## Pecyn Dogfennau Cyhoeddus

## Pwyllgor Pensiynau a Buddsoddi

Man Cyfarfod **By Zoom** 

Dyddiad y Cyfarfod Dydd Gwener, 16 Rhagfyr 2022

Amser y Cyfarfod **10.00 am** 

l gael rhagor o wybodaeth cysylltwch â **Carol Johnson** 01597 826206 carol.johnson@powys.gov.uk



Neuadd Y Sir Llandrindod Powys LD1 5LG

Dyddiad Cyhoeddi

Mae croeso i'r rhai sy'n cymryd rhan ddefnyddio'r Gymraeg. Os hoffech chi siarad Cymraeg yn y cyfarfod, gofynnwn i chi roi gwybod i ni erbyn hanner dydd ddau ddiwrnod cyn y cyfarfod

### AGENDA

#### 1. EITEM EITHRIEDIG

Mae'r Swyddog Monitro wedi penderfynu bod yr eitemau canlynol yn destun categori 3, Rheolau Trefn Mynediad at Wybodaeth. Ei farn o ran prawf lles y cyhoedd (wedi ystyried darpariaethau Rheol 14.8, Rheolau Mynediad at Wybodaeth y Cyngor), oedd y byddai gwneud y wybodaeth hon yn gyhoeddus yn datgelu gwybodaeth ynghylch materion ariannol neu fusnes unigolyn (gan gynnwys yr awdurdod yr oedd y wybodaeth honno yn ei feddiant). Oherwydd hyn a gan nad oedd yn ymddangos bod yna ddiddordeb mawr gan y cyhoedd yn gofyn bod angen datgelu'r data personol yma, roedd o'r farn bod diddordeb y cyhoedd wrth gadw'r eithriad yn fwy pwysig na diddordeb y cyhoedd wrth ddatgelu'r wybodaeth. Gofynnir i Aelodau ystyried y ffactorau hyn wrth benderfynu ar y prawf lles y cyhoedd, sy'n rhaid iddynt benderfynu wrth ystyried eithrio'r cyhoedd o'r rhan hon o'r cyfarfod.

#### 2. YMDDIHEURIADAU

Derbyn ymddiheuriadau am absenoldeb.

3.	DATGANIADAU O FUDD.
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Derbyn unrhyw ddatganiadau o fudd gan Aelodau o ran eitemau sydd i'w trafod ar yr Agenda.

#### 4. BAILLIE GIFFORD

Derbyn cyflwyniad gan Baillie Gifford.

(Tudalennau 1 - 12)

5.	COFNODION
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Awdurdodi'r Cadeirydd i lofnodi cofnodion y cyfarfod diwethaf a gynhaliwyd ar 24 Tachwedd 2022 fel cofnod cywir.

(Tudalennau 13 - 14)

#### 6. COFNODION Y BWRDD PENSIYNAU

Ystyried adroddiad gan Gadeirydd Bwrdd Pensiynau Powys ar gyfarfodydd y Bwrdd a gynhaliwyd ar 28 Hydref a 21 Tachwedd 2022 a derbyn er gwybodaeth, cofnodion drafft y cyfarfodydd.

(Tudalennau 15 - 26)

#### 7. ADRODDIAD GWEINYDDU A LLYWODRAETHU

Ystyried yr adroddiad.

(Tudalennau 27 - 56)

#### 8. DIWEDDARIAD AR BARTNERIAETH PENSIYNAU CYMRU

Derbyn adroddiad ar y Bartneriaeth.

#### (Tudalennau 57 - 58)

#### 9. EITEM EITHRIEDIG

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10.	PRISIAD
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Derbyn yr adroddiad.

(Tudalennau 59 - 74)

11.	BUDDSODDI CYFRIFOL	
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Derbyn diweddariad llafar.

#### 12. RHEOLI RISG

#### (I Ddilyn)

#### 13. AILSTRWYTHURO ECWITI

Ystyried yr adroddiad.

(Tudalennau 75 - 82)

#### 14. MARCHNADOEDD PREIFAT WPP

#### 15. ADRODDIADAU MONITRO

Ystyried adroddiad gan Aon.

(Tudalennau 83 - 108)

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#### MINUTES OF A MEETING OF THE PENSIONS AND INVESTMENT COMMITTEE HELD AT BY ZOOM ON THURSDAY, 24 NOVEMBER 2022

PRESENT

County Councillor P E Lewis (Chair)

County Councillors E A Jones, D H Williams and D A Thomas

Trish Fretten, Employer representative, co-opted member Gerard Moore, Independent Chair, Powys Pension Board

#### 1. APOLOGIES

Apologies were received from County Councillor A Kennerley.

#### 2. DECLARATIONS OF INTEREST

Councillors P Lewis, A Jones and H Williams declared interests as members of the Local Government Pensions Scheme. These are personal interests, not prejudicial interests in accordance with Paragraph 12(b) (iv) of the Members Code of Conduct 2016.

#### 3. MINUTES

The Chair was authorised to sign the minutes of the Pensions and Investment Committee meeting held on 7 October, 2020 as a correct record.

#### 4. PENSION FUND ANNUAL REPORT 2021/22

The Committee received the Pension Fund Annual report 2021-22.

The Committee noted that the Governance and Audit Committee had approved the accounts earlier in the day and Audit Wales is expected to sign the Accounts on 29 November 2022. The Committee noted Audit Wales intends to issue an unqualified report in respect of the 2021/22 Pension Fund Accounts.

The officers were thanked for producing an understandable and readable document. The Pension Fund Manager advised that if approved by the Committee the report would be published by 1 December 2022.

It was moved and duly seconded to approve the report.

Resolved:	Reason for decision:
That the Pensions and Investment Committee approves the 2021-22 Pension Fund Annual Report.	To ensure compliance with the Statutory Requirements.
The Annual Report be published by 1 December 2022.	

POWYS PENSIONS AND INVESTMENTS COMMITTEE 16 DECEMBER 2022

FEEDBACK FROM PENSION BOARD MEETINGS HELD ON 28 OCTOBER AND 21 NOVEMBER 2022

#### **Purpose of the Report**

In addition to the formal, more detailed minutes of the Board, this report provides an executive summary of the meetings of the Powys Pension Board on 28 October and 21 November 2022 to enable the Pensions and Investments Committee (the Committee) to learn of and, where appropriate, consider any recommendations, assurances gained and any concerns of the Powys Local Pension Board, and any other relevant information. This is consistent with the two primary roles of Local Pension Boards, namely:

- to assist the scheme manager to secure compliance with scheme regulations, other legislation and the requirements of the Pensions Regulator (tPR), and
- to ensure the effective and efficient governance and administration of the Scheme.

#### Recommendation

The Committee is requested to note the outcomes from meeting of the Local Pension Board held on 28 October and 21 November 2022.

# Outcomes from the Meetings of the Powys Pension Board on 28 October and 21 November 2022

#### 1. Background

- 1.1 The meeting on 28 October was a conventional quarterly meeting of the Board, and a summary of its outcomes is shown below. The meeting on 21 November represented a deep dive into the second pillar of the Risk Register, namely Governance risks. The Board's recommendations and observations are not set out in this report: instead, to avoid duplication of discussion, they have been integrated, where appropriate, into the report on the Risk Register elsewhere on today's agenda.
- 1.2 Shortly the Board will make a deep dive into the third pillar and final of the Risk Register, namely Investment risks.

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#### 2. Recommendations

- 1.1 The Board made various minor recommendations and observations regarding a section of the Pension Regulator's Code of Practice 14.
- 1.2 As the Pension Fund was now part of the Wales Pension Partnership, reference to this should be added to the Risk Register as appropriate.
- 1.3 The Board asked officers to review the procedures being followed when monitoring and reporting the receipt of monthly contributions to the Fund.

#### 2. Assurances Gained by the Board

- 2.1 The Board gained the following assurances:
  - that the Administration Team produced the Annual Benefit Statements for scheme members by the statutory date of 31 August 2022
  - that the Fund submitted quality data to the Actuary in a timely manner to facilitate completion of the Triennial Valuation
  - that, in the annual assessment of data quality, submitted to the Pensions Regulator, the accuracy levels for both the Common and Scheme Specific data continued to make marginal improvements
  - that there were no new or ongoing cases under the Internal Dispute Resolution Procedure (IDRP).
  - that there were no breaches of the law to record

Gerard Moore

Independent Chair: Powys Pension Board

#### MINUTES OF A MEETING OF THE POWYS PENSIONS BOARD HELD AT BY TEAMS ON FRIDAY, 28 OCTOBER 2022

PRESENT Gerard Moore (Chair)

John Byrne, Scheme Member representative Grahm Evans, Wayne Thomas and Nigel Brinn Employer Representatives

#### 1. CONFIDENTIAL

Due to the availability of Board members the Board agreed to alter the order of the agenda to enable the confidential items to be considered first.

RESOLVED that in accordance with Section 106 [8] Local Government Pension Scheme [LGPS] Regulations 2013 the Board goes into the confidential agenda with the public and press being excluded as some of the information may relate to financial or business affairs of a particular person or organisation.

#### 2. WALES PENSION PARTNERSHIP - INVESTMENT POOLING UPDATE [STANDING ITEM]

The Board noted the report. The Pension Fund Manager highlighted the following in respect of the Wales Pension Partnership [WPP] – the appointment of a new Chair and Vice Chair of the Joint Governance Committee [JGC], the publication of a Whistleblowing Policy and a Business Continuity Plan and the approval of a sustainable active equity sub-fund which would be made available to the constituent authorities in due course.

#### The Board agreed to review WPP's Business Continuity Plan.

A discussion took place relating to the risks associated with being a participating Fund within the WPP. Risks were identified relating to governance, resourcing, contractual relationships and whether there needed to be an adjustment to the way these risks were recorded on the risk register.

It was noted that the WPP has its own risk register and risk sub-group to monitor and manage the risk. The Pension Fund Manager agreed to consider and review the wording within the local risk register.

#### 3. GMP RECONCILIATION

The Board received the report on the GMP reconciliation. The Pension Fund Manager advised that the reconciliation process was nearing completion. The Board noted that a national approach had been agreed and that any historic overpayments in benefits would not be recovered. Scheme members who had been underpaid would be reimbursed. The Pensions Fund Manager advised that it was the intention to make adjustments to payments in the February 2023 payroll run. The Board stressed that communication with those members whose benefits were being adjusted was important. The Pension Fund Manager advised that information would be included in the Pensions newsletter advising that anyone affected would be contacted by letter and information would be shared at the Employers' meeting in December. In addition to letters to those whose benefits would be reduced the Pension Administration Team would, as required, work through issues with scheme members especially in the current economic climate.

The Board noted the report and thanked the Pension Administration Team for its work.

#### 4. PENSION BOARD CHAIR UPDATE

The Chair advised he would forward information on a virtual training event for Board members to be provided by CIPFA to the Pension Fund Manager for circulation to the Board members.

Nigel Brinn left to attend another meeting.

The Board moved to the public agenda.

#### 5. APOLOGIES

Apologies had been received from David Powell, Scheme Member Representative. Nigel Brinn, Employer Representative had been in attendance for the confidential agenda but gave apologies for the rest of the meeting.

#### 6. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 7. MINUTES OF THE BOARD

The minutes of the meetings held on 27 June 2022 and 6 September 2022 were agreed as correct records.

#### 8. MATTERS ARISING

The Board noted the following from in respect of the previous minutes:

- 27 June 2022 Item 8 New Legislation and Governance update the Annual Benefits statements had been distributed within the required timescale.
- 6 September 2022 the Pensions and Investment Committee had at its meeting on 7 October 2022, considered and agreed the Board's recommended changes to the Administration Risk Register.

#### 9. MINUTES OF PENSIONS AND INVESTMENT COMMITTEE

The Board noted the minutes of the Pensions and Investment Committee of 15 July 2022 subject to it being noted that the Board Chair was incorrectly shown as a Councillor.

#### 10. REVIEW OF COMPLIANCE WITH TPR CODE 14

The Chair advised that The Pension Regulator [TPR] had not announced when the final version of the single code would be launched. After the launch training will be required and the format of reports will need to be revised.

The Board reviewed the following sections of Code of Practice 14 and noted the following [numbers refer to the Compliance indicator]:

#### Publishing information about Schemes [92-98]

96 – the details regarding the Board membership contained on the Council website was noted. The last column of the Compliance table would be updated to show that this information had been noted at this meeting.

#### Providing information to Members [188-210]

203 – noted that a Workplan had been agreed to increase the targeted communication to different age groups and that this had been achieved because of the extra staff in the Pension Fund Team.

208 – tracing exercises to locate "Gone Away" members was ongoing. **The Board agreed that as a result this, the risk should continue to have an amber status.** 

#### Reporting breaches of the law [244-270]

The Chair commented that, other than individual scheme members, it was everyone's responsibility to report potential breaches.

The Board considered that where only "Noted" is stated in the final column in the table [e.g. 226 & 229] the words "Statement of fact/process" should be added.

#### 11. OPERATIONAL AND ADMINISTRATION REPORT & UPDATE

The Board received the Operational and Administration report. The Pension Fund Manager reported that recruitment to all posts within the Administration Team had been completed and training was ongoing for new staff using internal and external resource.

In response to a comment the Pensions Fund Manager agreed to add information about the number of employers in the Fund to the Pensions Administration membership statistics.

#### 12. LEGISLATION AND GOVERNANCE UPDATE

The Board received the Legislation and Guidance update report.

The Board noted the following:

Pensions Dashboard – the impact on the Pensions Administration Team should not be underestimated.

Valuation – data had been submitted to the Actuary within the required timescale. The Actuary would report to the Pensions and Investment Committee

at its meeting on 16 December 2022 and also to the Employers' meeting that day.

#### 13. REVIEW OF RISK REGISTER

The Board noted that its recommended changes to the Administration section of the Risk Register had been agreed by the Pensions and Investment Committee at its last meeting. The Pensions Fund Manager advised that the dates in the "Latest Risk Reviews" column were incorrect due to a system error and this was being addressed. In response to a comment, he agreed to review the "Owner" of each risk.

The Pension Fund Manager advised that no new risks had been added since the last meeting. The Board agreed that the in-depth review of the Administration had been a useful exercise and should be repeated for the other sections. Comment was made that as the Pension Fund was now part of the WPP, reference to this should be added to the Risk Register as appropriate.

#### The Board:

- 1. noted the Risk Register report and that no new risks had been added since the last meeting and
- 2. agreed to undertake an in-depth review of the Governance and Investment sections of the Risk Register and
- 3. that as the Pension Fund was now part of the WPP, reference to this should be added to the Risk Register as appropriate.

#### 14. COMMUNICATIONS STRATEGY STATEMENT

The Pension Fund Manager thanked the Board members for their comments on the draft Communications Strategy Statement. The Pensions and Investment Committee had approved the Statement at its last meeting.

The Board noted the policy document.

#### 15. DATA IMPROVEMENT PLAN

The Pension Fund Manager thanked the members for their comments on the draft Data Improvement Plan. The Pensions and Investment Committee had approved the Plan at its last meeting.

The Board noted the policy document.

#### 16. DATA QUALITY TESTING 2022

The Board noted the Data Quality Testing 2022 report.

The Pension Fund Manager advised that this is reported to TPR on an annual basis. Common and scheme specific data is tested. In respect of the common data the Fund scored 98.3% (97.7% in 2021). Of the eight categories of data

tested one was below the highest benchmark of greater than 98%. The data regarding member addresses, scored 97.16%. Although addresses are correct, the address may not be entered in the correct data fields.

In respect of the Scheme specific data, the Fund scored 91.95% (91.87% in 2021). The Board noted that Member Benefits data scored 85.32% and that work has started on investigating the reasons for this low score. The Board noted however, that there was no impact on member benefits. The Pension Fund Manager advised that the scores would be reported to TPR as part of the Annual return in November.

#### 17. DRAFT BOARD REPORT FOR PENSION FUND ANNUAL REPORT

The Board considered the draft Board Annual report. It was noted that it would be included in the Pension Fund's Annual report, which would be considered by the Committee on 24 November 2022 to enable the Annual accounts to be published by 1 December 2022.

## The Board approved the draft Board Annual report subject to the blue text being updated.

Comment was made that the Annual report was an important document which would be of use to potential new members of the Board.

#### 18. STANDING ITEMS WITH NO UPDATES REQUIRED

The Board noted the following in respect of standing items:

a. Breaches Register – there were no new breaches recorded. In response to questions the Pension Fund Manager advised that he would review the process for recording the payment of contributions by employers. If any made late payments on a regular basis this would need to be recorded as a breach. b. Audit Reports – an internal audit report was expected in early 2023.

c. Board Communications Log – noted.

d. Internal Dispute Resolution Procedure [IDRP] – no new or ongoing cases. The Pension Fund Manager advised that a scheme member had made a complaint to the Pensions Ombudsman challenging scheme regulations. The Ombudsman's Early Resolution Team had decided not to investigate the complaint. The Pension Fund Manager agreed to add a sub heading in the IDRP log, to record any complaints made to the Ombudsman.

#### **19. FUTURE BOARD MEETINGS**

The Board noted the meeting dates:

**2022** 21 November – 2pm

**2023** 10 February – 10am 12 June – 2pm 11 September – 2pm 20 November - 10am

#### Gerard Moore (Chair)

#### MINUTES OF A MEETING OF THE POWYS PENSIONS BOARD HELD AT BY TEAMS ON MONDAY, 21 NOVEMBER 2022

PRESENT Gerard Moore (Chair)

David Powell (Scheme Member Representative) Wayne Thomas (Employer Representative)

Chris Hurst (Pension Fund Manager, Secretary to the Board)

#### 1. APOLOGIES

Apologies for absence were received from John Byrne (Scheme Member Representative), Graham Evans and Nigel Brinn, (Employer representatives).

#### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 3. REVIEW OF RISK REGISTER

The Board undertook at "deep dive" of the Governance pillar of the Risk Register.

The Board noted the following or made the following comments [the numbers shown are the Risk Reference numbers]:

**GOVERN0001** – a failure of an employer in the Fund to pay contributions to the Fund, especially during challenging economic times, was considered to be a reputational risk. The Pension Fund Manager advised that communications with employers was ongoing. The Chair advised he would raise the issue of ensuring contributions are paid as required by employers at the next Employers' meeting. **The Board recommended that:** 

- i. reputational risk should be added as an identified risk and that the Inherent risk should be 8 [currently 6] and
- ii. reference to the various forms of communication with employers should be included under Controls and Actions.

**GOVERN0002** – the Board considered that a reputational risk would occur, if a situation arose where there were insufficient Fund cashflow to meet liabilities as they became due.

The Board recommended that reputational risk should be added as an identified risk and that the Inherent risk should be 10 [currently 9].

It was noted that the Board receives quarterly cashflow details at each meeting. **The Board agreed to receive an annual snapshot of cashflow**. The Pension Fund Manager agreed to email this information to the Board.

**GOVERN0003 –** the Board noted that this related to key personnel in the Pension Fund Team but could also include risks associated with service providers. GOVERN0010 also referred to key personnel. The Pension Fund

Manager agreed to review how these related risks were shown in the Risk Register.

**GOVERN0004** – the Board considered that reference should be made to the Wales Pension Partnership [WPP] and reputational risk if fraud ever occurred. The Board recommended that reputational risk should be added as an identified risk and reference should be made to WPP.

The Board noted that the Pension Fund Administration Team and Finance Team are separate sections in the Council which supports internal control. **The Board recommended that the clear division of duties between the Pension Fund Administration Team and Finance Team should be included in the Controls and Actions.** 

**GOVERN0005, GOVERN0006 and GOVERN0007 –** the Board sought assurance that risks regarding employer contributions were included on the County Council's Risk Register. The Pension Fund Manager agreed to establish whether this was the case. The Pension Fund Manager advised that communication with employers was increasing and a member of the Pension Administration Team now has a specific role in developing links with employers. 0005, 0006 and 0007 were discussed and further work will be undertaken to look at consolidating the risks and inserting them into the appropriate risk register. The Board considered that covenants should be included in the Governance Risk Register.

The Board recommended that:

i. reference to the communication with employers and the specific role of an officer in the Team to develop links with employers should be included under Controls and Actions and

ii. covenants should be included in the Governance Risk Register. The Board agreed to review the process for the establishment and review of covenants.

**GOVERN0008** – failure to comply with LGPS and other statutory regulations was considered to be a reputational risk.

The Board recommended that reputational risk should be added as an identified risk and the word "newly" should be deleted in respect of the established Pension Board.

GOVERN0009 and GOVERN0013 – the Board recommended that GOVERN0009 and GOVERN0013 should be combined and that the Residual risk should be 6 [currently 4 and 6 respectively]. The Pension Fund Manager agreed to review the information provided in these sections.

**GOVERN0010** – the Board noted the increased staffing in the Pension Administration Team. The ability to retain staff, who were working remotely was an issue and the Board questioned whether reference should be made to the work now required as a result of the Fund's involvement in the WPP. The Pension Fund Manager agreed to review this section to reflect this additional work.

**GOVERN0011** – the Board noted the current work to establish how each scheme member wished to receive information about and communications from the Fund. The Board recommended that the Residual risk should be 4 [currently 0].

## GOVERN0012 – The Board recommended that this risk should be consolidated with GOVERN0014.

GOVERN0013 – the Board considered that the continuity of membership of the Pensions and Investment Committee after an election was extremely important. It was noted that the Committee was advised by professional advisors. The Board recommended that the Inherent risk should be 12 [currently 9] and the Residual risk should be 8 [currently 6] and the fact that the Committee was advised by professional advisors should be added to the Controls and Actions information.

GOVERN0014 - see GOVERN0012 above.

**GOVERN0015** – the Pension Fund Manager agreed to review the information provided in this section.

The Board recommended that the Inherent risk should be below that in GOVERN0013.

GOVERN0016 – The Board recommended that reference should be made to the procurement process. In addition, reference should be made to the risk of power cuts and infrastructure issues and the Inherent risk should be 10 [currently 9].

#### 4. FUTURE BOARD MEETINGS

The Board noted the 2023 meeting dates:

- 10 February 10am
- 12 June 2pm
- 11 September 2pm
- 20 November 10am

Gerard Moore (Chair)

#### CYNGOR SIR POWYS COUNTY COUNCIL

#### Pensions and Investment Committee 16<sup>th</sup> December 2022

REPORT BY:	Head of Finance
SUBJECT:	Governance and Administration Update
REPORT FOR:	Information and approval

#### 1 Introduction

- 1.1 This report has been produced to provide Committee with an update on Local Government Pension Scheme (LGPS) governance and administration matters and the potential impact of these on the Powys Pension Fund.
- 1.2 It is provided in addition to and supplements, where appropriate, the executive summary presented by the Powys Pension Board Chair and will provide updates on:
  - Scheme Advisory Board (SAB) and the Local Government Association (LGA)
  - The Pension Regulator (TPR)
  - Update on the Fund's risk register
  - Update on the Fund's breaches register

#### 2. LGPS Updates

#### 2.1 Scheme Advisory Board (SAB) Update

#### **Climate risk reporting**

The Department for Levelling Up, Housing and Communities (DLUHC) launched a <u>consultation</u> on 1 September 2022. The consultation proposes to introduce a climate risk reporting regime for administering authorities in England and Wales. The SAB responded to the consultation and their response can be seen on their website <u>here</u>. The response included:

- some over-arching observations on the role of pension funds, as well as their limitations
- the production of climate risk reports
- responses to DLUHC's specific questions on governance, scenario analysis, metrics and risk management.

The Powys Pension Fund also submitted a response to this consultation ahead of the deadline of the 24<sup>th</sup> of November 2022.

#### SAB Statement on employer contributions

At its meeting on 10 October 2022, the SAB discussed emerging results from the current round of triennial local fund valuations. The Board understands and recognises the extremely challenging position for local government finance.

However, it asks administering authorities and other Scheme employers to have regard to the desirability of long-term stability in pension contributions when considering whether reductions in employer contributions are desirable as a result of an improved funding position.

The SAB have produced a <u>statement</u> which gives more detail on the discussion and the reasons behind issuing it.

#### 2021/22 Annual Reports

There is a statutory duty under regulation 57 of the LGPS Regulations 2013 for administering authorities to publish an annual report 'on or before 1 December'. The Powys Pension Fund published the annual report by the 1<sup>st</sup> of December and the link has been provided to the SAB.

#### 2.2 Department for Levelling Up Housing and Communities (DLUHC) Publishes LGPS statistics for 2021/22

DLUHC have recently <u>published</u> the latest statistics for the LGPS for England and Wales in respect of the 2021/22 year.

Highlights include:

- total expenditure of £14.4 billion, an increase of 6.6 per cent on 2020/21
- total income of £15.9 billion, a decrease of 8.1 per cent on 2020/21
- employer contributions decreased by 24.3 per cent on 2020/21 to £7.8 billion
- employee contributions of £2.6 billion, an increase of 4.8 per cent
- the market value of LGPS funds on 31 March 2022 was £364 billion, an increase of 8 per cent
- there were 6.3 million scheme members on 31 March 2022: 2.0 million active members, 1.9 million pensioners and 2.3 million deferred members
- There were 94,724 retirements in 2021/22, an increase of 14.2 percent compared with 2020/21.

It should be noted that the decrease in total income and employer contributions is not uncommon in the final year of the three-year

valuation cycle. This is due to employers making early payment of contributions in the previous two years.

#### 3. Other Updates

#### 3.1 Pension Dashboards

Work continues on the Pension Dashboards Programme (PDP).

On the 17<sup>th</sup> of October 2022, the DWP laid draft <u>The Pension</u> <u>Dashboard Regulations 2022</u> before Parliament.

The DWP responded to the further consultation on dashboards on the 17<sup>th</sup> of October 2022.

The response confirmed that the DWP will:

- give pension schemes six months' notice of the point at which pensions dashboards will be available to the public, the 'Dashboard Available Point'. This is an increase to the 90 days proposed in the consultation
- go ahead with the second proposal allowing the Money and Pensions Service (MaPS) and the Pensions Regulator (TPR) to share information about dashboards.

#### **Progress Update Report**

On the 26<sup>th</sup> of October 2022, the PDP published its latest progress report.

#### Video Updates

On the 13<sup>th</sup> of October 2022, the PDP published two short video updates.

The <u>first video</u> is called 'Get your data ready for pensions dashboards'. The video provides guidance to schemes on how to cleanse data so that it is accurate and up to-date.

The <u>second video</u> is called 'An introduction to find and view data'. The video explains the important differences between find data and view data.

The Powys Fund is about to start working on a test of its data to assess the quality against the expected data requirements.

#### 3.2 Data requests on Opt Outs

On 11 October 2022, the SAB contacted administering authorities in England, Scotland and Wales with a request for data on the number of members opting out or moving to the 50/50 section.

Authorities are asked to respond by 4 November 2022 and I can confirm that Powys County Council responded before this date.

The data will allow the SAB to understand the extent to which the cost of living crisis is potentially changing members' behaviour. The data will also help the SAB to decide whether a more substantial data gathering exercise is required.

The SAB expects to re-run the exercise in 2023.

## 3.3 Financial Conduct Authority (FCA) Warning on cost-of-living crisis related pension scams

The FCA have conducted some research revealing that a quarter of pension savers may consider withdrawing money from their pension earlier than planned to help with the current crisis, which could lead to potential pension scams. As a result, they have recently issued a press release warning.

#### 3.4 September 2022 Consumer Prices Index (CPI) rate announced

On the 19<sup>th</sup> of October, the Office for National Statistics announced the CPI rate of inflation for September 2022, as 10.1%.

Government policy in recent years has been to base increases under the Pensions (Increase) Act 1971 and revaluation of pension accounts under section 9 of the Public Service Pensions Act 2013, on the rate of CPI in September of the previous year. We await confirmation from Government that the revaluation and pensions increase that will apply to LGPS active pension accounts, deferred pensions and pensions in payment in April 2023 will be 10.1 per cent.

#### 4. The Pensions Regulator (TPR)

#### 4.1 Pension Dashboards

TPR launched a consultation on a draft dashboard compliance and enforcement policy on the 24<sup>th</sup> of November.

TPR is responsible for ensuring that schemes comply with their responsibilities towards the dashboards and this draft policy sets out how it intends to do so.

The <u>consultation</u> closes on 24<sup>th</sup> February 2023.

#### 5 Risk Register

5.1 Committee may recall some recent discussions on the Risk Register, in that it has grown over time as the number of identifiable risks increase.

Work has been undertaken which has consolidated the risks into three separate categories, with the appropriate risks listed in each of those categories:

- Administration
- Governance
- Investment

It is felt that this will make the risk register easier to review and monitor as is attached as an appendix to this report for your review.

The Pension Board considered the Governance pillar of the Risk Register in detail at a meeting on the 21<sup>st</sup> of November 2022 and it is presented to Committee today prior to their suggested recommendations below. These again revolved primarily around the scores awarded to the risks, but also some consolidation of risks and refinement of the narrative and mitigations.

The proposed amendments to the risk register are as follows:

#### GOVERN0001

The Board recommended that:

- i. reputational risk should be added as an identified risk and that the Inherent risk should be 8
- ii. reference to the various forms of communication with employers should be included under Controls and Actions.

#### GOVERN0002

The Board recommended that reputational risk should be added as an identified risk and that the Inherent risk should be 10.

#### GOVERN0003 and GOVERN0010

It was felt that there was overlap in these risks and that they could be consolidated into one ongoing risk.

#### GOVERN0005, GOVERN0006 and GOVERN0007

It was felt that there was overlap in these risks and that they could be consolidated into one ongoing risk and consideration given to the appropriate risk register pillar for that ongoing risk. More work is required to review and consider this. Committee will be updated accordingly once this has been completed.

#### GOVERN0008

The Board recommended that reputational risk should be added as an identified risk and the word "newly" should be replaced with "well established" in respect of the Pension Board.

#### GOVERN0009 and GOVERN0013

the Board recommended that these be consolidated into one risk and that the Residual risk should be 6.

#### GOVERN0011

The Board recommended that the Residual risk should be 4

#### GOVERN0012 and GOVERN0014

It was felt that there was overlap in these risks and that they could be consolidated into one ongoing risk.

#### GOVERN0015

The Board recommended that the Inherent risk should be below that in GOVERN0013.

#### GOVERN0016

The Board recommended that reference should be made to the procurement process. In addition, reference should be made to the risk of power cuts and infrastructure issues and the Inherent risk should be 10 and the Residual risk should be 6.

The Pension Board are looking to meet again soon to consider the Investment risk registers in more detail.

If Committee are content with these amendments, then the Governance risk register will be updated accordingly to incorporate them.

#### 6 Breaches Register

6.1 Section 70 of the Pension Act 2004 sets out the legal duty to report breaches of the law. In the Pensions Regulator Code of Practice no 14, published in April 2015, paragraphs 241 to 275 provides guidance on reporting these breaches.

Under the policy, breaches of the law are required to reported to the Pensions Regulator where there is a reasonable cause to believe that:

- a legal duty which is relevant to the administration of the scheme has not been, or is not being, complied with
- the failure to comply is likely to be of material significance to the regulator in the exercise of any of its functions.
- 6.2 The latest version of the breaches register is attached, for information.

No new recordable or reportable breaches have been added since the last meeting, although we are working with the Pension Board on the process for monitoring Employer Contribution returns. Any developments will be reported to the Committee accordingly.

#### 7 Recommendation

7.1 To note the contents of this report and approve the recommendations made by the Pensions Board in respect of the Governance risk register.

Recommendation:			Reason for R	Reason for Recommendation:			
To note the content of the report			As per the rep	As per the report			
and approve the							
recomme	ndation	s made by the					
Pension E	Board to	o the Governanc	e				
Risk Regi	ister						
Person(s) To A	ction	Pension Fund I	Manager				
Decision:			-				
Date By When I	Decisio	n To Be Action	ed:				
Relevant Policy	/	N/A	•				
(ies):							
Within Policy:		N/A	Within	N/A			
B		Budget:					
Contact Officer	Name:	Tel:	Fax:	Email:			
Chris Hurst		01597 827640	01597 826290	churst@powys.gov.uk			

Relevant Portfolio Member(s):	Councillor David Thomas
Relevant Local Member(s):	

Almost Certain	0	0	0	0	0
Likely	0	0	0	0	0
Possible	0	0	0	0	0
Unlikely	1	7	1	0	0
Rare	0	1	0	0	0
Unassigned <b>0</b>	Insignificant	Minor	Moderate	Major	Catastrophic

Red Risks		Total:
Risk <del>Reg</del> ister	Risk Title	Net Risk Level Risk Owner
ud		
New <mark>Ris</mark> ks		Total:
Risk Register	Risk Title	Net Risk Level Risk Owner Created Date
Charging Risks		Total:
Risk Register	Risk Title	Net Risk Level Change Risk Owner

Detail	Administration Risk						
Diele Def		Deterfiel Concernance	Portfolio				
Risk Ref Date Identified	Risk Identified	Potential Consequence	Owner	Inherent	Residual	Latest Risk Reviews	
ADMIN0001 01/12/2016	Failure to pay pensions and lump sums on time	Financial difficulty for the scheme member concerned, reputational risk to the Pension Fund, and additional cost to the employer where interest is payable as a result of late payment.	<i>Cllr David Thomas</i> Chris Hurst	8	4	13/05/2020 18/12/2020	Review Summary: Reviewed 13.05.2020 Review Summary: Updated text to reflect constant and ongoing reviews
	Controls and Actions				Latest Contro	ol Reviews	Review Date
	<ul> <li>Maintenance and update of Altair and Trent syst assurance processes</li> <li>Maintenance and update of Pension Administrat and training. Quality assurance processes in pla</li> <li>Continuing Review of processes and procedures Ongoing review of process as part of continuous</li> </ul>	tion and Trent systems , sufficient staff reso ace to check work done. s	ources	Control In Place Control In			
		-	Portfolio	Place			
Risk Ref Date Identified	Risk Identified	Potential Consequence	Owner	Inherent	Residual	Latest Risk Reviews	
admin@2 04/10/2@0 36	Inability to deliver service as a result of loss of pensions administration system, or any other system used in the provision of service (eg. pensioner payroll). Failure of any system used by the service as a result of a breach of cyber security.	Failure to provide service. Immediate injections of cash from Fund employers would be required where Fund assets cannot be liquidated quickly. For now the Fund is cashflow positive but will not remain so for much longer, therefore requiring the use of investment income to subsidise the payment of pension benefits rather than being reinvested as now.	<i>Cllr David Thomas</i> Chris Hurst	8	2	13/05/2020 18/12/2020	Review Summary: Regular assurances received from providers. Review Summary: Regular assurances received from providers.
	Controls and Actions				Latest Contro	ol Reviews	Review Date
	business continuity planning and systems provid Business Continuity Plan for the Pensions admir systems providers in relation to their current resi Business Continuity Plan under review. Periodic assurances in respect of cyber security	nistration service. Assurances received fro ilience to the threat of a failure in cyber se		Control In Place Control In Place			
Risk Ref	Risk Identified	Potential Consequence	Portfolio				
Date Identified			Owner	Inherent	Residual	Latest Risk Reviews	
ADMIN0003 12/06/2017	Failure to hold scheme member's personal data securely.	Poor data quality; compromised data; fines	<i>Cllr David Thomas</i> Chris Hurst	8	4	08/09/2020	Review Summary: Data Quality Testing carried out May/June 2020. Cleansing work ongoing.
00, 2011			Shine Hurst			21/12/2020	Review Summary: Annual data cleansing exercise, plus regular cleansing throughout the year
	Controls and Actions				Latest Contro	L Davieure	Review Date

Detail	Administration Risk						
•	• Data protection audit in conjunction with TPR da	ata quality standards to be undertaken		Control In Place			
	Compliance with Powys County Council Data P Compliance with Powys County Council Data P	•		Action In Progress	08/09/2020	Review Summ Cleansing wor	nary: Data Quality Testing carried out May/June 2020. 06/01/202 rk ongoing.
					21/12/2020	Review Summ	nary: Annual Data Quality testing
isk Ref	Risk Identified	Potential Consequence	Portfolio				
ate lentified			Owner	Inherent	Residual	Latest Risk Reviews	
DMIN0004	Failure to maintain and hold up to date and accurate pension records and potential	Payment of incorrect pension benefits; late payment of	Cllr David Thomas	9	6	08/09/2020	Review Summary: Payment of benefits processes checked at payme time
0/08/2017	impact on scheme members and employers.	benefits; assessment of incorrect liability values. Resulting in loss of customer confidence and satisfaction; IDRP and Ombudsman appeals; and, incorrect assessment of employer contribution rates.	Chris Hurst			21/12/2020	Review Summary: Payment of benefits processes checked at payme time
	Controls and Actions				Latest Contro	I Reviews	Review Dat
	<ul> <li>Pensions team work with employer payrolls to e undertaken &amp; training</li> <li>Pensions team work with employer payrolls to e undertaken by team at each year end; validatior (triennially) by the Fund actuary. Staff training a</li> </ul>	nsure data quality; data validation checks n checks carried out at each actuarial valuatio nd development.		Control In Place			
	<ul> <li>Additional data validation and quality checks to practice.</li> </ul>	be implemented as required by the TPR code	of	Control In Place			
sk Re	Risk Identified	Potential Consequence	Portfolio				
ate entified		Fotential consequence	Owner	Inherent	Residual	Latest Risk Reviews	
DMIN0005	Failure to communicate effectively with stakeholders.	Scheme members unaware of their rights under the LGPS and	Cllr David Thomas	6	4	08/09/2020	Review Summary: Ongoing development of employer and scheme member communications and methods of delivery
5/01/2016		make poor decisions in relation to pension rights. Employers unaware of the scheme regulations, the procedures and their responsibilities, resulting in poor or inappropriate decision-making and may adversely effect the flow of pensions data to the Pension Fund.	Chris Hurst			21/12/2020	Review Summary: Continuing development of employer and scheme member communications and methods of delivery
	Controls and Actions				Latest Contro	l Reviews	Review Dat
	<ul> <li>communications policy the Pensions Support Manager is tasked with re communications, as part of their Job Descriptior communications policy as well as a regularly up</li> </ul>	In addition, the Fund has a clear		Control In Place			

Detail								
	Administration Risk							
Diele Def	Risk Identified	Beta stiel Composition	Portfolio					
Risk Ref Date Identified	RISK IGENTINEG	Potential Consequence	Owner	Inherent	Residual	Latest Risk Reviews		
ADMIN0006	Pensioners living longer and, changing	Increased employer contribution	Cllr David	6	4	08/09/2020	Review Summary: Ongoing	
30/01/2017	retirement patterns.	rates.	<i>Thomas</i> Chris Hurst			21/12/2020	Review Summary: Ongoing	
	Controls and Actions				Latest Contro			Review Date
	The Fund actuary investigates these matters at appropriate. Mortality assumptions are set with some allowa Fund actuary investigates these matters at each significant demographic changes were to occur employers accordingly and notify them of the lik bond values, as required.	nce for future increases in life expectancy. h valuation or more frequently where appro between valuations, the Pension Fund wil	opriate. If Il advise	Control In Place				
	The Fund produces a Funding Strategy Statem	ent which considers long term funding.						
Risk Ref	Risk Identified	Potential Consequence	Portfolio					
Date Identified			Owner	Inherent	Residual	Latest Risk Reviews		
	Deteriorating patterns of ill health or other	Increase in employer contribution	Cllr David	6	2	08/09/2020	Review Summary: Regular monitoring ongoing	
30/01/2	early retirements.	rates and deficit recovery payments.	<i>Thomas</i> Chris Hurst			21/12/2020	Review Summary: Regular monitoring ongoing	
en	Controls and Actions				Latest Contro	ol Reviews		Review Date
ω	<ul> <li>Employers are required to pay the capital costs cases.</li> </ul>	of early retirements (pension strain), upfro	ont for all	Action In Progress	08/09/2020	Review Sumr	nary: Regular monitoring ongoing	12/07/2023
õ	cases. Employers are required to pay the capital costs of early retirements (pension strain), upfront for all cases. Ill health retirements and costs are monitored against Fund allowances.				21/12/2020	Review Sumr	nary: Regular monitoring ongoing	
	Certain Employers pooled together to share exp per the Funding Strategy Statement)	perience and help manage contribution rat	•					
Risk Ref	Risk Identified	Potential Consequence	Portfolio					
Date Identified			Owner	Inherent	Residual	Latest Risk Reviews		
ADMIN0008	Failure to reconcile all relevant active,	Increase in Fund liabilities;	Cllr David	6	4	08/09/2020	Review Summary: GMP Reconciliation work ongoin	g (Sept 2020)
02/01/2017	deferred and pensioner member GMP records against the data held by DWP in respect of the cessation of contracting out.	increased employer contribution rates and deficit recovery payments; and, payment of incorrect pension benefits.	<i>Thomas</i> Chris Hurst			21/12/2020	Review Summary: GMP Reconciliation work ongoin	g (Dec 2020)
	Controls and Actions				Latest Contro	l Reviews		Review Date
	<ul> <li>Reconciliation Complete. Work on Rectification Reconciliation Complete. Work on Rectification</li> </ul>	5		Control In Place				
	Appoint external partners to identify scale of wo	ork and help with whole exercise		Control In				

Detail	Administration Risk						
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
ADMIN0009 09/10/2020	Cessation of Service Contract for Pensions Administration System	Falure to meet legislative requirements and administer the LGPS. Risk of intervention by the Pensions Regulator, legal challenges, reputational risk.	<i>Cllr David Thomas</i> Chris Hurst	10	4	01/11/2021 12/12/2022	Review Summary: Acknowledged - will follow appropriate procurement process closer to the time Review Summary: Work ongoing
	Controls and Actions Monitor Contract Position Work with the Administering Authority Commerc procurement exercise at the appropriate time			Control In Place	Latest Contro	l Reviews	Review Date
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
ADMIN0010	Payments to overseas pensions.	Payments continuing to potentially deceased pensioners	<i>Cllr David Thomas</i> Jane Thomas	4	4	04/05/2022	Review Summary: Existence Exercise planned for 2022/23 year
Tudalen	Controls and Actions Conduct Existence Check Carry out an overseas existence check			Control In Place	Latest Contro	I Reviews	Review Date
39							

Almost Certain	0	0	0	0	0
Likely	0	0	0	0	0
Possible	0	3	0	0	0
Unlikely	0	7	3	0	0
Rare	0	3	0	0	0
Unassigned <b>0</b>	Insignificant	Minor	Moderate	Major	Catastrophic

Red Risks		Total:
Risk Register	Risk Title	Net Risk Level Risk Owner
ud		
New <mark>Als</mark> ks		Total:
Risk Register	Risk Title	Net Risk Level Risk Owner Created Date
Changing Risks		Total:
Risk Register	Risk Title	Net Risk Level Change Risk Owner

Detail							
	Governance Risk						
Risk Ref	Risk Identified	Potential Consequence	Portfolio				
Date Identified	NISK IUEHUIIEU	Potential Consequence	Owner	Inherent	Residual	Latest Risk Reviews	
GOVERN0001 02/12/2019	Failure to collect and account for pension contributions being paid over to the Fund on time by Fund employers.	Adverse audit opinion, potential delays to Fund employer financial reporting; and potential delay to	<i>Cllr David Thomas</i> Chris Hurst	6	4	13/05/2020	Review Summary: Process refined recently and ongoing monitoring in place.
		production of annual report and accounts.				08/09/2020	Review Summary: Ongoing
							Contribution return monitored by Finance Staff (in conjunction with Pensions Admin Manager)
	Controls and Actions				Latest Contro	l Reviews	Review Date
	Contrbutions received monitored on a monthly b Contrbutions received monitored on a monthly b	, ,		Control In Place			
	Requirement that each end of scheme year, Fur contributions at the correct rates and time Requirement that each end of scheme year, Fur contributions at the correct rates and on time.			Control In Place			
Risk Ref	Risk Identified	Potential Consequence	Portfolio				
Date Identified			Owner	Inherent	Residual	Latest Risk Reviews	
GOVER <b>A</b> 03/10/2 8 03/10/2 8 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	as they fail due.	Immediate injections of cash from Fund employers would be required where Fund assets cannot be liquidated quickly. For now the Fund is cashflow positive but will not remain so for much longer, therefore requiring the use of investment income to subsidise the payment of pension benefits rather than being reinvested as now.	<i>Cllr David Thomas</i> Chris Hurst	9	6	01/11/2021 13/05/2020	Review Summary: Cashflow Review conducted in Summer 0f 2021 Review Summary: Asset Allocation review completed end of 2020 and Funding Strategy Statement udated following completion of triennial valuation
	Controls and Actions				Latest Contro	I Reviews	Review Date
	cashflow forecast in place Funding strategy statement in place			Control In Place			
	review strategic asset allocation to keep positive Strategic asset allocation review completed to en targeted and monitored basis) whilst at the same liqiudate assets on an unplanned basis.	nsure that cashflow remains positive (on a		Control In Place			
Risk Ref	Risk Identified	Potential Consequence	Portfolio				
Date Identified			Owner	Inherent	Residual	Latest Risk Reviews	
GOVERN0003 27/09/2016	Inability to deliver service as a result of the loss of key personnel	Failure to provide service at all, or at an acceptable level	<i>Cllr David Thomas</i> Chris Hurst	6	4	05/07/2021 13/05/2020	Review Summary: BCP Updated June 2021 Review Summary: Regularly review BCP
	Controls and Actions				Latest Contro	I Reviews	Review Date
	Keep Business Continuity Plan under review			Control In Place			

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Detail	Governance Risk							
	Business Continuity Plan in place for the pensic Assurances received from all systems providers of a failure in cyber security.			Action In Progress	13/05/2020 08/09/2020	Review Summ Review Summ	01/04/2023	
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews		
GOVERN0004 08/11/2016	Loss of funds through fraud or misappropriation	Financial loss to the Fund	<i>Cllr David Thomas</i> Chris Hurst	6	2	12/12/2022 05/07/2021	Review Summary: Process remains in place. Review Summary: No change	
	Controls and Actions audit and control tests, due diligence done when Internal and External Audit regularly test that ap effectively. Due diligence is carried out whenever	proriate controls are in place and are workir	ng	Control In Place	Latest Contro	I Reviews		Review Date
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews		
04/09/2017	5 Significant rise in employer contribution rates for Fund employers with strong covenants, as consequence of increases in liabilities.	Employer contribution rates rise to unacceptable levels, putting upward pressure on Council Tax rates and the ability of Powys County Council to continue to deliver services to its communities.	Cllr David Thomas Chris Hurst	6	2	12/12/2022 13/05/2020	Review Summary: Will be considered after valuation r Review Summary: Regular Covenant Assessments	esults in 2023
len	Controls and Actions Employers have Discretionary Powers Policies Employers have Discretionary Powers Policies actually be done in mitigation due to the fact that that are outside of the Eund's control	that help to control liabilities. In reality, little o		Action In Progress	Latest Contro 12/12/2022 13/05/2020	Review Summ	nary: Policies due for review in 2023 nary: Regular Covenant Assessments	Review Date 12/04/2023
	<ul> <li>that are outside of the Fund's control.</li> <li>insurance options investigated Investigate further liability mitigations such as ill health strain insurance; developing guidance to assist employers to manage liability increases derived from their actions or inactions; and, work closely with the Fund actuary to determine appropriate valuation assumptions and deficit recovery strategies.</li> </ul>		vork	Action In Progress	30/08/2022 12/12/2022	valuation. Car	nary: Appropriate ill health assumptions made for 2022 a consider the other factors as part of valuation work. nary: Considered in 2022 valuation work	12/04/2023
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews		
GOVERN0006 04/10/2016	Significant rises in employer contribution rates for Fund employers with weak covenants as a consequence of increases in liabilities.	Employer contribution rates rise to unsustainable levels that cause employers to become insolvent	<i>Cllr David Thomas</i> Chris Hurst	8	4	13/05/2020 08/09/2020	Review Summary: Regular Covenant Assessments Review Summary: Covenant assessment due to start	Q3 20/21
	Controls and Actions				Latest Contro	l Reviews		Review Date

Detail	Governance Risk							
	<ul> <li>In process of developing risk sharing arrangements to enable employers with weak covenants to attain a degree of certainty</li> <li>Employers have Discretionary Powers Policies that help to control liabilities. In reality, little can actually be done in mitigation due to the fact that liabilities are largely determined by bond yields that are outside of the Fund's</li> </ul>		Action In Progress	13/05/2020 08/09/2020		mary: Review Risk Sharing Agreement/Approach mary: Work ongoing (Sept 2020)	04/01/2023	
	In process of developing risk sharing arrangem attain a degree of certainty over the level of em control.	ants to						
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	5	
GOVERN000 04/09/2017	7 Significant rises in employer contribution rates for employers with strong covenants as a result of poor/negative investment returns.	Employer contribution rates rise to unacceptable levels that result in Powys County Council being unable to provide appropriate services for its communities.	Cllr David Thomas Chris Hurst	6	2	12/12/2022 08/09/2020	Review Summary: Will be reviewed in 2023 after valua known. Review Summary: Ongoing	tion results
-	Controls and Actions Use expert specialist consultants to help set an manager performance and selection. Use expert specialist consultants to help set an manager performance and selection. Quarterly Pension Fund.	d monitor investment strategy and investme	ent	Control In Place	Latest Contro	I Reviews		Review Date
udalen 4	Continual monitoring of performance; review of alternative asset clasees Continual monitoring of performance; review of alternative asset clasees and non-market led a	asset allocation strategy, including conside		Action In Progress	12/12/2022 08/09/2020	meeting. Inte	mary: Continuing and reviewed at each Committee erim review conducted and no plans to change strategy mary: Continuing and reviewed at each Committee meetir	12/06/2023 g
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	; ;	
GOVERN000 11/10/2017	8 Failure to comply with LGPS and other statutory regulations.	Payment of incorrect pension benefits; provision of incorrect benefit estimates; failure to comply with governance standards; failure to meet HMRC tax requirements. Resulting in: loss of customer satisfaction / confidence; IDRP and Ombudsman appeals; TPR fines for non-compliance.	<i>Cllr David Thomas</i> Chris Hurst	8	6	08/09/2020 18/12/2020	Review Summary: Processes checked and efficiencies Review Summary: Continuing and reviewed at each C	0 0
	Controls and Actions  • igorous checking/authorisation procedures for pension benefit calculations and payments, review governance policy;		review	Action Completed	Latest Contro	I Reviews		Review Date
	nd, regular review of governance compliance policy. Staff training and development. ser partnership working with employer payrolls to facilitate accurate data receipts; ser partnership working with employer payrolls to facilitate accurate data receipts; increased apliance oversight provided by newly established Pensions Board.			Control In Place				

Detail							
Dottain	Governance Risk						
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
GOVERN0009 25/01/2016	9 Lack of expertise of Pension Fund Officers and Senior Officers	Poor decision making in relation to principal functions of the Pension Fund , particularly in relation to investments.	<i>Cllr David Thomas</i> Chris Hurst	8	4	12/12/2022 08/09/2020	Review Summary: Ongoing training carried out Review Summary: Regular training attended and provided by LGPS professionals
	Controls and Actions				Latest Contro	ol Reviews	Review Date
	training and performance reviews, conferences, Officers ensure that they receive appropriate trai developments in pensions matters, as part of the by attending relevant conferences and seminars consultants and peers.	ning and are required to keep up to date ir periodic Individual Performance Review	with ws and	Control In Place			
	<ul> <li>Training plans based on the CIPFA 'Knowledge and Skills' framework, as is the the procedure for members of both PIC &amp; PB Formalised Officer training via individual training plans based on the CIPFA 'Knowledge and Skills' framework, as is the the procedure for members of both Pensions &amp; Investment Committee and the Pensions Board.</li> </ul>						
Risk Ref	Risk Identified	Potential Consequence	Portfolio				
Date Identified			Owner	Inherent	Residual	Latest Risk Reviews	
GOVERNA)10 25/01/2	0 Over-reliance on key Officers	When senior Officers leave or are absent due to long term sickness, large knowledge gaps remain.	<i>Cllr David Thomas</i> Chris Hurst	12	6	12/12/2022 08/09/2020	Review Summary: Training Plan to be considered for 2023 onwards Review Summary: Reflected in BCP
lale	Controls and Actions				Latest Contro	ol Reviews	Review Date
45	In the short term, knowledge gaps can be filled b Funds and buying in assistance In the short term, knowledge gaps can be filled b Funds and buying in assistance from consultants	by using our external colleagues from othe		Action In Progress	08/09/2020 21/12/2020		hary: Reflected in BCP 11/01/2023 hary: Reflected in BCP
•	Formalise succession planning by including in O Officers.		ior	Action In Progress	08/09/2020 21/12/2020		hary: Reflected in BCP 11/01/2023 nary: Reflected in BCP
Risk Ref	Risk Identified	Potential Consequence	Portfolio				
Date Identified			Owner	Inherent	Residual	Latest Risk Reviews	
GOVERN001 <sup>2</sup> 26/01/2016	1 Failure to provide the pensions service in accordance with principles of equality.	Some stakeholders may be unable to access the service fully or at all. In the worst case	<i>Cllr David Thomas</i> Chris Hurst	9	4	12/12/2022	Review Summary: No Change. Operate LGPS in accordance with the Regulations
		scenario, this could result in court action against the Fund.	Crime Franci			08/09/2020	Review Summary: Operate LGPS in accordance with the Regulations
	Controls and Actions				Latest Contro	ol Reviews	Review Date
	The Fund maintains a Welsh Language register The Fund maintains a Welsh Language register			Control In Place			

Detail	Governance Risk						
	To urtilise technology to enable access to servi other language needs etc. To urtilise technology to enable access to servi other language needs etc.		abilities ,	Control In Place			
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
GOVERN001. 25/01/2016	ceasing employers with no active members.	Failure to collect cessation payments from ceasing employers results in relevant liabilities being funded by the Powys Pension Fund and the active employers.	<i>Cllr David Thomas</i> Chris Hurst	6	4	08/09/2020 21/12/2020	Review Summary: Ensure data provided to Actuary in a timely man Review Summary: Covenant review ongoing Dec 2020
	Controls and Actions employer covernants, guarantor bonds, risk sh The Fund undertakes periodic reviews of the s employers, the Fund requires that a guarantor, new employers, the Fund insists on either a gu	trength of employer covenants. For existing bond or 'risk sharing agreement' is in place		Control In Place	Latest Contro	ol Reviews	Review D
Risk Ref Date Identifie	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
₽ 25/01/20206	3 Lack of expertise of members of Pensions & Investment Committee	Poor decision making in relation to all aspects of the Fund, particularly those in relation to investment.	<i>Cllr David Thomas</i> Chris Hurst	9	6	08/09/2020 21/12/2020	Review Summary: Annual training Needs Assessments conducted Review Summary: Training encouraged and more access to online training in 2020
46	Controls and Actions Knowledge & Skills Framework in place Knowledge & Skills Framework in place and pu and training made available to Committee and parties)	<b>u</b> ,		Control In Place	Latest Contro	ol Reviews	Review D
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
GOVERN001 01/11/2017	4 An admitted body ceasing to exist with insufficient funding or level of a bond available to meet all its Fund liabilities.	Unfunded pension liabilities being orphaned without sufficient funding/guarantees in place, resulting on increased liabilities falling on other Fund employers.	<i>Cllr David Thomas</i> Chris Hurst	6	4	08/09/2020 21/12/2020	Review Summary: Covenant Assessments starting Q3 2020 Review Summary: Covenant Assessments continuing Q4 2020
•	Controls and Actions     • To seek funding guarantees wherever possible, from other Scheme employers or outside bodies     To seek funding guarantees wherever possible, from other Scheme employers or outside bodies.     To require, in all cases, a bond or other form of security to protect the Fund in the case of     unexpected cessation and insolvency. Ensuring that admitted bodies are fully aware of their     obligations and responsibilities to the Pension Fund and the benefits of their employees.				Latest Contro	ol Reviews	Review D
	Regular review of admitted body covenants an Regular review of admitted body covenants an	d financial health.		Action In Progress	08/09/2020 21/12/2020		hary: Covenant Assessments commencing Q3 2020 11/04/20 hary: Review commenced with actuary Dec 2020

Detail	Governance Risk						
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
GOVERN0015 09/10/2020	Appointment of new Pension Board Chair and membership of the Local Pension Board	Non compliance with Public Services Pension Act. Challenge	<i>Cllr David Thomas</i> Chris Hurst	12	6	07/06/2021	Review Summary: No appointment made following recruitment exercise Work ongoing to secure a Chair as soon as possible
09/10/2020	Board	and scrutiny from the Pensions Regulator. Reduced quality of governance.				10/02/2021	Review Summary: Working with Commercial Services February 2021 and ready to go to Sell2Wales to advertise
	Controls and Actions				Latest Contro	l Reviews	Review Date
	Pension Board Terms of Reference stipulate me Pension Board Terms of Reference stipulate me members and administering authority to ensure	embership periods and work with Pension		Control In Place			
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
GOVERN0016 29/03/2020	Pension Fund Personnel and/or key suppliers are unable to work due to extreme weather, fire, epidemics	Inability to deliver administration services or investment of the Fund. Impact of welfare of	<i>Cllr David Thomas</i> Chris Hurst	9	6	12/12/2022 26/03/2021	Review Summary: Reviewed and Business Continuity Plans in place Review Summary: Regularly reviewed
		Pensions Section Staff.	ennie Haret				
	Controls and Actions				Latest Contro		Review Date
	Business Continuity Plan Business Continuity Plan, assessment of Pensi paperwork.	oner Payroll services. Electronic implement	ntation of	Control In Place			

Almost Certain	0	0	0	0	0
Likely	0	0	0	0	0
Possible	0	0	0	0	0
Unlikely	2	6	3	0	0
Rare	0	0	0	0	0
Unassigned <b>0</b>	Insignificant	Minor	Moderate	Major	Catastrophic

Red Risks		Total:
Risk Register	Risk Title	Net Risk Level Risk Owner
ud		
New <mark>Als</mark> ks		Total:
Risk Register	Risk Title	Net Risk Level Risk Owner Created Date
Changing Risks		Total:
Risk Register	Risk Title	Net Risk Level Change Risk Owner

Detail	Investment Risk						
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0001 25/01/2016	Pension Fund assets fail to deliver returns in line with the anticipated returns underpinning the valuation of liabilities over	Increased employer contribution rates.	<i>Cllr David Thomas</i> Chris Hurst	6	4	08/09/2020	Review Summary: Regular investment performance reviews. Investigate protection strategies as/when/if required
	the long-term.					21/12/2020	Review Summary: Regular investment performance reviews. Investigate protection strategies as/when/if required
	Controls and Actions anticipate long-term returns on a relatively prude Only anticipate long-term returns on a relatively under-performance. Also monitors and analyses addition, the Fund receives quarterly funding up	prudent basis to reduce the risk of s progress every three years for each em		Control In Place	Latest Contro	I Reviews	Review Date
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0002 25/01/2 <del>016</del>	Inappropriate long-term investment strategy.	Failure to meet funding objectives.	Cllr David Thomas	8	4	08/09/2020	Review Summary: New ISS operated for 2020. regularly reviewed as Fund/WPP develops
25/01/2019 Ud			Chris Hurst			21/12/2020	Review Summary: Review regularly depending on conditions and WPP sub fund availability
<u>a</u>	Controls and Actions Use of a Fund specific benchmark, as recomme	and a by the Fund's investment conculta	at		Latest Contro	l Reviews	Review Date
	Use of a Fund specific benchmark, as recomme		nt.	Control In Place			
Risk Re	Risk Identified	Potential Consequence	Portfolio	Inherent	Building		
Date Identified			Owner	minerent	Residual	Latest Risk Reviews	
INVEST0003	Active investment manager under-performance relative to the	Failure to meet funding objectives.	Cllr David Thomas	4	2	08/09/2020	Review Summary: Regularly reviewed with Investment Consultant and Manager changes made as required
25/01/2016	benchmark.		Chris Hurst			21/12/2020	Review Summary: Regularly reviewed with Investment Consultant and Manager changes made as required
	Controls and Actions				Latest Contro	l Reviews	Review Date
	Short-term (quarterly) investment monitoring and relative to their index benchmark. Short-term (quarterly) investment monitoring and relative to their index benchmark.		0	Control In Place			
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0004 29/01/2018	To permit deficits to be eliminated over a recovery period rather than immediately, introduces the risk that action to restore solvency is insufficient bewtween successive measurements.	Increased employer deficit recovery payments.	<i>Cllr David Thomas</i> Chris Hurst	4	2	08/09/2020 21/12/2020	Review Summary: As detailed in Funding Strategy Statement Review Summary: As detailed in Funding Strategy Statement
	Controls and Actions				Latest Contro	I Reviews	Review Date

#### Report Selection Criteria - 12/12/2022 including changes since 13/09/2022

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Detail	Investment Risk						
	discuss every such situation with the Pension Full It is the practice to discuss every such situation employer. Moreover deficit recovery periods are 40 years in very exceptional circumstances.	with the Pension Fund actuary, for each indiv	s, or	Control In Place			
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0005 25/01/2016	Permitting contribution rate changes to be introduced by annual steps rather than immediately, introduces a risk that action to restore solvency is insufficient between successive measurements.	Increased employer contribution rates.	<i>Cllr David Thomas</i> Chris Hurst	6	4	08/09/2020 21/12/2020	Review Summary: Decisions taken in accordance with advice from Fund Actuary Review Summary: Decisions taken in accordance with advice from Fund Actuary
	Controls and Actions Each individual employer situation is discussed or restricted to three years, or 6 yea Each individual employer situation is discussed or restricted to three years, or 6 years, in very exce	with the Pension Fund actuary, with stepping		Control In Place	Latest Contro	ol Reviews	Review Date
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0006 30/01/2017	Pay and price inflation significantly more than anticipated.	Increased employer contribution rates and deficit recovery payments.	<i>Cllr David Thomas</i> Chris Hurst	9	4	08/09/2020 21/12/2020	Review Summary: Review and discuss with Actuary at valuation Review Summary: Review and discuss with Actuary at valuation
len	Controls and Actions  • Employers 'pay' for their own salary awards and are reminded of the geared effect on salary -linked pension liabilities Employers 'pay' for their own salary awards and are reminded of the geared effect on salary -linked pension liabilities. Particularly where bias towards longer serving employees may be considered.				Latest Contro	ol Reviews	Review Date
Risk Ref Date Identified	Risk Identified	Potential Consequence	Portfolio Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0007 03/03/2016	Insolvency of an investment manager investing Pension Fund assets.	A reduction in the capital value of the Fund; a loss of liquidity as creditors agree on distribution of assets; the costs of legal representation; and, reputational damage.	<i>Cllr David Thomas</i> Chris Hurst	9	6	08/09/2020 21/12/2020	Review Summary: Ongoing Review Summary: Ongoing
				Control In Place	Latest Contro	ol Reviews	Review Date

Detail							
	Investment Risk						
	<ul> <li>Increased investment manager diversification m Pool that is currently under de Increased investment manager diversification m Pool that is currently under development. As any when entering into new contractual arrangement documentation is to be referred to the Fund's led diligence.</li> </ul>	hay be further facilitated by pooling via the greed by P & I Committee on 9th February its with investment managers, contract	Wales 2017, e	Control In Place			
Risk Ref	Risk Identified	Potential Consequence	Portfolio				
Date Identified			Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0008	Pooling of Pension Fund assets with other LGPS Pension Funds.	Investment of Fund Officer and Committee time and other	Cllr David Thomas	9	6	08/09/2020	Review Summary: Ongoing
30/03/2017		resource with unknown outcomes; front loaded costs before potential savings are realised; potential loss of local accountabilities; and, the loss of the primacy of the Fund and its strategic needs.	Chris Hurst			21/12/2020	Review Summary: Ongoing
	Controls and Actions		.0		Latest Contro	I Reviews	Review Date
Jdale	<ul> <li>Due diligence on all pooling proposals; full trans participation of Pension Fund</li> <li>Due diligence on all pooling proposals; full trans participation of the Pension Fund in all pooling of</li> </ul>	sparency of all pool proposals and costs; fu levelopment.	II	Control In Place			
en 52	<ul> <li>Pooling vehicle to be structured so that each pa Pooling vehicle to be structured so that each pa the pool structure enables full strategic decision economies of scale (based on experience to da that will exceed initial costs.</li> </ul>	rticipating Fund has full representation in t s to be retained by each individual Fund; a	he pool; ınd. e Fund	Control In Place			
Risk Ref	Risk Identified	Potential Consequence	Portfolio				
Date Identified			Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0009	MIFID II ongoing compliance	Financial implications of not being treated as an institutional	Cllr David Thomas	12	6	11/07/2022	Review Summary: Current process continues, but updated as required
01/10/2019		investor	Chris Hurst			05/07/2021	when new manager appointed or training needs identified. Review Summary: Regularly reviewed and updated on adoption of a
	Controls and Actions				Latest Contro	l Reviews	new Investment Manager Review Date
	Regular Review of MIFID Status     Regular Review of MIFID Status			Control In Place			
Risk Ref	Risk Identified	Potontial Consequence	Portfolio	FIGUE			
Date Identified	KISK Identined	Potential Consequence	Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0010	Fall in the returns on Government bonds.	Increase to the value placed on	Cllr David	9	4	11/07/2022	Review Summary: Regularly monitored by Consultant for each meeting
01/01/2015		Fund liabilities.	<i>Thomas</i> Chris Hurst			05/07/2021	Review Summary: Discussed with Investment Consultants as required
	Controls and Actions				Latest Contro	I Reviews	Review Date

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Detail	Investment Risk						
	<ul> <li>Allowing for a risk-based approach should limit the impact of short-term changes in returns on Government bonds</li> <li>Allowing for a risk-based approach should limit the impact of short-term changes in returns on Government bonds. Some investment in bonds also helps to mitigate this risk. Monitoring (quarterly) helps to give an early warning of significant changes.</li> </ul>			Control In Place			
Risk Ref	Risk Identified	Portfolio					
Date Identified		Potential Consequence	Owner	Inherent	Residual	Latest Risk Reviews	
INVEST0011	Increased risk on Fund Employers.	Potential Failure of Participating Employer or unsustainable Employer Contributions	<i>Unassigned</i> Jane Thomas	4	4	04/05/2022	Review Summary: Employer Risk Assessment to be conducting as part of valuation work in 2022-23
	Controls and Actions				Latest Contro	l Reviews	Review Date
	Controls and Actions <ul> <li>Regular Review of Employer Covenants with Fund Actuary</li> <li>Work with the Fund Actuary to review employer covenants on a regular basis . being conduct part of the 2022 Valuation Work</li> </ul>			Control In Place			

Powys Pension Fund B	reaches	2018-2022	1						
Breach No YEAR	Breach Type	Nature of Breach	Breach Description	Action	Material Significance (Y/N)	P & I Committee Notified	Pension Board Notified	TPR Notified	RAG Status
			Disclosure Regulations state that any deferred leaver should be notified of their deferred benefit						
			options within two months of the fund receiving complete leaver information from the employer. Due to the backlog of casework in the fund these deadlines have not been met for a number of						
			historic deferred members. Cause: The backlog has occured through the introduction of the new LGPS and the increased complexity around administration (aggregations, final salary links etc). An						
				New letter produced and issued to leavers upon					
			considered material, as the information is not critical when making future decisions. Where a deferred member reaches retirement age their calculation will be completed at that point. This is a	notification of leaving, stating their entitlements upon leaving membership of the LGPS (i.e. under 2 years =					
1 2018/19	Administration	Late Notifcation of deferred Benefits	national issue for most funds across the LGPS.	refund, over 2 years = Deferred) The National Technical Group has recommended to the	Ν	Ν	Y	N	
		Automatic payment of refund after 5	Members have been contacted requesting bank details in order to pay refunds, however, no reply	SAB that the regulations in respect of refunds is amended					
2 2018/19	Administration	years for post 2014 leavers	has been received from the scheme members.	and reflects the position prior to April 2014.	N	Y	Y	N	

# 8

# CYNGOR SIR POWYS COUNTY COUNCIL

### Pensions and Investment Committee 16<sup>th</sup> December 2022

REPORT FOR:	Information
SUBJECT:	Wales Pension Partnership Update
REPORT BY:	Head of Finance

#### 1. Introduction

- 1.1 This report has been produced to provide Committee with an update on the work undertaken on behalf of the Wales Pension Partnership (WPP) with pooling investments in Wales.
- 1.2 The last Joint Governance Committee (JGC) meeting was held virtually on the 5<sup>th</sup> of December 2022 and the agenda can be seen <u>here</u>. Minutes are still in the process of being produced.
- 1.3 The next meeting of the JGC is scheduled for the 29<sup>th</sup> of March 2023 and will be held online and in person at the Gwynedd Council Offices.

### 2. <u>Pooling investments in Wales</u>

- 2.1 Work has been continuing (but not exclusively) on the following items:
  - Publication of the WPP Annual Report 2021/22
  - Training
  - Officer Working Group & Sub Groups

### 2.2 WPP Annual Report 2021/22 Published

The Annual Report has been published by the Host Authority and is available for viewing <u>here</u>.

The report includes:

- A background to the WPP and those involved in the operation of it
- Progress made throughout the year
- Financial information

## 2.3 Training

The WPP provides quarterly training to the JGC, Board members and officers. Since the last Committee meeting, there have been sessions on the 19<sup>th</sup> of October and the 5<sup>th</sup> of December. Tudalen 57

# 2.4 Officer Working Group and Sub-Groups

The WPP has a quarterly Officer Working Group and several sub-groups (responsible Investment, Private Markets etc). Officers of the Powys Pension Fund represent the Powys Fund at as many of these as possible.

# 4. <u>Recommendation</u>

To note the content of this report.

Recommendation:		Reason for R	Reason for Recommendation:	
1. To note the content of the		As per the rep	As per the report	
report				
Person(s) To Action	Pension Fund Manager			
Decision:				
Date By When Decision To Be Actioned:				
Relevant Policy	N/A			
(ies):				
Within Policy:	N/A	Within	N/A	
		Budget:		
Contact Officer Name:	Tel:	Fax:	Email:	
Chris Hurst	01597 827640	01597 826290	churst@powys.gov.uk	

Relevant Portfolio Member(s):	Councillor David Thomas
Relevant Local Member(s):	

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