

**PENSION BOARD– FRIDAY, 11 MARCH 2016**

**Written question from Paul Wilkinson, Chairman of the Board to the Technical Finance Manager.**

While the above is being resolved, are members of the Board adequately protected against liabilities of office regardless of whichever way the argument goes?

***Response***

The general view is that as the Local Pensions Board was not a decision making body indemnity insurance was not put in place. This may change as a result of the QCs opinion but it is still incredibly complicated to identify a risk that could actually be insured.

The national scheme advisory board sought the opinion of James Goudie, QC, his opinion on this issue does suggest that the LPB is a separate body from the Council and therefore any local authority liability insurance won't automatically extend to the LPB. We would suggest that a pension board is a low risk body in this regard since they are not responsible for managing the fund or making decisions on behalf of the administering authority; they are there to support the scheme manager only. If something goes wrong to the extent that the administering authority has to call on its insurer then it's hard to see how that state of affairs could have come about solely in respect of actions (or lack of actions) from the LPB. To get to that position someone else e.g. the committee or s151 officer must have been at fault also, which would more likely result in any claim being made.