of State may attend any meetings of the Board.
6. The Secretary of State may in a matter of serious national importance to the police service direct the Board to consider and seek to reach agreement on such matters as he or she may specify.

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7. The Secretary of State may in a matter of serious national importance to the police service set a deadline for the Board to complete consideration of such matters as he or she may specify
8. The Chair of the Board will submit an annual report on the work of the Board to the Secretary of State. Before doing so the Chair will consult the constituent parts of the Board about the proposed report.

### **Membership**

9. The Board will consist of: -
  - A Chair appointed by the Secretary of State;
  - Members nominated by the Secretary of State;
  - Three representatives of the Association of Police and Crime Commissioners;
  - One representative of the London Mayor's Office for Policing and Crime;
  - Two representatives of the National Police Chiefs' Council of England & Wales (to include the Metropolitan Police Commissioner);
  - One representative of the Chief Police Officers' Staff Association;
  - Two representatives of the Police Superintendents' Association;
  - Five representatives of the Police Federation of England & Wales;
  - One representative from the Trade Union Side of the Police Staff Council;
  - One representative from the Trade Union Side of the Metropolitan Police Whitley Council.

### **Others may be invited to attend and contribute as appropriate.**

### **Meetings**

10. All meetings of the Board will be called by the Chair with appropriate notice to the members concerned.
11. The Board will normally meet four times a year.
12. The Board may establish working parties to address specific issues as it thinks fit.
13. A member of the Board may request the consideration by a meeting of the Board of any matter specified by them and may submit to the Chair papers relating to that or any other matter covered by the remit of the Board as defined in paragraphs 2 and 3.

## **Annex F – Constitution (SAB)**

### **Remit**

The remit of the SAB is:

- To provide advice, on request, to the Secretary of State for the Home Department on the desirability of changes to the police pension schemes.
- To provide advice, on request or otherwise, to police pension scheme managers and pension boards in relation to the effective and efficient administration and management of the police pension scheme 2015 and any statutory pension scheme that is connected with it.

The SAB will fulfil the above remit by appropriate means, including:

- Monitoring performance against the cost cap for the police pension schemes
- Benchmarking performance information as appropriate
- Identifying and sharing good practice within the scheme
- Sharing best practice, and limiting the risk of divergence, between police pension schemes in the UK.
- Maintaining dialogue with the Pensions Regulator (TPR) and working to ensure scheme compliance with TPR requirements.
- Maintaining an understanding of policy developments in relation to public sector pension schemes

### **Purpose**

The purpose of the SAB is to be both reactive and proactive. It will seek to encourage best practice, increase transparency and coordinate technical and standards issues.

It will consider items passed to it from the Home Office, the SAB's sub-committees and other stakeholders as well as items formulated within the SAB. It will also provide a UK wide forum for discussion of police pensions issues. Recommendations may be passed to the Home Office or other bodies. It will have a liaison role with the Pensions Regulator. Guidance and standards may be formulated for local scheme managers and pension boards.

### **Accountability**

The SAB is accountable to the Secretary of State for the Home Department as the responsible authority for the Police Pension Schemes.

## **Chair**

The Chair of the Board shall be independent and appointed as described in the membership table below. Where the Chair is not in attendance at a Board meeting, the Board shall appoint an acting Chair from the present members for the meeting in question. At all Board meetings, it shall be the duty of the Chair to ensure that all Board members show respect to the process and are provided with equal access to the floor. The Chair shall also determine when consensus has been reached and how to record the conclusion of discussion where consensus was not achieved.

## **Observers and Advisers**

The SAB will invite representatives from Northern Ireland and Scotland as observers to join in discussion on matters of mutual interest. Meetings may also be attended by advisors who will be invited to assist with the effective operation of the Board. Such persons would not be members of the Board and would act in the interests of the police pension schemes as a whole and not in the interests of any organisation they may represent. Where issues of confidentiality arise the Chair will ensure that appropriate commitments are given by non-members and recorded in the meeting minutes.

## **Sub-Committees and Working Groups**

The SAB may establish sub-committees and working groups as and when required, whether short-term or otherwise. The SAB will be responsible for developing and agreeing the terms of reference and membership of any sub-committees. The SAB will also be responsible for outlining the purpose of any working group, its membership and detailing when and how that working group should report back to the SAB.

## **Secretariat**

The secretariat shall be provided by the same secretariat that supports the Police Advisory Board for England and Wales.

## **Meetings**

The SAB will meet no less than three times a year and may meet more frequently at the request of either the Chair or on the joint request of two or more SAB members. Except in situations to consider matters of urgency, all meeting dates will be communicated at least one month in advance.

## **Quorum**

The SAB shall require there to be a minimum of 2 employer and 2 employee side representatives in attendance for a meeting to be quorate. Member substitutes will count towards the quorum.

## **Decision Making Process**

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The Scheme Advisory Board will achieve agreed and acceptable resolutions through consensus decision making, thereby seeking the consent of all parties. It is therefore inappropriate to establish any voting rights of members. In the event of failing to reach a consensus the Scheme Manager will be informed accordingly and individual or collective submissions may be made.

**Review**

These terms of reference were reviewed in October 2019. They will be reconsidered no later than October 2024.

**Membership**

The membership of the SAB is set out below. Other advisors and observers may be invited to attend meetings as agreed by the Chair and members.

<b>Seat</b>	<b>Representing</b>	<b>Appointment/Nominee</b>
<b>Chair</b>	Independent	Secretary of State
<b>Scheme Employers</b>	National Police Chief's Council (NPCC)	Nominated by the individual associations.
	Association of Police and Crime Commissioners (APCC)	Nominated by the individual associations.
<b>Scheme Members</b>	Police Federation of England and Wales (PFEW)	Nominated by the individual associations.
	Police Superintendents' Association (PSA)	
	Chief Police Officers' Staff Association (CPOSA)	
	National Association of Retired Police Officers (NARPO)	
<b>Observers</b>	Scottish Police Federation (SPF)	
	Association of Scottish Police Superintendents (ASPS)	
	Scottish Police Authority (SPA)	
	Scottish Government	

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	<p>Superintendents' Association of Northern Ireland (SANI)</p> <p>Police Federation Northern Ireland (PFNI)</p> <p>Northern Ireland Policing Board (NIPB)</p> <p>Department of Justice, Northern Ireland (DOJNI)</p>	
<b>Advisors</b>	<p>Actuarial/legal as required.</p> <p>Police Pension Administrators Technical Working Group</p>	
	Home Office	