

**DISABILITY INCOME PLAN ADVISORY COUNCIL
2022 BENEFIT PLAN GOVERNANCE SELF-ASSESSMENT QUESTIONNAIRE**

1. Fiduciary Responsibility

The Advisory Council has fiduciary responsibilities to Plan members and beneficiaries. The Advisory Council may also have other responsibilities to other stakeholders.

- a) Have you identified your fiduciary and other responsibilities to Plan members and beneficiaries?

Yes

Comments/Reference/Actions

Section 1 of the Disability Income Plan Advisory Council's (the Council) Governance Manual outlines the Council's position regarding benefit plan governance. The Council has decided to adopt, as applicable to the Council, the governance principles established by the Canadian Association of Pension Supervisory Authorities (CAPSA).

As stated in subsection 1.01 of the Council's Governance Manual, the Council has a fiduciary responsibility to plan members.

Section 2, subsection 2.03 of the Council's Governance Manual outlines the roles and responsibilities of the Minister of Finance.

To assist the Minister of Finance in fulfilling these roles and responsibilities, the Council has established standards of conduct for itself in subsection 1.02. These standards state that:

- The Council must act reasonably and prudently;*
- The Council has a duty of loyalty to those persons whose interests the Council is protecting, and cannot take into account considerations other than the best interests of those persons;*
- The Council members must not let their personal interests conflict with their duties as Council members; and*
- The Council must hold an "even hand".*

Subsection 2.05 of the Council's Governance Manual specifies the role of the Public Employees Benefits Agency (PEBA) in its administration of the Plan.

Section 9 is the Charter of Expectations, which sets out the specific responsibilities of the Council, and the individual roles and responsibilities of the members of the Council in its role as an advisor to the Minister of Finance.

Section 11 of the Council's Governance Manual outlines the Code of Conduct and Conflict of Interest Procedures the Council is to follow. This section lists the fiduciary duties that apply to the members of the Council and indicates that: "These duties apply to the members of the Council in their capacity as delegates of the Minister of Finance and assisting that office in meeting its fiduciary obligations as trustee of the fund and as administrator of the plan". The Code of Conduct and Conflict of Interest Procedures was signed by members of the Council in December 2022.

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

Yes

Comments/Reference/Actions

Section 1 and Section 2 of the Council's Governance Manual indicate that the Council is responsible to participating employers and their employees, the Minister of Finance, and the Government of Saskatchewan.

As stated in subsection 1.01, the Council treats its responsibilities to participating employers, and their employees as fiduciary in nature.

The answer provided regarding responsibilities to employees and beneficiaries (Question 1 a), applies to the responsibilities to other stakeholders.

- c) Do any delegates have fiduciary duties?

Yes

Comments/Reference/Actions

The specific responsibilities of PEBA are outlined in Section 64(1) of The Financial Administration Act, 1993. PEBA treats these responsibilities as fiduciary in nature.

If yes, has the fiduciary role been clearly identified and communicated to the delegates?

Yes

Comments/Reference/Actions

Section 2 of the Council's Governance Manual defines the roles of the Council, the Minister of Finance, and PEBA.

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

Yes

Comments/Reference/Actions

Section 2 of the Council's Governance Manual defines the roles of the Council, the Minister of Finance, and PEBA.

2. Governance Framework

The Council 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 Plan?

Yes

Comments/Reference/Actions

Section 1 of the Council's Governance Manual outlines the Council's position regarding benefit plan governance. The Council has decided to adopt, as applicable to the Council, the governance principles established by CAPSA.

Section 3 of the Council's Governance Manual outlines the Council's Purpose, Mission, and Goals statements.

Article 1 of the Plan Document specifies the Plan's Purpose.

3. Roles and Responsibilities

The Council should clearly describe and document the roles, responsibilities, and accountability of all participants in the Benefit Plan governance process.

- a) Have the roles and responsibilities, including any necessary delegation, for the effective governance of the Plan been identified?

Yes

Comments/Reference/Actions

Section 9 of the Council's Governance Manual, the Charter of Expectations, identifies the roles and responsibilities of the Council and the Chair.

Section 10 of the Council's Governance Manual identifies the delegation of the Council's duties and responsibilities.

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

Yes

Comments/Reference/Actions

The following sections of the Council's Governance Manual clearly document the expectations in the Plan governance process:

Section 2: Defines the roles of the Council, the Minister of Finance, and PEBA.

Section 5: Identifies the information to be received by the Council, as well as the rules and procedures for acting on the information received.

Section 9: Defines the Council's responsibilities, Council member attributes and responsibilities, and the Council Chair responsibilities and attributes.

Section 10: Identifies how the duties and responsibilities have been delegated in order to fulfill the obligations found in Section 9.

- c) Do you appropriately document decisions related to the Plan?

Yes

Comments/Reference/Actions

Meeting materials and minutes of Council meetings provide a record of all Council decisions related to the Plan.

4. Performance Monitoring

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

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

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

In terms of other service providers, regular performance and contract reviews are in place. The contracts in place for service providers of the Plan are to be reviewed to ensure all expectations are specifically included in the contracts.

The Periodic Checklist, which is provided as per section 5.08 of the Council's Governance Manual, 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.

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

Yes

Comments/Reference/Actions

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

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

The Council reviews the performance of its investment manager on a semi-annual basis.

The Council meets with the Plan's disability adjudicators on a monthly basis. At that time, the Council is given an opportunity to review the performance of the disability adjudicators. There is no standard length of the term for contracts, however contracts are reviewed at the time of renewal.

5. Knowledge and Skills

The Council, directly or with delegates, has the duty to apply the knowledge and skills needed to meet 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 Benefit Plan?

Yes

Comments/Reference/Actions

The Council has set out the Council member attributes and responsibilities (section 9.03 and section 9.04 of the Governance Manual). The Council has set out the Council Chair's responsibilities and duties (section 9.05 of the Governance Manual).

The following attributes have been identified as necessary for the Council members to execute their responsibilities:

- *Integrity and Accountability;*
- *Informed Judgment;*
- *Financial Literacy;*
- *Actuarial Literacy; and*
- *Mature Confidence.*

Council members assume responsibility in the following areas:

- *Duty of Due Diligence;*
- *Duty of Loyalty; and*
- *Duty of Care.*

In addition to the aforementioned areas of responsibility and attributes, the Chair also bears the following personal attributes:

- *Teamwork;*
- *Leadership;*
- *Council Culture; and*
- *Relationships/Communication.*

As administrator of the Plan, PEBA has in place an education plan and philosophy for its management and staff.

The Council has set out a formal education program for Council members (Section 7 of the Governance Manual). Council members' progress through the program is tracked and reported on a quarterly basis in PEBA's quarterly Administration Report to the Council.

- b) Does the Council, together with all delegates, have the necessary qualifications, resources and experience?

Yes

Comments/Reference/Actions

The Council's delegation to its service providers, as well as its expectations of its service providers, is documented in its Governance Manual.

The Council retains an actuary, legal counsel, disability adjudicator, rehabilitation services, investment consultant, and investment manager to assist the Council in carrying out its duties.

The Council has set out a formal education program for Council members (section 7 of the Governance Manual) and Council members' education is reported to all Council members.

6. Governance Information

The Council 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

Section 5 of the Council's Governance Manual outlines the information to be received by the Council, as well as the rules and procedures for receiving, reviewing and acting on information and reports, and specifies the reports to be provided by the Council's administrator, investment consultant, and investment managers.

7. Risk Management

The Council should establish and document a framework and ongoing processes, appropriate to the Plan, to identify and manage the Plan's risks.

- a) Have you identified, assessed and prioritized the Plan's risks?

Yes

Comments/Reference/Actions

The Risk Management Plan articulates the key broad-based risks identified in the Plan. The Council reviewed its Risk Management Plan for 2021, and approved its Risk Management Plan for 2022 at its meeting on February 16, 2022.

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

Yes

Comments/Reference/Actions

See answer to 7 a)

8. Oversight and Compliance

The Council should establish and document appropriate processes to ensure compliance with the legislative requirements and Plan documents.

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

Yes

Comments/Reference/Actions

Section 10.02 of the Governance Manual identifies the legislative requirements that apply to the Plan. The Governance Manual also contains current pertinent legislative documents.

- b) Do you have a documented process to ensure you comply with legislative requirements and Benefit Plan documents and policies?

Yes

Comments/Reference/Actions

The Periodic Checklist is the mechanism used to ensure Plan compliance. The final Periodic Checklist for 2021 was received on February 16, 2022. The interim Periodic Checklist for 2022 was received on September 14, 2022.

The Provincial Auditor undertakes an annual review of compliance with plan documents, administrative policies and legislative requirements. The Provincial Auditor reported to the Council its findings at the Council's meeting of April 13, 2022. The Provincial Auditor noted that internal controls were effective in all material respects and the Plan had complied with legislative and related authorities in all material respects.

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

Yes

Comments/Reference/Actions

PEBA monitors legislative changes that may affect the Plan on an ongoing basis. Exceptions or information on changes that would not directly affect the Plan but could affect Plan members are reported to the Council.

9. Transparency and Accountability

The Council 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 benefits 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 governance by the Council is outlined in the Plan Document. This publication is available on the Plan's website. A section on Plan Governance is also available on the website that outlines the review process in place that the Council uses regularly to assess its governance practices. The Member Booklet is available on the website.

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

Yes

Comments/Reference/Actions

Contact information is provided on the Plan's website and in the Member Booklet. The Member Booklet is available on the Plan's website.

The Plan Document provides a description of the appeals process. The employee booklet provides employees with the complaint process. The Council has in place a complaint policy in Section 13 of its Governance Manual.

- c) Communicates how important decisions are made?

Yes

Comments/Reference/Actions

The Plan Document delineates that the Council is established pursuant to The Executive Government Administration Act and its powers include hearing appeals by participating employees.

The Council's Governance Manual lists the information to be received by the Council and the rules and procedures for reviewing and acting on information.

- d) Informs members about the risks, benefits, options and responsibilities of membership in the Benefit Plan?

Yes

Comments/Reference/Actions

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

10. Code of Conduct and Conflict of Interest

The Council 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 behaviour for Council members and delegates?

Yes

Comments/Reference/Actions

Section 11 of the Governance Manual is the Council's Code of Conduct and Conflict of Interest Procedures. Annually, all members of the Council review and sign a Code of Conduct and Conflict of Interest form. The Council signed its Code of Conduct and Conflict of Interest Procedures in December 2022.

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

Yes

Comments/Reference/Actions

See response to 10 a)

- c) Do the delegates have a code of conduct that incorporates a conflict of interest policy?

Yes

Comments/Reference/Actions

Employees of PEBA are bound by the oath/affirmation of office of the Public Service of Saskatchewan.

PEBA Investment Services employees sign a code of conduct on an annual basis. On a biennial basis, service providers are requested by PEBA to provide confirmation that the service providers maintain a Code of Conduct policy, and a Business Continuity Plan.

This review was last completed in August 2021, and the Council received confirmation that all service providers maintain a Code of Conduct policy and a Business Continuity Plan at its meeting on September 8, 2021.

The next review will be conducted in 2023.

- d) 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

Members of the Council are asked to declare any conflicts of interest at each meeting.

11. Governance Review

The Council should establish and document a process for the regular review of the Plan's governance framework and processes.

- a) Have you established and documented a process for a regular review of your Benefit 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 Governance Manual was last reviewed by the Council at its meeting on December 14, 2022.

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

Yes

Comments/Reference/Actions

See the answer to 11 a)

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