

meeting

PENSIONS ADMINISTRATION SUB COMMITTEE

date

8 JULY 2010

agenda item number

REPORT OF THE SERVICE DIRECTOR (FINANCE)

LOCAL GOVERNMENT PENSION SCHEME REGULATIONS

APPLICATION FOR TRANSFEEE ADMITTED BODY STATUS

1. Purpose of the Report

- 1.1. The purpose of this report is to inform the Pensions Administration Sub Committee of the proposed admission of Tuntum Housing Association into the Nottinghamshire Pension Funds, as a transferee admitted body under the provisions of the Regulation 6 of the Pension Regulations.

2. Information and Advice

- 2.1. The Pensions Regulations require LGPS Pension Funds to allow an admission to its scheme if the organisation is one that is providing or which will provide a service or assets in connection with the exercise of a function of a scheme employer, as a result of the transfer of the service or assets by means of a contract or other arrangement.
- 2.2. Where a transferee admission body and the scheme employer undertake to meet the relevant requirements of Regulation 6, an administering authority must admit to the LGPS the eligible employees of the transferee admission body, and where it does so, the terms on which it does are noted in the admission agreement for the purposes of these Regulations.
- 2.3 Tuntum Housing Association has a contractual agreement with Nottingham City Council to undertake supporting people services in relation to refugees. The service transfer will take place on 2nd August 2010 and the contract will cease on 29th September 2011. This will involve the TUPE transfer of 1 employee of Nottingham City Homes Limited who is currently involved in the delivery of the service (and who is a current member of the LGPS) for which Tuntum Housing Association intend to allow continuity of LGPS membership through a transferee admission agreement with the Nottinghamshire Pension Fund. The

option to join the LGPS will not be available to existing employees of the company.

- 2.4 Investigations have been made and it can be confirmed that Tuntum Housing Association fall within the definition contained in Regulation 6 (2)(a)(i) of the Local Government Pension Scheme (Administration) Regulations 2008 and as such will be eligible to be a transferee admission body. Under Regulation 6 (10) & (11), the administering authority must admit to the scheme the eligible designated employees of the transferee admission body, provided the transferee admission body and the scheme employer undertakes to meet the relevant requirements of the regulations through an admission agreement.
- 2.5 The County Council will seek to sign an appropriate transferee admission agreement to allow Tuntum Housing Association to be admitted to the Nottinghamshire Pension Fund. When the admission agreement is formed Tuntum Housing Association will be required to pay contribution rates as determined by the County Council's actuary.

3. Statutory and Policy Implications

- 3.1 This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder and those using the service and where such implications are material they have been described in the text of the report.

4. Recommendation

- 4.1 The Pensions Administration Sub Committee is recommended to note the contents of the report, and note that it will be presented at the next meeting of the Pensions Committee.

**A SUMBY
SERVICE DIRECTOR (FINANCE)**

Background Papers Available for Inspection

5. Nil.

Electoral Divisions Affected

6. All.