

Agenda Item:

Pension Committee

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Dorset County Council



Date of Meeting	4 March 2014
Officer	Director for Corporate Resources
Subject of Report	Application for admission body status in the Local Government Pension Scheme (LGPS) from the Arts Service / DepARTure Arts
Executive Summary	<ul style="list-style-type: none"> • The Dorset County Council Arts Service and DepARTure the arts education development agency are jointly registering a Community Interest Company (CIC). This is a charitable company Limited by Guarantee. The company will be grant aided by Dorset County Council. • All staff currently employed by Dorset County Council within the Arts Service and DepARTure at the will be transferred to the new CIC under the provisions of the TUPE regulations on a date to be agreed. • The CIC wishes to enter into a community admission agreement with the Dorset County Pension Fund to enable the transferred staff continued access to the LGPS. • Seven members of staff will be transferred from Dorset County Council, all of whom are members of the LGPS. • Dorset County Council undertakes to meet any unmet pension liabilities in the event of the CIC being wound up.
Impact Assessment:	<p>Equalities Impact Assessment:</p> <p>The proposals have been screened, and there are no equality implications.</p>
	Use of Evidence: N/A
	Budget: None, provided Dorset County Council agrees to underwrite any unmet pension liabilities of the CIC.

	<p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as:</p> <p>Current Risk: LOW Residual Risk LOW</p> <p>Other Implications:</p>
<p>Recommendation</p>	<p>That, subject to an undertaking from Dorset County Council agreeing to meet any unmet pension liabilities of the CIC, the Pension Fund enters into a community admission agreement.</p>
<p>Reason for Recommendation</p>	<p>To ensure continued access to the LGPS for staff transferring to the CIC from Dorset County Council.</p>
<p>Appendices</p>	<p>None</p>
<p>Background Papers</p>	<p>Local Government Pension Scheme (Administration) Regulations 2008 as amended , regulation 5</p>
<p>Report Originator and Contact</p>	<p>Name: Anne Cheffey Tel: 01305 224025 Email: a.m.cheffey@dorsetcc.gov.uk</p>

1. Background

- 1.1 Regulation 5 of the Local Government Pension Scheme (LGPS) (Administration) Regulations 2008 as amended allow the Fund to enter into an admission agreement with certain employing bodies to allow employees of those bodies to join or continue as members of the LGPS.
- 1.2 The Dorset County Council Arts Service and DepARTure the arts education development agency are jointly registering a Community Interest Company (CIC). This is a charitable company Limited by Guarantee. The company will be grant aided by Dorset County Council. This has been agreed in principal to be for 3 years at the current Arts budget level of £234,000 per annum.
 - 1.2.1 All staff currently employed by Dorset County Council within the Arts Service and DepARTure will be transferred to the new CIC under the provisions of the TUPE regulations on a date to be agreed.
- 1.3 The CIC wishes to enter into a community admission agreement with the Dorset County Pension Fund to enable the transferred staff continued access to the LGPS.
- 1.4 Seven members of staff will be transferred from Dorset County Council, all of whom are current members of the LGPS.
- 1.5 The Dorset County Pension Fund requires an undertaking from the transferor body, Dorset County Council, that they will meet any unmet pension liabilities of the CIC is wound up. This is to prevent any such liabilities having to be spread across all employers in the Fund. Dorset County Council as the transferor body will need to agree to accept this liability. Agreement is being sought from the County Council's Cabinet.
- 1.7 Subject to the County Council agreeing to this undertaking, it is recommended that the Fund enters into a Community Admission Agreement with the CIC.

Paul Kent
Director for Corporate Resources
March 2014