

FITNESS & PROBITY AND TRUSTEE TRAINING POLICY



INTRODUCTION:

The Trustees acknowledge that it is their responsibility to ensure that the ‘fit and proper’ requirements set out under pension legislation and the Pensions Authority’s Code of Practice are properly applied. The purpose of this Fitness & Probity and Trustee Training Policy (the “Policy”) is to set out how the Trustees will approach fitness and probity principles and standards which apply to any individual:

- (a) appointed to be a Trustee; and
- (b) appointed as a Key Function Holder pursuant to the Scheme’s Outsourcing & Service Provider Policy.

In addition, the Policy sets out how the Trustees will ensure that they meet their Trustee training requirements and ensure that the Trustees continue to have the requisite qualifications, skills and knowledge to carry out their Trustee role.

Trustees:

General ‘fit and proper’ principles applicable to Trustees:

The general fit and proper principles that will apply to new and current Trustees of the Scheme are as follows:

- (a) The Trustee Board must collectively be “fit”, i.e., the Trustee Board must as a whole have the collective appropriate qualifications, knowledge and experience to perform their duties as Trustees.
- (b) Each Trustee or new Trustee must individually be a “proper” person, i.e., they must be of good repute and integrity and must be qualified to act as a Trustee pursuant to applicable legislative requirements.

“Fit” requirements for Trustees:

- (a) At least one of the Trustee Board must have completed a Trustee qualification course listed on the Pensions Authority’s website as meeting the requirements to have the requisite qualifications, skills and knowledge to carry out a Trustee role. As at April 2024, James Skehan, holds the PTP and QPT designations, two of the three qualification courses recognised by the Pensions Authority.
- (b) All new Trustees will be required to familiarise themselves with the duties, powers and responsibilities of Trustees as soon as reasonably practicable.

Experience:

At least one of the Trustees (ideally an individual Trustee other than the person who satisfies the “Fit” requirement) must have been a Trustee for at least two of the previous three years. The current Trustees (April 2024) have the following Trustee experience:

Trustee	No of Years Appointed as a Trustee of the NFVSP Scheme	Overall Trustee Experience
John McHugo	7	32
Pauline Brennan	4	4
Francis Coughlan Trustee	6	6
Deirdre Herlihy	5	5
James Skehan	4	14

Trustee Training, Skills, Knowledge and Experience:

All new Trustees will undertake initial training in relation to their role as a Trustee within 6 months of their appointment as a Trustee. The Trustees will meet their ongoing trustee training requirements in a number of methods, including obtaining updates from Irish Life on a quarterly basis, attending relevant seminars / webinars and by the Professional Trustee providing training to the other Trustees on an annual basis as required and will provide certification that training has been completed.

In addition, the Professional Trustee will undertake external Trustee Training every two years.

The Trustees will keep the collective knowledge, skills and experience of the Trustee Board under regular review. A Trustee Board Assessment (as detailed below) will be carried out annually. If the Trustees consider that additional knowledge, qualifications, skills or experience are required in relation to the Trustee Board, then the Trustees will determine how those gaps should be closed, for example either through:

- (a) Further relevant training for the current Trustees; or
- (b) The appointment of an additional Trustee(s).

The Scheme Secretary will maintain a log of:

- (a) All Trustee training which is undertaken by the Trustees; and
- (b) Copies of the annual Trustees Board Assessment and any other evidence relating to the Trustees' qualifications, knowledge, skills and experience.

The log will be reviewed to ensure that all training remains current and all other records are properly up to date.

“Proper” Requirements for Trustees:

Each Trustee will complete the Pensions Authority’s questionnaire included in the Code of Practice regarding their “proper” status and will supply a copy of this to the Scheme Secretary. As soon as reasonably practicable following their appointment, each new Trustee will complete the questionnaire and will supply a copy of this to the Scheme Secretary. The Trustees will complete the “Proper” questionnaire on an annual basis. The Scheme Secretary will ensure that all documentation relating to the above will be retained in the event that it requires inspection by the Pensions Authority.

Trustee Code of Conduct:

All Trustees will commit to the following with respect to the carrying out of their Trusteeship duties:

- (a) They will undertake their duties in a conscientious and timely manner.
- (b) They will act impartially with no prejudicial interests towards any person or group.
- (c) They will seek legal, actuarial, investment and other advice as may be required, either by law, regulation, good governance practice or otherwise, from time to time, in relation to the Scheme's legal governing documentation, any decision-making process, and/or the management and operation of the Scheme generally.
- (d) Attend and contribute to all Trustee meetings and all relevant sub-Committee meetings as are required (and if they cannot, to provide appropriate notice to the Chair or Scheme Secretary).
- (e) Adhere to all policies and procedures that apply to them and to the Scheme as are in place at any time.

In addition to the above, throughout the course of a year, each Trustee will commit to set aside sufficient time to:

- (a) Undertake and fulfil their Trustee duties.
- (b) Complete all Trustee training and assessments.
- (c) Keep abreast of industry and regulatory developments to ensure they have the requisite working knowledge and understanding of pensions and trust law and the provisions of the Trust Deed & Rules.
- (d) Review papers and other information relating to the Scheme which are circulated for the purposes of Trustee meetings or for any other reason.

Monitoring of Fit & Proper Requirements – Trustees:

Each Trustee is under a personal responsibility to ensure that they comply with all “fit and proper” requirements applicable to them as a Trustee from time to time as set out in legislation and applicable regulatory guidance.

- (a) Each Trustee will be required annually to complete the form included in the Trustee Board Assessment in relation to their ongoing “fit and proper” status.
- (b) Each Trustee will notify their fellow Trustees and the Scheme Secretary where any event occurs which impacts, or may impact, their ability to comply with any matter set out in this Policy.

Trustee Board Assessments

The Trustees will carry out an annual assessment of the Trustee board which will cover the following matters:

- (a) Ongoing compliance with legislative and regulatory requirements relating to the general composition of the Trustee board; and
- (b) Ongoing compliance with legislative and regulatory requirements relating to the “fit” status of the Trustee board collectively and individually to consider if the current Trustee Board has an adequate mix of skills, knowledge and experience to ensure good governance of the Scheme.

The Scheme Secretary will co-ordinate the annual Trustee Board Assessment.

Anti Money Laundering:

The Professional Trustee is required to be approved by the Department of Justice. Where approved, the approval process needs to be repeated every three years. The Scheme Secretary will ensure that

documentary evidence of the approval granted by the Department of Justice is obtained and held on file for record keeping. The current approval from the Dept. of Justice applies until the 14th November, 2026.

Key Function Holders (KFH):

The Trustees will ensure that any prospective KFH meets the “fit and proper” requirements and, following the appointment of the KFH, continues to meet those requirements, i.e.:

- (a) “Fit” – the KFH possesses the qualifications, knowledge and experience that are adequate to properly carry out the Key Function; and
- (b) “Proper” – the KFH is of good repute and integrity and not disqualified from acting as a Key Function Holder. No provider who is automatically disqualified under Section 64AE of the Pensions Act 1990 may be appointed or continue to act as a Key Function Holder for the Scheme.

Appointment of a KFH:

Prior to appointing a KFH, the Trustees must be satisfied that the prospective KFH meets all relevant “fit and proper” requirements set out in legislation and applicable regulatory guidance. The due diligence procedures that will apply prior to the appointment of a KFH will follow the procedures set out in the Scheme’s Outsourcing and KFH Policies.

The Scheme Secretary will ensure that all relevant documentation relating to the due diligence process is retained.

Ongoing monitoring of Fitness and Probity requirements:

The Trustees will carry out a review of the KFH’s compliance with the “fit and proper” requirements at least every three years. The Scheme Secretary will co-ordinate the review on behalf of the Trustees and document and retain information and findings from the review.

Each KFH will be required to provide confirmation to the Trustees annually that they continue to meet the “fit and proper” requirements and there has been no material change.

Where a KFH is unable to provide this confirmation:

- (a) The Scheme Secretary shall refer this to the Trustees in the first instance.
- (b) The Trustees must consider whether this would adversely affect to a material degree the ability of the KFH to carry out its role on behalf of the Trustees. Any decision in this regard will be clearly documented by the Trustees.

The Scheme’s KFH Policy sets out the circumstances where the Trustees may consider the removal and replacement of the KFH.

Approval and Next Review Date of this Policy:

This document was approved and came into effect as follows:

Document Control	
Approved By:	Mr John McHugo, Pension Scheme Chairman, National Federation of Voluntary Service Providers' Pension & Life Assurance Scheme
Approved by:	Mr James Skehan, Professional Trustee and Vice Chairman, National Federation of Voluntary Service Providers' Pension & Life Assurance Scheme
Date approved	18 th April, 2024
Next review date	18 th April, 2027
Previous versions	n/a



Signed: _____

**John McHugo,
Chairman.**

Date: 18th April, 2024



Signed: _____

**James Skehan
Professional Trustee and Vice Chairman.**

Date: 18th April, 2024