RE: Formal Governance Complaint

From monitoring.officer@essex.gov.uk <Monitoring.Officer@essex.gov.uk>

To EssexDivestForPalestine <Essexdivestforpalestine@protonmail.com>

CC monitoring.officer@essex.gov.uk <Monitoring.Officer@essex.gov.uk>, essexpensionfund@essex.gov.uk

Date Tuesday, 17 March 2026 at 07:29

Dear Essex Divest for Palestine

Thank you for your letter. Please excuse the fact that this is not addressed to any particular person but no names have been given and we have been unable to trace any organisation of this name.

Status of your correspondence

You refer to two requests made under to ECC FOIA, specifically those allocated the reference ECC19551419 12 25 and ECC19055117 09 25.

Those requests were not submitted by Essex Divest for Palestine and you are not therefore entitled to request an internal review. I infer that those who made those requests are those behind Essex Divert for Palestine.

Although you say that this complaint is not a complaint about a failure to disclose information, in some ways that is exactly what your complaint is.

Your complaints

1. **You complain that we do not know the underlying organisations in which the fund is invested. You say that this means the Investment Steering Committee cannot review what it does not see**

On one level the syllogism in your complaint is accurate, but it is based on a false premise. Contrary to your assertion, the Committee has not 'chosen' not to see information. It can see full information about what ECC owns, even if this is held on its behalf by a direct supplier.

Many investments that are held in this way are investments which are shares of investment funds. Those investment funds will invest in other businesses. Those businesses may also invest in others, and so on.

Pension funds need to invest prudently to get a return on investments. We do expect managers and sub managers to comply with our responsible investment policies. There is no evidence that they are not complying with our policies.

ECC does not and cannot have a direct relationship with those investments that are layers below. That is not a governance failure or a choice, but a fact of investment life.

2. **You say that the Responsible investment policy is a paper exercise without data. You say it cannot be implemented monitored or enforced**

This is obviously untrue. The policy has been implemented and there are various ways of monitoring compliance by the person with direct responsibility for each asset class. For direct investments we do know and for sub investments the person making that investment knows.

It is correct that we are to a significant extent reliant on information given to us by third parties to monitor compliance. It is also correct that we cannot issue this to the public because it would disclose the supplier's commercial strategy and be therefore harm its commercial interests. This is not a governance failure.

3. **You say that the Pensions Advisory Board cannot be a 'critical friend' to the Pension Strategy Board.**

This is to misunderstand the statutory role of the Pensions Advisory Board which is defined in regulation 106 of the Local Government Pension Scheme Regulations. Nothing that you have raised within your complaint is relevant to the statutory functions of the PAB.

This is not a Governance failure.

4. **You say that the Pension Strategy Board 'has approved a structure incompatible with Prudence'**

The operating structure of the Essex Pension Fund is in line with that of most administering authorities. It's regularly reviewed by external governance advisors and is subject to external audit. The structure fully complies with the law.

UKGDPR Complaint

Your letter also alleges that the correspondence is in breach of the UK GDPR, specifically articles 12, 13 and 15. This is completely untrue. The GDPR regulates the processing of personal information and has no relevance to any requests under FOIA. This seems to represent a complete misunderstanding of the difference between FOIA and GDPR. It also undermines the assertion at the start of the letter that you are not complaining about a failure to provide information.

If someone who has made a request wishes to complain about the way their request for information has been handled then they can follow the process outlined to them at the time that the information or internal review was provided. We cannot entertain correspondence about it in a confusing letter which specifically says it is not a complaint about how a request was handled.

Your requests for action

You ask that matters are referred for 'immediate review' by the Pensions Strategy Board, that we publish information which you know we do not have, that the Investment Strategy Committee makes 'a formal statement' and that the Pensions Advisory Board Makes a formal report. None of these are appropriate requests and are declined.

With respect to the claimed GDPR complaints you ask for 'a proper search to be made' for information that you accept we do not hold, a 'lawful refusal notice' for a request which you know we have closed. Those requests are not therefore appropriate.

I note that you will now refer things to the Information Commissioner, the Pensions Regulator and the District Auditor - though this may be difficult as the District Auditor was abolished in 1998 and bring your opinions to the attention of scheme members. Our current external auditor is Ernst and Young. You can find details about audit here [Spending and Council Tax: Finance and spending breakdowns | Essex County Council]

Transparency of Essex Pension Fund

The Essex Pension Fund does comply with legal and governance requirements that apply to it. It also publishes information in a transparent way. We publish a RI report and our UK Stewardship Code submission.

Yours sincerely

Paul Turner

Director, Legal and Assurance

Monitoring Officer

Corporate Services

Essex County Council

paul.turner@essex.gov.uk 03330 134591

Good morning,

Please find attached correspondence for the attention of the Monitoring Officer and all members of The Pensions Strategy Board (PSB), The Investment Steering Committee (ISC) and The Pensions Advisory Board (PAB).

Kind Regards

Essex Divest For Palestine

From: EssexDivestForPalestine <Essexdivestforpalestine@protonmail.com>

Sent: 22 February 2026 09:34

To: Monitoring Officer <Monitoring.Officer@essex.gov.uk>; essexpensionfund@essex.gov.uk

Cc: Member Enquiries <member.enquiries@essex.gov.uk>; unisoninessex@gmail.com; bwsteeleunison@gmail.com

Subject: Formal Governance Complaint