

# Pension Fund Committee

<b>Date:</b>	<b>27<sup>th</sup> June 2017</b>
<b>Classification:</b>	<b>General Release</b>
<b>Title:</b>	<b>New Admission Agreement RM Education (The St Marylebone Church of England School)</b>
<b>Report of:</b>	<b>Lee Witham, Director of People Services</b>
<b>Wards Involved:</b>	<b>All</b>
<b>Policy Context:</b>	<b>Service Delivery</b>
<b>Financial Summary:</b>	<b>Limited</b>

## 1. Executive Summary

1.1 The purpose of this paper is to gain approval from the Pension Fund Committee for a new closed admission agreement.

## 2. Current Position

2.1 This agreement is for one employee, the individual affected was an employee who worked within the schools IT department at St Marylebone School (Academy) before being TUPE'd out to Capita.

2.2 The Capita contract for schools IT support ended in August 2014 and one employee was then TUPE transferred to RM Education working in the same capacity as the original contract providing IT support for St Marylebone School.

2.3 This agreement only remains in place whilst the individual is working in the same role he was TUPE'd back to. Any promotion or movement to a different contract not working for St Marylebone School will result in this admission agreement being cancelled.

2.4 Academies under the New Fair Deal 2013 Guidance, should include provisions in their outsourcing contracts that transferring staff retain an entitlement to remain an active member of the original public sector pension arrangement to which they belonged.

**2.5** This is a closed agreement and no new employees are eligible to join it.

**2.6** WCC have asked for a bond to be entered into by RM Education. This bond has been provided by Barclays Bank and is presently for the value of £13,000. There is an agreement for this figure to be periodically reviewed.

**2.7** The final admission agreement is attached at Appendix 1.

**2.8** The bond is attached at Appendix 2.

## **2.9 Summary**

The LGPS regulations are clear that where an admission body that has accepted via TUPE staff originally employed by a participating fund employer and they agree to meet the requirements of the regulations, the fund is required to permit them membership. The appropriate legal documentation has been drawn up by Eversheds, the council's pension solicitors. The date of this admission is required to be back dated to 4<sup>th</sup> August 2014.