

## Notice of Meeting

# People, Performance and Development Committee



Date & time  
**Monday, 19 July  
2021  
at 1.30 pm**

Place  
Council Chamber,  
Woodhatch Place, 11  
Cockshot Hill, Reigate,  
Surrey, RH2 8EF

Contact  
Joss Butler  
[joss.butler@surreycc.gov.uk](mailto:joss.butler@surreycc.gov.uk)

Chief Executive  
Joanna Killian



We're on Twitter:  
**@SCCdemocracy**

### Members

Tim Oliver (Chairman), Denise Turner-Stewart, Eber Kington, Will Forster, Mark Nuti and Becky Rush (Vice-Chairman)

## **AGENDA**

### **1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

### **2 DECLARATIONS OF INTEREST**

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

### **3 QUESTIONS AND PETITIONS**

To receive any questions or petitions.

**Notes:**

1. The deadline for Member's questions is 12.00pm four working days before the meeting (*13 July 2021*).
2. The deadline for public questions is seven days before the meeting (*12 July 2021*).
3. The deadline for petitions was 14 days before the meeting, and no petitions have been received.

### **4 APPOINTMENT OF THE CHIEF EXECUTIVE, JOANNA KILLIAN, TO COMMISSIONER OF LIVERPOOL CITY COUNCIL**

(Pages 1  
- 6)

To seek agreement from Members for the Chief Executive to take up the role of Commissioner to Liverpool City Council.

**5 EXTENSION OF MEMBER AND EMPLOYER REPRESENTATIVE APPOINTMENTS OF THE LOCAL PENSION BOARD** (Pages 7 - 14)

This report sets out the proposed extension of member and employer representative appointments for Local Pension Board for approval by the People, Performance and Development Committee.

The report recommends the appointment of an Independent chairman, two County Councillor representatives with one councillor appointed as vice chairman.

The reports also recommends the appointment of a member representative.

The Local Pension Board is a requirement under section 5 of the Public Service Pensions Act 2013, and Regulation 106 of the Local Government Pension Scheme Regulations 2013.

**6 EXCLUSION OF THE PUBLIC**

**Recommendation:** That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act.

**PART TWO – IN PRIVATE**

**7 SENIOR APPOINTMENT OF EXECUTIVE DIRECTOR CUSTOMER AND COMMUNITIES** (Pages 15 - 16)

The People, Performance and Development Committee (PPDC) is asked to proceed with interviewing for the post of Executive Director Customer and Communities. The shortlisted candidate will be interviewed by the Committee. The Committee will then discuss and, if appropriate appoint to the role of Executive Director Customer and Communities. This recommendation is subject to the notification of every Member of the Cabinet of the proposed appointment and their right of objection specified in the notification.

**Confidential: Not for publication under Paragraph 1**  
Information relating to any individual.

**8 DATE OF NEXT MEETING**

The next meeting of People, Performance and Development Committee will be on 23 September 2021.

**Joanna Killian  
Chief Executive**  
Published: 9 July 2021

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People, Performance and Development Committee  
19 June 2021

**Appointment of the Chief Executive, Joanna Killian,  
to Commissioner of Liverpool City Council**

**Purpose of the report:**

To seek agreement from Members for the Chief Executive to take up the role of Commissioner to Liverpool City Council.

**Recommendations:**

It is recommended that the People, Performance and Development Committee:

1. approve the Chief Executive's acceptance of the appointment of Commissioner to Liverpool City Council "LCC".
2. note the arrangements that have been put in place to give effect to the appointment.
3. note the internal management arrangements that are to be put in place at Surrey County Council (SCC).

**Introduction:**

1. By letter dated 10 June 2021 the Chief Executive was advised that she had been nominated by the Secretary of State for Housing, Communities and Local Government (MHCLG) to act as a Commissioner to LCC. The nomination is for a period of 3 years in the role of Local Government Improvement Commissioner. The time commitment required for the role is up to 150 days in the first year reducing in subsequent years.

2. The Committee is asked to agree the acceptance of the appointment by the Chief Executive and note the arrangements set out below.

### **Arrangements With Liverpool City Council**

3. A commissioner is entitled to a fee of £700 per day set by MHCLG in addition to reasonable expenses. LCC is responsible for payment of those costs. It is usual practice for the fees to be paid direct to the Commissioner. In this instance, as the Chief Executive remains an employee of SCC this would not be appropriate. The Chief Executive will continue to be remunerated by Surrey County Council in line with her contract of employment and it has been agreed that the daily Commissioner fees will be invoiced to LCC by SCC and payment will be made to SCC. All payment claims will be checked and authorised by MHCLG before being paid by LCC. The necessary arrangements to put this into effect are in place and will ensure transparency so that there is no suggestion of double remuneration of the Chief Executive.
4. The Chief Executive will need appropriate insurance to indemnify her in relation to any claims arising from the Commissioner role. LCC has acknowledged responsibility for putting the necessary indemnity policy on risk. We are awaiting confirmation as to whether the insurance will be provided by a third-party insurer or whether LCC will self-insure the risk. SCC's insurance arrangements are not affected by this.
5. All these arrangements will be reflected in an exchange of letters between the 2 councils.

### **Arrangements Within Surrey County Council**

6. Whilst the Chief Executive will retain her role as Head of Paid Service at SCC throughout the period that she acts as Commissioner, arrangements need to be put in place to cover her responsibilities at times when she is engaged with LCC matters.
7. In particular the following arrangements have been agreed:
  - 7.1 The Chief Executive's diary will be arranged so that she will, as far as possible, carry out her Commissioner functions on the same days each week. This will permit more effective planning of her primary responsibilities at SCC. She will continue to attend Cabinet, Council and Leadership Forums. She will additionally maintain her regular individual meetings with the Council Leader and members of the Corporate Leadership Team. There will be

a detailed plan in place which sets out the particular meetings that will remain the responsibility of the Chief Executive and those that will be delegated to others as necessary.

- 7.2 The Executive Director Resources will deputise for the Chief Executive in relation to internally focussed responsibilities for the management of Council business. This will include day to day business decisions and authorisations and the flow of business through Cabinet and the Corporate Leadership Team. He will join weekly forward planning sessions with the Chief Executive so that she can maintain general oversight of all matters as they arise.
- 7.3 The Executive Director Partnerships, Prosperity and Growth will deputise for the Chief Executive in the management of external relationships and will have particular meetings delegated to him.

### **Conclusions:**

8. Whilst the Chief Executive's acceptance of the Commissioner nomination will have an impact on the Council, in terms of her time being utilised on non SCC business, the Committee should consider the considerable benefit to SCC that comes from this arrangement.
9. As part of a Government appointed intervention team, the Chief Executive will have unparalleled access to the latest thinking in public sector governance. This will flow from her close working relationship with the other 3 Commissioners (all experts in their respective fields) and MHCLG. That experience over a three year period can only strengthen her own professional development and assist her in guiding the Council to deliver its strong ambitions for residents and fulfilling its Vision for 2030.
10. In addition, Members will recognise that SCC benefitted from much valued assistance from a number of other public sector organisations when it was facing severe service and financial challenges in 2018/19. That help enabled Members and Officers to put effective measures in place to realign the Council's financial position. SCC now has the opportunity to lend similar sector assistance to another Council.

### **Financial and value for money implications**

11. Although significant progress has been made over the last twelve months to improve the Council's financial position, the medium term financial outlook beyond 2021/22 remains uncertain. The public health crisis has resulted in increased costs which may not be fully funded. With uncertainty about

the ongoing impact of this and no clarity on the extent to which both central and local funding sources might be affected in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.

12. The Section 151 Officer supports the arrangements being put in place to invoice LCC for the agreed Commissioners fees, as set by the Secretary of State. This will act as a contribution to SCC for the time the Chief Executive is working with LCC and the Chief Executive will not financially benefit from the appointment.

### **Equalities and Diversity Implications**

13. An Equalities Impact Assessment has not been undertaken in relation to this appointment as it is not considered to have any adverse impact on individuals with protected characteristics.

### **Risk Management Implications**

14. There could be a perceived risk of a potential reduction of Leadership capacity at the top of the organisation. This is mitigated by assigning the internal and external stakeholder relationship management duties of the Chief Executive to the Executive Director Resources, and the Executive Director Partnerships, Prosperity and Growth respectively, giving the necessary influence over the resourcing of the council's priorities, and providing support to the CEO as required. The CEO along with her Senior Leadership Team and with the support of the Leadership Office will work effectively together to ensure that this risk is mitigated by having robust mechanisms in place for sharing information, making decisions and keeping each other abreast of important or critical issues.

### **Next steps:**

15. Joanna Killian to confirm acceptance to Liverpool City Council.
16. Confirmation of insurance arrangements for Joanna Killian.
17. Exchange of letters between the two councils to be completed.
18. Joanna Killian to brief Members and nominated delegates on accountable areas for deputisation.

19. Extended Leadership Forum to be briefed on new arrangements.
  20. Corporate Communications to be circulated to the wider organisation.
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People, Performance and Development Committee  
19 July 2021

**Extension of member and employer representative appointments of the Local Pension Board**

**Purpose of the report:**

This report sets out the proposed extension of member and employer representative appointments for Local Pension Board for approval by the People, Performance and Development Committee.

The report recommends the appointment of an Independent chairman, two County Councillor representatives with one councillor appointed as vice chairman.

The report also recommends the appointment of a member representative.

The Local Pension Board is a requirement under section 5 of the Public Service Pensions Act 2013, and Regulation 106 of the Local Government Pension Scheme Regulations 2013.

**Recommendations:**

It is recommended:

1. That the term of office for the member representatives of the Surrey Local Pension Board are extended over the life of the next council
2. That the term of office for the employer representatives of the Surrey Local Pension Board are extended over the life of the next council
3. Tim Evans is appointed as an Independent chairman.
4. Cllr David Lewis and Cllr Jeremy Webster are appointed as the County Councillor representatives.
5. Cllr Jeremy Webster is appointed as a vice chairman.
6. William McKee is appointed as a member representative.

Each Local Pension Board member so appointed shall serve for the life of the current Surrey County Council, a defined, fixed period which can be extended for further periods subject to re-nomination.

## Introduction:

1. Under the provisions of section 5 of the Public Service Pensions Act 2013 (“the 2013 Act”) and regulation 106 of the Local Government Pension Scheme (LGPS) Regulations 2013 (as amended) (“the Regulations”) each LGPS Administering Authority must establish a new Local Pension Board for the purposes of assisting the Administering Authority in all aspects of governance and administration of the LGPS, including funding and investments.
2. The Local Pension Board is constituted separately to the Surrey Pension Fund Committee which has delegated authority to carry out pensions functions for the Council as the Administering Authority.
3. On 17 March 2015, the Council established the Local Pension Board, and delegated the appointment of members of the Local Pension Board to the People, Performance and Development Committee (PPDC). An appointment panel of officers and Members was established to oversee the recruitment process and produce recommendations for the PPDC.
4. On 17 July 2015 the PPDC appointed the required eight employer and member representatives of the Local Pension Board.
5. This report sets out the recommendation of the appointment panel to extend the membership of the current employer and member representatives. The Appointment Panel has recommended candidates to fill current vacancies, in consultation with the Leader of the Council.
6. The proposed extension recognises the significant work undertaken by the Pension Board membership over the past six years to develop knowledge and expertise in the areas covered by the Board terms of reference. Each Board member is compliant with the attendance, knowledge and understanding policy.
7. Previous appointment processes have demonstrated low appetite and interest from both the employer and member pools. To this end, the recommended extension will benefit the Administering Authority and Fund by ensuring a skilled and engaged Board membership continues to assist in all aspects of governance and administration of the LGPS.
8. The role of the Local Pension Board, the constitution of its membership and the roles and responsibilities of the Board members are set out in the Local Pension Board terms of reference. It is expected that each Local Pension Board member so appointed will serve for the life of the current Surrey County Council, which will continue until spring 2025. Appointments can be extended for further periods subject to re-nomination.

## Financial and value for money implications

9. Training expenses are borne by the administration cost centre of the Pension Fund and must be approved by the Director of Finance. Retaining skills and expertise minimises the cost to the Pension Fund, and provides assurances with respect to good governance, and in the long term informs better decision making.

### **Equalities and Diversity Implications**

10. The establishment of the Board is a statutory requirement. There are no specific equality implications arising from these appointments.

### **Risk Management Implications**

11. All risk related issues related to the termination and appointment of Board members are managed within the Board's terms of reference, as agreed by Council on 17 March 2015 and amended by the Pension Fund Committee on 18 September 2015.

### **Next steps:**

The next public meeting of the Local Pension Board will be organised prior to the end of August 2021, following the appointment of the new Board member.

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(Investments, Funding & Governance)

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### **Annexes:**

Annex 1 – Recommendation to the People, Performance and Development Committee for the appointment of an individual member of the Local Pension Board

### **Sources/background papers:**

Public Service Pensions Act, 2013

Local Government Pension Scheme (LGPS) Regulations, 2013

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# THE SURREY LOCAL PENSION BOARD

## RECOMMENDATION TO THE PEOPLE, PERFORMANCE & DEVELOPMENT COMMITTEE FOR THE TERMINATION OF A MEMBER REPRESENTATIVE AND APPOINTMENT OF A MEMBER REPRESENTATIVE OF THE LOCAL PENSION BOARD

### 1. Appointment of Local Pension Board members

- 1.1 Appointment of Local Pension Board members is carried out by the People, Performance and Development Committee following recommendations from the Appointment/Termination panel.
  - 1.2 The Appointment/Termination panel overseeing the process consist of the following representatives of the Administering Authority:
    - The Chairman of the Pension Fund Committee;
    - The Director of Finance (or her nominee);
    - The Strategic Finance Manager – Pension fund;
    - The Director of Legal & Democratic Services (or her nominee).
  - 1.3 The requirement is to appoint employer representatives as follows:
    - 2 x Surrey County Councillors;
    - 2 x representatives to come from nominations from other employers (e.g. District, Borough and Parish Councils, Academies, Police and other scheduled, designated or admitted body employers in the Surrey Pension Fund).
  - 1.4 The requirement is to appoint member representatives as follows:
    - 1 x GMB nominated representative;
    - 1 x Unison nominated representative;
    - 2 x other member representatives.
  - 1.5 Any independent representatives will be directly appointed by the Appointment Panel through an open and transparent process.
2. Appointment of the Chairman and Vice Chairman of the Local Pension Board
- 2.1 Appointment of the Chairman and Vice Chairman of the Local Pension Board is be carried out by the People, Performance and Development Committee on the recommendation of the Appointment/Termination panel.

### 3. The Constitution of the current Local Pension Board

#### 3.1 The current Employer representatives are:

- 2 x Surrey County Councillors:
  - Vacancy
  - Vacancy
- 2 x representatives to come from nominations from other employers (e.g. District, Borough and Parish Councils, Academies, Police and other scheduled, designated or admitted body employers in the Surrey Pension Fund):
  - Vacancy
  - Fiona Skene (Runnymede Borough Council)

#### 3.2 The current member representatives of the Local Pension Board are:

- 1 x GMB nominated representative:
  - Rohit Dara
- 1 x Unison nominated representative:
  - Siobhan Kennedy
- 2 x other member representatives:
  - Vacancy
  - Trevor Willington

#### 3.3 The requirement for independent representatives of the Local Pension Board is regularly reviewed by the Local Pension Board and due to the significant turnover of members of Board, including loss of the chairman it was assessed to appoint an independent representative.

- Vacancy

#### 3.4 The current Chairman of the Local Pension Board is:

- Vacancy

#### 3.5 The current Vice Chairman of the Local Pension Board is:

- Vacancy (formerly Graham Ellwood)

#### 3.6 The Appointment panel recommends:

- That the term of office for the member representatives of the Surrey Local Pension Board are extended over the life of the next council.
- That the term of office for the employer and member representatives of the Surrey Local Pension Board are extended over the life of the next council.
- Tim Evans is appointed as an Independent chairman.
- Cllr David Lewis and Cllr Jeremy Webster are appointed as the County Councillor representatives.

- 3.7 The Cllr David Lewis is appointed as Vice Chairman and Surrey County Councillor employer representative to the Surrey Local Pension Board.
- 3.8 William McKee is appointed as a member representative to the Surrey Local Pension Board.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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