

# LIQUOR BOARD SUPERANNUATION COMMISSION 2021 GOVERNANCE SELF-ASSESSMENT QUESTIONNAIRE

## 1. Fiduciary Responsibility

The plan administrator has fiduciary responsibilities to plan members and beneficiaries. The plan administrator may also have other responsibilities to other stakeholders.

- a) **Have you identified your fiduciary and other responsibilities to plan members and beneficiaries (i.e., those members currently accruing a pension, those who are in receipt of a pension, and any others who may be entitled to a benefit from the plan)?**

Yes

### Comments/Reference/Actions

- 1) *Section 2.5 of the Liquor Board Superannuation Commission's (the Commission) Governance Manual specifies the fiduciary responsibilities that The Liquor Board Superannuation Act (the LBSA) and The Superannuation (Supplementary Provisions) Act (the SSPA) confer on the Commission.*
- 2) *The LBSA states that the Minister is the sole member of the Commission.*
- 3) *The Minister may delegate the operation of the Commission to a Delegate.*
- 4) *Section 2.5 of the Governance Manual indicates that as the sole member of the Commission, the fiduciary responsibility ultimately lies with the Minister.*
- 5) *Section 2.5 of the manual also includes a listing of the Commission's generic fiduciary responsibilities:*
  - *Act solely in the best interest of plan members and beneficiaries;*
  - *Treat members and beneficiaries impartially;*
  - *Act with the care, skill and diligence of a prudent person;*
  - *Interpret the plan terms fairly, impartially, and in good faith;*
  - *Prevent personal interests from conflicting with those of the Plan; and*
  - *Within the scope of its authority, ensure that members and beneficiaries receive the benefits promised.*
- 6) *References to the Commission within this document apply equally to the Minister and the Delegate unless it specifically states otherwise*

7) *In providing services pursuant to the delegation, the Delegate shall at all times have the same duties and be subject to the same standard of care as the person acting in the capacity of the Commission and shall exercise the care, diligence and skill in the administration of the Act/Fund that a person of prudence would exercise in dealing with the property of another person.*

**b) Have you identified any responsibilities to other stakeholders?**

Yes

Comments/Reference/Actions

*Section 2.5 includes the Commission's responsibilities to other stakeholders:*

*"In addition to its primary fiduciary responsibilities, the Commission also bears responsibilities to the following:*

- *The Minister (the Delegate bears responsibility in his/her capacity to the Minister);*
- *Labour unions representing members of the Plan;*
- *Organizations and individuals employed by the Commission to provide services to the Commission; and*
- *The Legislative Assembly of Saskatchewan."*

**c) Do any delegates have fiduciary duties? If yes, has the fiduciary role been clearly identified and communicated to the delegates?**

Yes

Comments/Reference/Actions

*As outlined in the Commission's governance manual, while there is no fiduciary duty imposed by statute or contract, as the delegated administrator of the Liquor Board Superannuation Plan (the Plan) and as a best practice, the Delegate shall have the same duties and be subject to the same standard of care as the person acting in the capacity of the Commission.*

*In providing services pursuant to the delegation, the Delegate shall at all times:*

- *have the same duties and be subject to the same standard of care as a person acting in the capacity of the Commission;*
- *shall exercise the care, diligence, and skill in the administration of the Act/Fund that a person of prudence would exercise in dealing with the property of another person.*

**d) Is there a clear delineation between the plan administrator and other roles?**

Yes

Comments/Reference/Actions

*As a whole, the PEBA Program Order in Council, the Commission's Policy Manual, Delegation of Authority and the Commission's Governance Manual clearly delineate the roles of the Commission, the Plan administrator, and other service providers.*

**2. Governance Framework**

The plan administrator should establish and document a governance framework for the administration of the plan.

**a) Have you established and documented a governance framework for the administration of the pension plan?**

Yes

Comments/Reference/Actions

*The Commission has a mission statement and a statement of goals (section 3 of the Governance Manual). The Commission's mission statement is available on the website. The mission statement is also communicated to the membership through the Saskatchewan Liquor Board Superannuation Commission Annual Report.*

*The Commission has implemented Operational Goals and Objectives for the Liquor Board Superannuation Plan. The Operational Goals and Objectives are reviewed annually. The goals identified in the document include:*

- *Financial Management: The Commission provides sound financial management of the Plan;*
- *Service Delivery and Communications: The Commission provides excellent service to the members of the Liquor Board Superannuation Plan; and*
- *Performance Measurement: The Commission evaluates the performance of the Plan's service providers.*

### 3. Roles and Responsibilities

The plan administrator should clearly describe and document the roles, responsibilities and accountabilities of all participants in the pension plan governance process.

**a) Have you identified your roles and responsibilities, including any necessary delegation, for the effective governance of the pension plan?**

Yes

Comments/Reference/Actions

*Section 9 of the Governance Manual identifies the roles and responsibilities of the Commission. The Commission's primary responsibility is the effective and timely operation and management of the Plan, and it assumes its obligations by outlining its duties in the following areas:*

- *Administration;*
- *Plan Design;*
- *Communication;*
- *Funding and Custody;*
- *Investment;*
- *Compliance;*
- *Governance;*
- *Goals and Objectives;*
- *Budgeting;*
- *Commission Effectiveness;*
- *Risk Assessment;*
- *Integrity; and*
- *Orientation and Ongoing Education.*

*Section 10 of the Governance Manual identifies the delegation of the Commission's roles and responsibilities as identified above.*

*The Commission's Governance Manual is reviewed annually.*

**b) Have you clearly documented expectations for yourself and each of your delegates?**

Yes

Comments/Reference/Actions

*Section 9 of the Governance Manual identifies the duties and responsibilities of the Commission.*

*Section 10 of the Commission's Governance Manual identifies the delegation of the Commission's responsibilities and accountabilities.*

*The Periodic Checklist is completed semi-annually. One section of the checklist tracks the periodic review of contracts between the Commission and its service providers. The review ensures all expectations are specifically included in the contracts and that the contracts and their provisions are sufficient to meet the needs of the Plan.*

**c) Do you appropriately document decisions related to the pension plan?**

Yes

Comments/Reference/Actions

*Meeting materials and minutes of Commission meetings provide a record of all decisions made within meetings. Documentation regarding decisions made by the Minister is documented through correspondence.*

**4. Performance Monitoring**

The plan administrator should establish and document performance measures to monitor the performance of participants in the governance and administration of the plan.

**a) Have you established and documented clear measures for assessing the performance of all participants in the governance process?**

Yes

Comments/Reference/Actions

*The Commission's administrator (PEBA), investment manager, and the Delegate are the service providers that have decision-making authority within the scope of the Commission's policies, contracts and legislation which retain the service providers.*

*The Commission has approved the service standards in place for PEBA.*

*The Commission's investment policy specifies the performance measures for the Commission's investment manager.*

*Evaluation processes have been established for the Commission's actuary.*

*The contracts between the Commission and its service providers are to be reviewed to ensure all expectations are specifically included in the contracts.*

*The Periodic Checklist, which is received by the Commission at mid-year and at year-end, provides a list of the contracts which are to be reviewed in the year the contract is due, as well as contracts without fixed terms, which are to be reviewed every six years.*

*The Delegate serves through delegation by the Minister. If the Minister is not satisfied with the performance of the Delegate he or she may revoke the delegation and appoint a different delegate.*

**b) Do you have a regular performance monitoring, review and remedial process for all participants in the governance process?**

Yes

Comments/Reference/Actions

*The Periodic Checklist, which is received by the Commission at mid-year and at year-end, provides for regular monitoring of performance of the Commission's service providers.*

*The Commission's administrator, PEBA, and investment manager are the service providers that have decision-making authority within the scope of the Commission's policies, contracts and legislation.*

*PEBA's quarterly reports to the Commission report on PEBA's performance with regard to its administrative responsibilities for the Plan. The report the Commission receives consists of PEBA self-reporting on its performance, which the Commission has determined is appropriate for the Commission's governance process.*

*All of the Commission's service providers are evaluated at least annually. The investment manager is evaluated semi-annually.*

## 5. Knowledge and Skills

The plan administrator, directly or with delegates, has a duty to apply the knowledge and skills needed to meet the plan administrator's responsibilities.

- a) **Have you established an ongoing process to identify and fill any gaps in the knowledge and skills needed for the effective governance and administration of the pension plan?**

Yes

Comments/Reference/Actions

*Section 9 of the Commission's Governance Manual sets out the Commission responsibilities and Commission/Delegate attributes. This section is reviewed annually as part of the annual Governance Manual review process.*

*PEBA has established an education policy for management and staff.*

- b) **Do you, together with all delegates, have the necessary qualifications, resources and experience?**

Yes

Comments/Reference/Actions

*The Commission has set out a formal education program, contained in section 7 of the Commission's Governance Manual, and reviewed on an annual basis as part of the Governance Manual review.*

*The Commission's administrator (PEBA) has an education plan for management and staff.*

*As required, the Commission retains experts to assist it in its decisions.*

## 6. Governance Information

The plan administrator should establish and document a process to obtain and provide to governance participants appropriate information to meet fiduciary and other responsibilities.

- a) **Have you established and documented a process to obtain and provide to governance participants appropriate information to carry out your fiduciary and other responsibilities?**

Yes

### Comments/Reference/Actions

*The contracts with the Commission's service providers contain reporting requirements. The contracts between the Commission and its suppliers of services are to be reviewed to ensure all expectations are specifically included in the contracts. The Periodic Checklist, which is received by the Commission at mid-year and at year-end, provides a list of the contracts which are to be reviewed in the year the contract is due to expire, and at least every six years for contracts without a fixed term.*

*The Commission's Governance Manual specifies the type and frequency of reports to be provided to the Commission.*

## 7. Risk Management

The plan administrator should establish and document a framework and ongoing processes, appropriate to the pension plan, to identify and manage the plan's risks.

- a) **Have you identified, assessed and prioritized the pension plan's risks?**

*Risks to the Plan have been identified and assessed, however they are not specifically prioritized within the Risk Management Plan.*

### Comments/Reference/Actions

*The Commission approves a Risk Management Plan and reviews activities related to risk management annually. The Risk Management Plan document includes the Commission's risk management philosophy, and it articulates the key broad-based risks identified in the Plan.*



**b) Do you have a continuous process to monitor and manage these risks?**

Yes

Comments/Reference/Actions

*Activities that mitigate risk for the Plan are tracked and reviewed annually through the Commission's Risk Management Plan and Review.*

**8. Oversight and Compliance**

The plan administrator should establish and document appropriate processes to ensure compliance with the legislative requirements and pension plan documents.

**a) Have you identified the legislative requirements, plan documents and any regulatory or plan-specific policies that apply to the pension plan?**

Yes

Comments/Reference/Actions

*The Periodic Checklist, which is received by the Commission at mid-year and at year-end, identifies the legislative requirements that apply to the Plan.*

*The Commission requires its administrator to annually review legislative compliance. PEBA reports this legislative review to the Commission in the PEBA Quarterly Administration Report.*

**b) Do you have a documented process to ensure you comply with legislative requirements and pension plan documents and policies?**

Yes

**If yes, does this process include a regular review to monitor changes to support future compliance?**

Comments/Reference/Actions

*The Periodic Checklist, which is received by the Commission at mid-year and at year-end, is the mechanism used to ensure plan compliance.*

## 9. Transparency and Accountability

The plan administrator should establish and document a communication process with the aim to be transparent and accountable to plan members, beneficiaries and other stakeholders.

**Have you established and documented a communication process that:**

- a) Provides plan members, beneficiaries and other stakeholders with access to information about the pension plan as required by applicable legislation as well as any other information that you have identified as appropriate?**

*Yes*

Comments/Reference/Actions

*The Plan's website contains information on the Commission's governance process and governance activities.*

- b) Informs plan members and beneficiaries about the process for asking questions and raising concerns?**

*Yes*

Comments/Reference/Actions

*The Complaint Process is outlined in section 13 of the Commission's Governance Manual which is posted on the Plan website.*

- c) Communicates how important decisions are made?**

*Yes*

Comments/Reference/Actions

*The Governance Manual which outlines how the Commission makes decisions is available on the Plan's website.*

- d) Informs members about the risks, benefits, options and responsibilities of membership in the pension plan?**

*The Member Booklet, available on the website, outlines the plan provisions and the responsibilities of members.*

## 10. Code of Conduct and Conflict of Interest

The plan administrator should establish and document a code of conduct, incorporating a policy to manage conflicts of interest.

**a) Do you have a code of conduct that sets out the expected behaviours for you as the plan administrator and your delegates?**

Yes

Comments/Reference/Actions

*Section 11 of the Governance Manual is the Commission's Code of Conduct and Conflict of Interest Procedures.*

*The Commission's Code of Conduct policy reflects the best practices outlined in the "Pension Trustee Code of Conduct" published by the CFA Institute.*

*The Minister (in his capacity as the Commission) and the Delegate are provided a copy of Section 11 to review and sign annually.*

*The Public Employees Benefits Agency abides by the Government of Saskatchewan's Conflict of Interest Policy.*

*All service providers of the Commission and PEBA were contacted in 2021 and verified that they abide by a code of conduct and conflict of interest policy either through internal policy or through professional standing. The next review is scheduled for 2023.*

**b) Does your code of conduct incorporate a conflict of interest policy that identifies and addresses potential conflicts of interest that may arise in particular circumstances of your pension plan, whether actual or perceived?**

Yes

Comments/Reference/Actions

*The Commission has identified and addressed procedures related to potential conflicts of interest in its Code of Conduct and Conflict of Interest Procedures within its Governance Manual.*

**c) Do your delegates have a code of conduct that incorporates a conflict of interest policy?**

Yes

Comments/Reference/Actions

*All service providers are to provide PEBA with a signed statement affirming that they abide by a code of conduct every two years. This was completed in 2021.*

*Employees of the Commission's administrator are required to swear or affirm an oath of office that prohibits personal benefit from the performance of official duties.*

*Staff of PEBA's Investment Services branch are subject to an additional annual conflict of interest procedure.*

*The Delegate is required to confirm adherence to the Commission's Code of Conduct and Conflict of Interest Procedures annually.*

**Do you have processes in place to receive appropriate disclosure from your delegates of conflicts and any breaches of the code of conduct?**

Yes

Comments/Reference/Actions

*The Commission's Code of Conduct policy outlines the process to disclose any possible conflicts of interest or breaches of its code of conduct.*

**11. Governance Review**

The plan administrator should establish and document a process for the regular review of the pension plan's governance framework and processes.

**a) Have you established and documented a process for a regular review of your pension plan's governance?**

Yes

Comments/Reference/Actions

*Section 12 of the Governance Manual provides for an annual review of the Plan's governance (this questionnaire).*

*The Commission also reviews its Governance Manual annually.*

**b) Does your governance review process include methods to address identified governance shortfalls?**

*Yes*

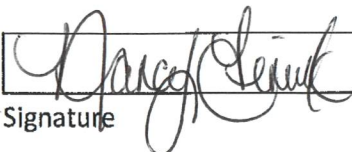
Comments/Reference/Actions

*The Commission is required to perform an annual review of the Plan's governance. The review includes the development of action plans for resolving inconsistencies or inadequacies in the Plan's governance.*

**Completed by:**

Nancy Feniuk

Name

  
Signature

Governance Analyst

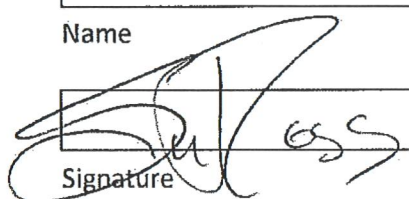
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November 29, 2021  
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