

Report to General Purposes and Arbitration Committee

8 June 2021

Subject:	Admission Agreement to participate in the Local Government Pension Scheme relating to services provided to Hargate Lane Primary School
Director:	Head of Finance, Acting S151 Officer, Rebecca Maher
Contact Officer:	Interim Accountant, John Smith John_smith2@sandwell.gov.uk

1 Recommendations

That Council be recommended to:-


- 1.1 grant approval for the signing and execution of the Pension Fund Admission Agreement which will allow catering staff working at Hargate Lane Primary School to continue to participate in the Local Government Pension Scheme as a result of a TUPE transfer to Aspens Services Ltd.
- 1.2 delegate authority to the Chief Executive to sign the Admission Agreement on behalf of the Council and for the Director of Law and Governance and Monitoring Officer to make arrangements for the document to be executed under deed of seal.



2 Reasons for Recommendations

- 2.1 To ensure that those staff formerly employed by the Council can continue to participate in the Local Government Pension Scheme as part of their employment with Aspens Services Ltd.

3 How does this deliver objectives of the Corporate Plan?

	<p>Best start in life for children and young people</p> <p>Having good health is essential for children of all ages, ensuring that they feel happy and living fulfilled lives.</p> <p>The provision of healthy and nutritional school meals to our primary school pupils contributes to this key objective.</p> <p>The contribution primary school catering staff provide is a fundamental support service to young children.</p>
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4 Context and Key Issues

- 4.1 A Pension Fund Admission Agreement must be signed and executed by all parties to the agreement to enable catering staff employed by Hargate Lane Primary School who have been transferred from the Council to Aspens Services Ltd, to be able to continue with participation in the West Midlands Pension Fund Scheme.
- 4.2 Full consultation has taken place between Council officers, and officers from both West Midlands Pension Fund and Aspens Services Ltd (The other parties to this agreement).



5 Alternative Options

- 5.1 If approval of the Admission Agreement is not granted, then those former Council employees would no longer be eligible to participate in the West Midlands Pension Scheme. Those employees would suffer significant financial loss arising from the curtailment of their accrued future pension benefits.

6 Implications

Resources:	None
Legal and Governance:	Execution of the Admission Agreement under deed of seal.
Risk:	<p>The Admission Agreement takes the form of a “Pass through arrangement” which has been agreed by all parties to the document.</p> <p>This means that Aspens Services Ltd will incur the same employers pension contribution rates in respect of both past service deficits, and future service rates as the Council.</p> <p>Therefore, there is no requirement for the Council to underwrite any past service pension deficits by way of a pension guarantee or similar liability.</p>
Equality:	To ensure that those former employees who transferred to Aspens Services Ltd under TUPE arrangements continue to have the same pension rights after the transfer.

