4 SEPTEMBER 2026

OCC CONSTITUTION CHANGES RESULTING FROM THE NEW LGPS (GOVERNANCE) REGULATIONS 2026

Report by the Executive Director & Section 151 Officer

RECOMMENDATION

a. **The Pension Fund Committee is RECOMMENDED to note the report and recommend to Council, via the Audit and Governance Committee, to make the appropriate changes to the Constitution to formalise the new governance arrangements.**

Executive Summary

1. On the 29 June 2026, MHCLG (Ministry of Housing, Communities & Local Government) published statutory guidance to support the 'Fit for the Future' changes. The primary change of the Local Government Pension Scheme (Amendment) (Governance) Regulations 2026 inserted new Regulation 53A into the LGPS Regulations 2013, which requires every administering authority to appoint an officer ('the LGPS senior officer') with senior responsibility across all pension functions of the authority. This report recommends the necessary changes to the council's constitution for the new requirements of the regulations, including the LGPS senior officer.

Introduction

2. On the 29 June 2026, MHCLG (Ministry of Housing, Communities & Local Government) published statutory guidance to support the 'Fit for the Future' changes. The Local Government Pension Scheme (Amendment) (Governance) Regulations 2026 inserted new Regulation 53A into the LGPS Regulations 2013. The guidance on the regulations included:

   i) Knowledge and understanding;
   ii) LGPS Senior Officer;
   iii) Independent Person;
   iv) Independent Governance Reviews.

4. The regulations state that 'every administering authority must appoint an officer ("the LGPS senior officer") who has senior responsibility across all pension functions of the authority.' The appointment must be made within six months of the regulations coming into force – which was the 30 June 2026.

5. The regulations also require that 'where an administering authority delegates its functions, or part of its functions to a committee, sub-committee or an officer, it must appoint a person who is independent of both the Secretary of State and the administering authority ("an independent person") to support the discharge of those functions in relation to the Scheme, including in respect of investment strategy, governance and administration'. Again, this appointment must be made within six months of the regulations coming into force – which was the 30 June 2026.

6. The regulations also introduce the requirement for an administering authority to arrange for a governance review ("independent governance review") by a suitable person. Unless directed by the Secretary of State, the administering authority must ensure that a first periodic governance review is carried out and completed by 31 March 2028 at the authority's expense.

7. The statutory guidance has been reviewed and the necessary changes to the administering authority's constitution has been drafted. The changes to the constitution have been supported by Hymans Robertson, fund officers, OCC finance and legal officers.

Proposed Changes to the Constitution

8. The draft constitutional changes are set out in **ANNEX 1**.

9. The key changes proposed to the constitution are:

   i) The function of the Pension Fund Committee has been clarified more comprehensively within **Section Part 5.1A Membership of Committees and Sub-Committees**;

   ii) The LGPS Senior Officer and their responsibilities have been added to **Section Part 7.1 Officers**;

   iii) Some delegated responsibilities related to the pension fund of the Deputy Chief Executive (Section 151 Officer) have been removed from **Section Part 7.2 Scheme of Delegation to Officers**;

   iv) Pension Fund responsibilities have been delegated to the LGPS Senior Officer and added to **Section Part 7.2 Scheme of Delegation to Officers**;

   v) One minor change of financial responsibility for the Deputy Chief Executive (Section 151 Officer) **within Section Part 8.2 – Financial Regulations – Section 01**.

Other Regulatory Amendments

10. The regulations now require funds to produce a 'Governance Strategy'. The Fund has decided to include requirements regarding the Independent Person, Knowledge & Skills and the Independent Governance Review within the new

Governance Strategy document. This document will be presented to Committee for review and approval at the December meeting.

Financial Implications

19. There are no direct financial implications arising from this report.

Comments checked by:

Name, Title, email (Finance)

Corporate Policies and Priorities

20. The overall priorities of the Pension Fund are summarised as:

- To fulfil our fiduciary duty to all key stakeholders
- To administer pension benefits in accordance with the LGPS regulations, and the guidance set out by the Pensions Regulator
- To maintain a funding level above 100%
- To ensure there are sufficient liquid resources to meet the liabilities of the Fund as they fall due, and
- To maintain as near stable and affordable employer contribution rates as possible

Legal Implications

The legal implications section should be completed by a member of the legal service

21. This report has been prepared in accordance with the Oxfordshire County Council's (the "**Council**") responsibilities as the Administering Authority for the Oxfordshire Pension Fund.

22. As Administering Authority, the Council is responsible for managing and administering the Local Government Pension Scheme pursuant the Local Government Pension Scheme Regulations 2013 ("**LGPS Regulations 2013**").

23. The Council as Administering Authority determines its own governance arrangements and the delegation of those responsibilities which is set out in the Council's Governance Strategy Statement (v 2025). Pension Fund Reports are a non- executive function and presentation before Cabinet is not required.

24. Oxfordshire County Council as Administering Authority for the Fund delegates all functions relating to the management of the Pension Fund to the Pension Fund Committee. Certain functions are then further delegated by the Pension Fund Committee to Officers in accordance with the Scheme of Delegation. Officers report decisions back to the Pension Fund Committee.

25. Regulation 53A (Appointments that must be made by administering authorities) of the LGPS Regulations 2013 to be implemented with effect from 1st April 2026 by the Local Government Pension Scheme Amendments Regulations 2026 will requires the Administering Authority to have a senior Local Government Pension Scheme officer, "who has senior responsibility across all pension functions to ensure the fund is appropriately managed and resourced across administration, investment and governance matters" which much be in accordance with guidance issued by the Secretary of State. (**S53A**(**1**)) The senior Local Government Pension Scheme officer ("**the senior LGPS officer**") is a statutory role.

26. The senior LGPS officer role is responsible for all aspects of managing the Local Government Pension Scheme within the Administering Authority.

27. In carrying out its functions, the Pension Fund Committee must act within the statutory framework governing the Local Government Pension Scheme (the "**LGPS**"), including pursuant to the Local Government Pension Scheme Regulations 2013, the Administering Authority's required governance and administration requirements, and the approved Pension Fund Governance Policy and Scheme of Delegation.

28. The Administering Authority must have regards to and publish its Pension Fund Strategy and any revisions pursuant to s59 of the LGPS Regulations 2013.

29. Any procurement, contractual, or data-handling matters connected with the implementation of decisions are managed in accordance with the Council's Contract Procedure Rules and Data Protection obligations. Further legal advice will be requested and provided where required. The senior LGPS officer has provided the legal team with full information relating to this report for review and consideration and answered any queries raised.

30. Both Section 151 Officer and the senior LGPS officer should approve pension fund accounts.

31. Legal team is assured that the Pension Fund Committee has taken appropriate advice to ensure the Committee fulfils its fiduciary duties to Scheme members and employers.

32. In view of all information provided, legal review of legislative and regulatory requirements, including impending enacted amendments to LGPS Regulations 2013, and the cogency of information provided by the senior LGPS officer who has consulted with the S151 Officer, the Pension Fund Committee Report, provided appropriate approval of pension fund accounts is provided pursuant to paragraph 70 above, the contents of this report satisfy the requirements of the LGPS Regulations 2013 (as amended) in respect of its administration, operation and management. The Council's legal team is satisfied that all regulatory, legislative and governance requirements pertaining to Oxfordshire County Council as Administering Authority are complied with, by the level of

engagement, documentation provided for review, explanation and scrutiny offered by the senior LGPS officer and our opportunity for review.

Contact :

[Staff Implications]

33. There are no direct staff implications arising from this report.

[Equality & Inclusion Implications]

34. There are no direct equality and inclusion implications arising from this report.

[Sustainability Implications]

35. There are no direct sustainability implications arising from this report.

[Risk Management]

36. There are no direct risk management implications arising from this report]

Lorna Baxter
Executive Director of Resources and Section 151 Officer

Annex:	Annex 1: Draft Constitution
Background papers:	Nil
[Other Documents:]	Nil
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September 2026