

Scottish Teachers' Superannuation Scheme - Scheme Advisory Board: Terms of Reference

Introduction

1. The Public Service Pensions Act 2013 establishes in law the requirement to establish a Scheme Advisory Board the purpose of which is to provide advice to the Responsible Authority, at the Responsible Authority's request, on the desirability of changes to the design of the scheme and the implication of other policy issues. The Responsible Authority for these purposes is the "Scottish Ministers" with the Cabinet Secretary for Finance and the Constitution taking the lead as the Minister with pensions' responsibility.
2. The obligation to establish a Scheme Advisory Board is reflected in the 2014 regulations for The Scottish Teachers' Superannuation Scheme.

Partnership Working

3. STPNG and, previously, MAGs has a long record of effective partnership working around policy discussions with representatives from Member and Employer groups and Scottish Government. This existing partnership forum will be used as the basis for the new Scheme Advisory Board.

Accountability

4. The Scheme Advisory Board is collectively accountable to the Cabinet Secretary Public Finance and Digital Economy as the lead minister for pensions.

Scheme Advisory Board Role

5. The Scheme Advisory Board is responsible for:
 - Providing advice on request about the desirability of changes to the design of the scheme; policy issues and changes to scheme regulations
 - Discussing and commenting on the potential implications of future valuation outcomes
 - Making recommendations on adjustments to the scheme in the event that costs breach the employer cost cap

Membership

6. The membership of the Scheme Advisory Board will include:

- The Scottish Teachers Pension Scheme Advisory Board will be chaired on a rotational, tri-partite (COSLA/union/SG) basis drawn from the Scheme Advisory board membership
- A maximum of twelve Members nominated by Scheme Employers
- A maximum of twelve Members nominated by the staff side of the representative bodies
- Equal numbers of Member and Employer representatives should be appointed to the Board
- Representatives from, and on behalf of, the Scottish Government; this will include staff from the Learning Directorate of Scottish Government and pension policy advisors from the Scottish Public Pensions' Agency
- As necessary, other sources of expertise although these will not be Board members
- Attendance is expected of SAB members at all meetings

Quorum

7. A quorum is the minimum number of members required to be in attendance in order to conduct business effectively. Whilst there is no requirement to have an equal number of employer and member representatives on the Scheme Advisory Board it is considered appropriate to set a quorum. A meeting will be deemed quorate when fifty percent of board members attend with at least one representative from each representative group. However, should dissenting views be expressed then equal weighting will be given in recording these to the Member & Employer representatives regardless of the actual numbers present.

Conflicts of Interest

8. The Public Service Pensions Act 2013 requires that conflicts of interest should be recognised, declared and managed. Members will therefore be required to declare any conflict of interest both on appointment and routinely thereafter.

Meeting arrangements

9. The Scheme Advisory Board will meet between one and four times a year with the precise number to be determined according to need.
10. The initial appointment will be for a period of 4 years. Successive terms of tenure will be permitted.

Sub Groups

11. It may be appropriate to establish sub groups to consider specific issues. Sub groups will operate on an "as required" basis and will be accountable to the Scheme Advisory Board.

Process for SAB Advice

12. The Scheme Advisory Board will achieve agreed and acceptable resolutions through consensus decision making, thereby seeking the consent of all parties. In the event of failing to reach a consensus, dissenting views will be recorded within the advice submitted to the Responsible Authority via the Scottish Public Pensions Agency: this will ensure that a mechanism for minority points of view to be expressed will exist.

Reporting

13. The Scheme Advisory Board will provide an annual report of its activities to the Responsible Authority and the Scottish Teachers Pension Board.

Review

14. These terms of reference, membership and operational practices will be reviewed within the first two years of operation and periodically thereafter.

Annex A

Appointments' Process

15. Nominations will be considered against a set of agreed criteria by the Chair; a letter of appointment will be sent to appointed board members; if nominations are not accepted, nominees will be informed by the Chair.

Training requirements

16. In order to operate successfully, Scheme Advisory Board members may wish to obtain training on issues, such as actuarial valuations and assumptions; best practice in other sectors; legal issues.

Secretariat Arrangements

17. The Secretariat will be provided by Scottish Government officials, who will ensure that:
 - Facilities are available to hold meetings
 - An annual schedule of meetings is organised.
 - When it is necessary to hold additional meetings a minimum of 2 weeks' notice will be provided where possible
 - Papers will be distributed 7 days before each meeting
 - Minutes of each meeting will normally be circulated within 7 working days following each meeting
 - A policy will be agreed on whether the SAB outputs should be published (e.g. Mins, Report etc.)

Attendance

18. Members will be expected to attend Board meetings. If a Board member fails to attend a certain number of meetings they will be deemed to have resigned

Meeting locations

19. Meetings will be held in a venue which is most convenient for the majority of members

Remuneration

20. It is expected that Members of the Board, who are paid officials of their organisations, will have their costs covered by their employer.

Conflict of Interest

21. A protocol for the handling and recording of conflict of interest will be used both on appointment and routinely thereafter.