



City of Westminster

Pension Board

Date:	21 July 2021
Classification:	General Release
Title:	Tri-Borough Section 113 Agreement Review
Wards Affected:	None
Policy Context:	Effective control over Council Activities
Financial Summary:	There are no immediate financial implications arising from this report.
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1 Executive Summary

- 1.1 This paper presents the Tri-Borough Section 113 (S113) Agreement review of the Tri-Borough Treasury and Pensions and Treasury Services, as undertaken by an independent consultant during August 2020.

2 Recommendation

- 2.1 The Pension Board is requested to note the attached S113 Tri-Borough Treasury and Pensions agreement review and recommendations.

3 Background

- 3.1 Westminster City Council, the Royal Borough of Kensington and Chelsea and the London Borough of Hammersmith and Fulham operate Treasury and Pensions services through a Tri-Borough joint working arrangement established under S113 of the Local Government Act 1972.
- 3.2 The agreement for shared Treasury and Pension services commenced in February 2012, and the Council commissioned an independent consultant to review this agreement in August 2020.

3.3 The scope of this review covered the following areas, with particular focus on development of the performance management and cost recharging arrangements.

- Governance arrangements
- Identifying key tasks and processes
- Oversight of third party activities
- Quality standards and internal audit coverage
- Key performance indicators (KPIs)
- Added value
- Staff structures, liaison and communication
- Contract monitoring
- Cost recharging arrangements

4 Recommendations for the Tri-Borough Treasury and Pensions Service

4.1 The following key recommendations arose from the review:

- **Governance Arrangements:**

S113 agreement expanded to reflect current expectations in key processes undertaken by the Tri-Borough team, quality standards/KPIs, cost recharging and added value identification and delivery.

- **Identifying key tasks and processes:**

Key tasks, as shown within Appendix 1 of the S113 Review, should be included within the S113 agreement and form the basis for performance management.

- **Oversight of third party activities:**

S113 agreement updated to reflect that the Tri-Borough team is not directly responsible for delivering pensions administration but has a role of oversight and performance monitoring.

- **Quality standards and internal audit coverage:**

The agreement requires all staff to hold or be working towards Central Council of Accounting Bodies (CCAB) qualifications and attend regular technical training. It should be noted that all Tri-Borough pension managers and treasury managers currently meet this recommendation. S113 agreement amended to include specific requirements for regular internal audit and controls assurance reports from all third party service providers. It should be noted that the City of Westminster Pension Fund already requests these reports from third party providers and is subject to an internal audit every two to three years.

- **KPIs:**

It is recommended that the following KPIs are included in the S113 agreement:

Key performance target	Measured by
Funding level at least equal to LGPS averages	Actuarial revaluation every three years
Investment management costs under 0.5% of year end net asset value (NAV) of each fund	Calculate based on year end fund accounts
Maintain asset allocations in line with strategy approved by members	Confirmed (or otherwise) by the independent investment advisor's quarterly review
All contributions due from employing bodies are collected promptly	Reported quarterly to members and monthly to S151 officer
Sufficient cash is available to pay pension benefits as they fall due	Reported quarterly to members and monthly to S151 officer

- **Added value:**

The Strategic Investment Manager should spend at least a third of their time on added value activities, determined in principle at the start of each financial year.

- **Staff structures, liaison and communication:**

S113 agreement updated to reflect the current staffing structure. Key tasks in regard to communication and engagement across the Tri-Borough, as shown within Appendix 1 within the S113 review, should be included within the S113 agreement and form the basis for performance management.

- **Contract monitoring:**

The Council is provided with a short dashboard report each month, summarising key transactions/balances, that these are in line with strategies and whether key performance targets have been met. This should form the basis as of an annual review of the S113 agreement with each S151 officer.

A suggested format is provided within Appendix 3 of the S113 review. It should be noted that the Fund is provided with a performance report every month from the custodian, Northern Trust.

Alongside this, the Fund reports monthly to ELT on asset values, funding position, cashflows, investment/administration updates and performance.

- **Cost recharging arrangements:**

Annual cost reallocations should be increased to cover accommodation, overheads and other direct expenditure. Shared posts should be allocated in proportion to the relative value of the assets and liabilities under management, as shown below:

Westminster	40%
Hammersmith and Fulham	30%
Kensington and Chelsea	30%

It should be noted that the Fund already includes such overheads and accommodation charges within its annual cost recharging exercise. In addition to this, the Fund has amended the reallocation as a result of this exercise from 2020/21 onwards.

Recharges are agreed at the start of the year, based on approved revenue budgets and monitored by the Council. It should be noted that this process is already undertaken by the Council's departmental finance teams.

- 4.2 A more detailed analysis of the review undertaken can be found within Appendix 1 (exempt) of this report. In addition to this an updated version of the S113 agreement, to reflect the recommendations arising from the review, is included within Appendix 2.
- 4.3 The revised S113 Agreement was taken to the Pension Fund Committee on 24 June 2021. The Committee welcomed the recommendations and approved the amended S113 agreement.

If you have any questions about this report, or wish to inspect one of the background papers, please contact the report author:

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BACKGROUND PAPERS: None

APPENDICES:

Appendix 1: S113 Review August 2020 (Exempt)
Appendix 2: Tri-Borough S113 updated agreement