

APPENDIX 1

CONSTITUTIONAL CHANGES RELATED TO OFFICERS' DELEGATIONS FOR PENSION FUNCTIONS

1) The following provisions shall be deleted:-

Part 3 Responsibility for Functions, Section A, Table 1, Responsibility for Council Functions

Committee (Membership)	Non-Executive Functions	Provision of Act or Statutory Instrument	Delegation of functions
H. Functions relating to pensions etc	1. Functions relating to local government pensions, etc	Regulations under Sections 7, 12 or 24 of the Superannuation Act 1972 (c11) [44]	Head of Finance
	2. Functions relating to pensions, allowances and gratuities	Regulations under Section 18 (3A) of the Local Government and Housing Act 1989 (c42)	Head of Finance
	3. Functions under existing pension schemes as respects persons employed by the fire and rescue authorities pursuant to Section 1 of the Fire and Rescue Services Act 2004	Sections 34 and 36 of the Fire and Rescue Services Act 2004	Head of Finance

The above to be replaced by the following:-

Committee (Membership)	Non-Executive Functions	Provision of Act or Statutory Instrument	Delegation of functions
Pension Fund Committee 5 Councillors of Flintshire County Council, 1 Councillor of Wrexham County Borough Council, 1 Councillor of Denbighshire County Council, 1 Representative of the other	1. To carry out the functions of Flintshire County Council as the Scheme Manager and Administering Authority for the Clwyd Pension Fund.	Regulations under Sections 7, 12 or 24 of the Superannuation Act 1972 and the Public Service Pensions Act 2013.	Corporate Finance Manager

Committee (Membership)		Non-Executive Functions	Provision of Act or Statutory Instrument	Delegation of functions
Scheme Employers (not admission bodies) in the Clwyd Pension Fund and1 Representative of the scheme members of the Clwyd Pension Fund.				
	2.	Functions relating to pensions, allowances and gratuities	Regulations under Section 18 (3A) of the Local Government & Housing Act 1989	Chief Officer People & Resources

2) The following provisions shall be deleted:-

General Scheme of Delegations of Executive and Non Executive Functions to Officers – Sub Section B

General Delegations to Chief Executive and Corporate Directors

Ref	Delegation / Authorisation	Form of Evidence
CD2	Authority to consider and approve, as appropriate, in consultation with the Head of Human Resources, Head of Finance and in accordance with the provisions of the Local Government Pension Scheme and the Council's approved policy and criteria, the early retirement of staff in the following circumstances: (1) in the interests of the efficiency of the service (2) who request voluntary retirement	Relevant HR Form

The following provisions shall replace the above:-

General Delegations to Chief Executive

Ref	Delegation / Authorisation	Form of Evidence
CD2	Authority to consider and approve, as appropriate, in consultation with the Chief Officer, People & Resources, the Corporate Finance Manager and in accordance with the provisions of the Local Government Pension	Relevant HR Form

	<p>Scheme and the Council's approved policy and criteria, the early retirement of staff in the following circumstances:</p> <p>(1) in the interests of the efficiency of the service</p> <p>(2) who request voluntary retirement</p>	
--	--	--

3) The following provisions shall be deleted:-

General Scheme of Delegations of Executive and Non Executive Functions to Officers – Sub Section C

Sub Section C – General Delegations to all Heads of Service

Ref.	Delegations / Authorisations	Form of Evidence
CO2	<p>Authority to exercise the delegated powers of the Chief Executive or Corporate Director, as appropriate, and in his/her name to consider and approve, as appropriate, in consultation with the Head of Human Resources, Head of Finance and in accordance with the provisions of the Local Government Pension Scheme and the Council's approved policy and criteria, the early retirement of staff in the following circumstances:</p> <p>(1) in the interests of the efficiency of the service</p> <p>(2) who request voluntary retirement</p> <p>Qualification: This may not be further delegated</p>	Relevant HR Form

The following provisions shall replace the above.

General Delegations to Chief Officers

Ref.	Delegations / Authorisations	Form of Evidence
CO2	<p>Authority to exercise the delegated powers of the Chief Executive and in his/her name to consider and approve, as appropriate, in consultation with the Chief Officer, People and Resources, the Corporate Finance Manager and in accordance with the provisions of the Local Government Pension Scheme and the Council's approved policy and criteria, the early retirement of staff in the following circumstances:</p> <p>(1) in the interests of the efficiency of the service</p> <p>(2) who request voluntary retirement</p> <p>Qualification: This may not be further delegated</p>	Relevant HR Form

4) The following provisions shall be deleted:-

General Scheme of Delegation of Executive and Non Executive Functions to Officers - Sub Section E, Specific Delegations to Statutory, Legal, Financial, Human Resources and Technical Services Officers

Head of Finance & Section 151 Officer	
FS9	To accept nominations of admitted bodies to participate in the Superannuation Fund.
FS14	In accordance with any policy or strategy decided by the Authority to approve decisions relating to the management of the Pension Fund and the administration of pension benefits.
FS15	To carry out functions relating to local government pensions etc pursuant to Regulations under Section 7, 12 or 24 of the Superannuation Act 1972; and functions relating to pensions, allowances and gratuities pursuant to Regulations under Section 18(3A) of the Local Government and Housing Act 1989.
FS16	To determine matters involving the exercise of a discretion under provisions relating to or arising from the Local Government Pension Scheme following consultation with the Discretions Panel consisting of the Head of Pensions/Funds, the Pensions Manager and Principal Solicitor (Litigation).

The following provisions shall replace the above:-

Chief Officer, People & Resources	
PR1	The day to day management of Clwyd Pension Fund matters including ensuring arrangements for investments of assets and administration of contributions and benefits, excluding matters delegated to the Clwyd Pension Fund Committee.
PR2	Establish and Chair a Clwyd Pension Fund Advisory Panel consisting of officers of the Council and an advisor to the Clwyd Pension Fund to provide advice and propose recommendations to the Clwyd Pension Fund Committee and carry out such matters as delegated to it from time to time by the Clwyd Pension Fund Committee.

Section 151 Officer

In the Council's new operating model, the Chief Finance Officer (S151) role is designated to the Corporate Finance Manager. The S151 officer is required to fulfil the parallel role for the Clwyd Pension Fund as the Council is the Administering Authority for the Fund. For the purposes of responsibilities of the S151 officer, pensions operations are indivisible from other financial operations. The S151 of the local authority body is responsible for the financial administration of the pension fund in addition to that of the local authority.