

Proposed changes to the Council Constitution and Scheme of Delegation

The Financial Regulations provide the framework of control, responsibility and accountability for the proper administration of the Council's financial affairs. They outline the financial responsibilities of officers and members and are part of the Constitution of the Council.

Part 5 (2) of the [Council's Constitution \(Rules of Procedure\)](#) contains the [Financial Regulations \(FR\)](#), FR27 specifically relates to Treasury Management and the Pension Fund. The changes proposed to the Financial Regulations are given in the table below.

Part 5(2) Financial Regulation	Current Delegation	Proposed new Delegation/Amendment
27.5	The Section 151 Officer has delegated authority to take urgent action as required between Pension Fund Committee meetings, but such action can only be taken in consultation with and by agreement with the Chairman or Vice Chairman of the Pension Fund Committee and following consultation with any relevant Consultant or Independent Advisor.	Replace Section 151 Officer with Senior LGPS Officer
27.6	The Section 151 Officer will ensure that monitoring reports on the Pension Fund's investment performance and activities, and any other business, are considered	Replace Section 151 Officer with Senior LGPS Officer

Part 5(2) Financial Regulation	Current Delegation	Proposed new Delegation/Amendment
	by the Pension Fund Committee at least quarterly.	
27.7	The Section 151 Officer will ensure that a report on the triennial actuarial valuation of the Pension Fund is taken to the Pension Fund Committee.	Replace Section 151 Officer with Senior LGPS Officer
27.8	The Section 151 Officer will ensure that a report on the annual accounts and associated external audit of the pension fund is taken to the Pension Fund Committee.	Replace Section 151 Officer with Senior LGPS Officer

[Part 3 of the Council Constitution](#) relates to the Responsibility for Functions and Scheme of Delegation. Sections 1 & 2 Responsibility for Functions and Scheme of Delegation set out details of who is responsible for those functions that have been delegated. [Part 3, Section1](#), paragraph 6 deals with Council Committee functions and specifically 6.20 – 6.22 for the Surrey Pension Fund Committee. It is proposed to add a new term of reference to paragraph 6.22 as follows:

j) To consider and approve an annual conflict of interest policy, which shall include how the potential conflict of Surrey County Council in its dual role as Administering Authority for and scheme employer of the Surrey Pension Fund is managed.

[Section 3 Part 3A](#) and [Part 3B](#) relate to specific delegations to Officers. The changes proposed to the Finance – Pension Fund section are given in the table below and include one proposed change (ORB57 Pensions) relating to determining entitlements or payments in accordance with discretions in the LGPS Regulations. In addition, ORB57 should be moved from Part 3B to Part 3A and renumbered PEN7.

Scheme of Delegation	Current Delegation/Action	Currently Delegated to	Proposed Amendment to Delegation wording	Proposed Delegation to
PEN1	Execute cash transfers to pension fund managers	Executive Director of Resources (S151 Officer) Director of Finance – Corporate & Commercial Director of Finance – Insight & Performance Assistant Director – LGPS Senior Officer Strategic Finance Business Partner (Corporate)	NA	LGPS Senior Officer Head of Investment and Stewardship Head of Accounting and Governance
PEN2	Borrowing, lending and investment of County Council Pension Fund moneys, in line with strategies agreed by the Pension Fund Board.	Executive Director of Resources (S151 Officer) Director of Finance – Corporate & Commercial Assistant Director – LGPS Senior Officer	Borrowing, lending and investment of County Council Pension Fund moneys, in line with strategies agreed by the Pension Fund Committee .	LGPS Senior Officer Head of Investment and Stewardship Head of Accounting and Governance



Scheme of Delegation	Current Delegation/Action	Currently Delegated to	Proposed Amendment to Delegation wording	Proposed Delegation to
	Delegated authority to the Executive Director of Resources (S151 Officer) Part 3 Scheme of Delegation July 2024 24 S151 Finance Officer to take any urgent action between Board meetings but such action only to be taken in consultation with and by agreement with the Chairman and/or Vice Chairman of the Pension Fund Board and any relevant Consultant and/or Independent Advisor.		Delegated authority to the LGPS Senior Officer to take any urgent action between Committee meetings but such action only to be taken in consultation with and by agreement with the Chairman and/or Vice Chairman of the Pension Fund Committee and any relevant Consultant and/or Independent Advisor.	
PEN3	To exercise discretion in relation to the Local Government Pension Scheme except (1) where a policy on the matter has been agreed by the Pension Board and included in the Discretionary Pension Policy Statement published by the Council, (2) decisions relating to “admitted body status” and (3) decisions	Director of Finance – Corporate & Commercial Assistant Director – LGPS Senior Officer	To exercise discretion in relation to the Local Government Pension Scheme except (1) where a policy on the matter has been agreed by the Pension Fund Committee and included in the Discretionary Pension Policy Statement published by the Council, (2) decisions relating to “admitted body	LGPS Senior Officer Head of Service Delivery

Scheme of Delegation	Current Delegation/Action	Currently Delegated to	Proposed Amendment to Delegation wording	Proposed Delegation to
	relating to individual cases as provided for in the separate delegation to the Strategic Finance Manager (Pensions). This delegation is subject to any limitations imposed and confirmed in writing from time to time by the Executive Director for Resources (S151 Officer).		status” and (3) decisions relating to individual cases as provided for in the separate delegation to the Senior LGPS Officer.	
PEN4 (new PEN4A)	Hear stage one or stage two appeals relating to disputes involving the Local Government Pension Scheme, Compensation Benefits and Injury Allowances provided that an officer hearing an appeal will not have been involved at an earlier stage in the process.	Executive Director of Resources (S151 Officer) Director of Finance – Corporate & Commercial Director – Law & Governance Director of People & Change	Hear stage one or stage two appeals relating to the County Council disputes involving the employer Local Government Pension Scheme, Compensation Benefits and Injury Allowances provided that an officer hearing an appeal will not have been involved at an earlier stage in the process.	Stage 1 disputes – any County Council Director Stage 2 disputes – any County Council Executive Director
(new) PEN4B	NA	NA	Hear stage one or stage two appeals relating to the Surrey Pension Team disputes involving the Local Government Pension Scheme, Compensation	(Any of the following) LGPS Senior Officer Head of Investment and Stewardship Head of Accounting and Governance

Scheme of Delegation	Current Delegation/Action	Currently Delegated to	Proposed Amendment to Delegation wording	Proposed Delegation to
			Benefits and Injury Allowances provided that an officer hearing an appeal will not have been involved at an earlier stage in the process.	Head of Service Delivery or Head of Change Management
PEN5	To exercise discretion (excluding decisions on admitted body status) in relation to the Local Government Pension Scheme where no policy on the matter has been agreed by the Council and included in the Discretionary Pension Policy Statement published by the Council, subject to any limitations imposed and confirmed in writing from time to time by the S151 Finance Officer.	Assistant Director – LGPS Senior Officer	To exercise discretion (excluding decisions on admitted body status) in relation to the Local Government Pension Scheme where no policy on the matter has been agreed by the Council and included in the Discretionary Pension Policy Statement published by the Council.	NA
PEN6	To determine decisions conferring ‘admitted body’ status to the Pension Fund where such requests are submitted by external bodies.	Executive Director of Resources (S151 Officer) Director of Finance – Corporate & Commercial	NA	LGPS Senior Officer
ORB57 (new PEN7)	To exercise discretion in relation to the Local	Head of Pensions Administration	To exercise discretion in relation to the	Head of Service Delivery

Scheme of Delegation	Current Delegation/Action	Currently Delegated to	Proposed Amendment to Delegation wording	Proposed Delegation to
	<p>Government Pension Scheme on the following matters in individual cases: - allocation of death grants - determining co-habitation - determining whether a child meets criteria for a child's pension - allocation of pension for persons incapable of managing their own affairs - commutation, transfer in and forfeiture decisions - extension of time limits for decisions to be made by scheme members - minimum contribution levels for additional payments - determining reviews and effective dates of ill-health benefits -write offs up to £250. This delegation is subject to any limitations imposed and confirmed in writing from time to time by the Executive Director of Resources.</p>		<p>Local Government Pension Scheme on the following matters in individual cases: - allocation of death grants - determining co-habitation - determining whether a child meets criteria for a child's pension - allocation of pension for persons incapable of managing their own affairs - commutation, transfer in and forfeiture decisions - extension of time limits for decisions to be made by scheme members - minimum contribution levels for additional payments - determining reviews and effective dates of ill-health benefits - write offs up to £250.</p>	

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