



**Resources Department  
Town Hall, Upper Street, London, N1 2UD**

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## **AGENDA FOR THE PENSIONS BOARD**

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Members of the Pensions Board are summoned to attend a meeting which will be held in Committee Room 5, at Islington Town Hall, Upper Street, London N1 2UD, on **14 September 2021 at 6.00pm.**

Enquiries to : Mary Green  
Telephone : (020) 7527 3005  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 3 September 2021

### Membership

#### Employer representatives:

Maggie Elliott (Vice-Chair)  
Councillor David Poyser (Chair)  
(vacancy)

#### Scheme member representatives:

Mike Calvert  
Valerie Easmon-George (+ vacancy for  
substitute)  
George Sharkey

#### Independent member

Alan Begg

Quorum is 3, including at least one employer representative and one member representative

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## **A. Formal matters**

1. Apologies for absence
2. Declaration of interests

If you have a Disclosable Pecuniary Interest\* in an item of business:

- if it is not yet on the council's register, you must declare both the existence and details of it at the start of the meeting or when it becomes apparent;
- you may choose to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency.

In both the above cases, you must leave the room without participating in discussion of the item.

If you have a personal interest in an item of business and you intend to speak or vote on the item you must declare both the existence and details of it at the start of the meeting or when it becomes apparent but you may participate in the discussion and vote on the item.

- \*(a)** Employment, etc - Any employment, office, trade, profession or vocation carried on for profit or gain.
- (b)** Sponsorship - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.
- (c)** Contracts - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.
- (d)** Land - Any beneficial interest in land which is within the council's area.
- (e)** Licences- Any licence to occupy land in the council's area for a month or longer.
- (f)** Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.
- (g)** Securities - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

This applies to all members present at the meeting.

3. Minutes of the previous meeting 1 - 4

## **B. Non-exempt items**

1. Pension administration performance 5 - 10
2. Draft Funding Strategy Statement Consultation with Employers 11 - 78
3. Draft Pension Annual Report 2021 (to follow)

4. Pension Board Forward Work Programme

79 - 98

**C. Urgent non-exempt items**

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

**D. Exclusion of press and public**

To consider whether, in view of the nature of the remaining items on the agenda, any of them are likely to involve the disclosure of exempt or confidential information within the terms of Schedule 12A of the Local Government Act 1972 and, if so, whether to exclude the press and public during discussion thereof.

**E. Confidential/exempt items**

1. Pension administration performance - exempt appendix

99 -  
100

**F. Urgent exempt items**

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

The next meeting of the Pensions Board will be on 23 November 2021

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London Borough of Islington

## **Pensions Board - 21 June 2021**

Minutes of the meeting of the Pensions Board held in the Council Chamber, Islington Town Hall, Upper Street, N1 2UD on 21 June 2021 at 6.00 pm.

**Present:** Alan Begg, Mike Calvert, David Poyser and George Sharkey

Observers: Councillors Paul Convery and Satnam Gill OBE

### **Councillor Dave Poyser in the Chair**

8 **APOLOGIES FOR ABSENCE (Item A1)**  
Received from Valerie Easmon-George and Maggie Elliott.

9 **DECLARATION OF SUBSTITUTE MEMBERS (Item )**  
None.

10 **DECLARATION OF INTERESTS (Item A2)**  
None.

11 **MINUTES OF THE PREVIOUS MEETING (Item A3)**

**RESOLVED:**

(a) That the minutes of the meeting held on 23 March 2021 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

(b) That it be noted that, with reference to minute 6 (Scheme Advisory Board – LGPS Good Governance Recommendations) the informal meeting for members of the Pensions Board and Sub-Committee to be held before September to consider all of the recommendations proposed by the Scheme Advisory Board and whether any should be adopted into Islington’s Fund would be arranged when final documentation had been received from MHCLG.

12 **MEMBERSHIP, TERMS OF REFERENCE AND DATES OF MEETINGS OF THE PENSIONS BOARD AND PENSIONS SUB-COMMITTEE IN 2021/22 (Item A4)**

**RESOLVED:**

(a) That the membership of the Pensions Sub-Committee, appointed by the Audit Committee on 25 May 2021, its terms of reference and dates of meetings for the

municipal year 2021/22, as set out at Appendix A to the report of the Acting Director of Law and Governance, be noted.

(b) That the membership of the Pensions Board, appointed by the Audit Committee on 25 May 2021, its terms of reference and dates of meetings for the municipal year 2021/22, as set out at Appendix A to the report of the Acting Director of Law and Governance, be noted.

**13 PENSION ADMINISTRATION PERFORMANCE (Item B1)**

**RESOLVED**

(a) That the performance of the Pensions Administration Team against key indicators, for the period from 1 February to 30 April 2021, including information on complaints and internal disputes, as detailed in the report of the Corporate Director of Resources, be noted.

(b) That the impact of the McCloud/Sargeant judgement on Local Government Pension administration, as detailed in the report, be noted.

(c) That the numbers of members auto-enrolled into the Local Government Pension Scheme, again as detailed in the report, be noted.

(d) That it be noted that pensioners received the 2021 pensions increase in May 2021 due to resourcing challenges within a key team.

(e) That the passage through Parliament of the Pension Schemes Act 2021 and its implication for the governance of Occupational Pensions, as detailed in the report, be noted.

**14 PENSION FUND- DRAFT 2020/21 STATEMENT OF ACCOUNTS (Item B2)**

The following points were made during discussion:

- Page 31 – The following sentence at the foot of the page should be highlighted: “\* 3-year advance deficit lump sum contribution of £26.9m is included in Islington Council’s normal contributions. The entire amount was accounted for, in previous years it was treated as a prepayment.”
- Page 21 – line 10 – the figure of “10,441” did not appear to have been added in? It would be helpful if that figure was included elsewhere in future years.
- Page 43 – paragraph 23 (Related Parties) – final sentence of first paragraph should refer to “Note 7”, rather than “Note 2”.
- Page 18 – paragraph 3.4 – indicated net assets of £1,665m, whereas page 39 indicated an asset value of £1,377m, indicating a shortfall. However, it was noted that the figure on £1,665m on page 18 was the value of the Fund at the end of March 2021 and the figure quoted on page 39 was a March 2020 snapshot, following a three-year valuation.

**RESOLVED:**

That the 2020/21 draft pension fund accounts, attached as Appendix 1 to the report of the Corporate Director of Resources, be approved, before being audited by Grant Thornton, the Council’s external auditors.

15 **FORWARD PLAN OF BUSINESS (Item B3)**

The following points concerning the Risk Register were noted:

- It was important for the Pensions Board to know what the risk scores were after mitigation and to know what the scores were in the previous Risk Register for each risk
- One of the risks mentioned in "Risk Area 1 – Operations" "The provision of accurate reports from payroll" (page 74 of the agenda pack, which attracted a maximum score of 40, whereas the "McCloud Judgment – LGPS Regulatory Changes", detailed in "Risk area 4 – Regulatory and Compliance" (page 77 of the agenda pack) indicated a risk of 18. It was suggested that the former seemed too high and the latter ought to be higher. The Deputy Pensions Manager stated that the provision of accurate reports from payroll warranted its higher score, since the Pensions Team relied heavily on this information. He suggested that the McCloud risk was a managed risk.

**RESOLVED:**

(a) That the contents of the report of the Corporate Director of Resources, comprising information on forthcoming business for the Board, be noted.

(b) That the "LGPS Current Issues- May" attached as Appendix B to the report and the updated risk register attached as Appendix C be noted.

The meeting ended at 6.45 pm

**CHAIR**

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## Report of: Corporate Director Resources

Meeting of	Date	Agenda Item	Ward(s)
Pension Board	14 September 2021		

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## SUBJECT: PENSION ADMINISTRATION PERFORMANCE

### 1. Synopsis

- 1.1 This report provides the Board with information on the administration activities of the Pension Administration. The information is in respect of the period from 1<sup>st</sup> May 2021 to 31<sup>st</sup> July 2021 and includes the number of LGPS members auto-enrolled into the scheme for this period.
- 1.2 The report also provides information regarding the Internal Dispute Resolution Procedure, compliments and complaints.

### 2. Recommendations

- 2.1 To note the number of members' auto-enrolled into the Local Government Pension Scheme during the relevant period.
- 2.2 To note the information in respect of the Internal Dispute Resolution Procedure, compliments and complaints.
- 2.3 To note the continued delays in receiving AVCs data from Prudential-attached Exempt Appendix 1.
- 2.4 To note that there was a major data breach during the process of sending out the deferred annual pension statements.
- 2.5 To note the Government's recent publication of guidance on the use of Special Severance Payments (SSP).

### 3. Background – Statistics and key performance indicators

3.1 The membership profile at 30<sup>th</sup> April 2021 and 31<sup>st</sup> July 2021 is shown in the following table.

Category	Apr - 21	Jul - 21
Number of current active members	6,563	6465
Number of preserved benefits	8,255	8511
Number of Pensions in payment	6,206	6269
Number of Spouses/dependants pensions in payment	978	981
Total	22,002	22,226

There have been modest increases in the level of deferred members and pensioners.

3.2. Key performance indicators from 1 May 2021 to 31 July 2021:

Process	Target days to complete	Volume	Target % Achievement	% Achieved within target days	Actual average days
Deaths	5	22	95%	100.00%	5.00
Retirement benefits	5	74	95%	90.00%	7.00
Pension estimates	10	122	95%	84.00%	12.00
Preserved benefit calculations	15	31	95%	76.00%	20.00
Transfer-in quotation	10	28	95%	95.00%	11.00
Transfer-in actual	10	20	95%	98.00%	10.50
Transfer out actual	12.5	76	95%	97.00%	11.50
Transfer out quotation	15	81	95%	100.00%	10.00
Legacy Cases - Valuation	=		=	=	=
All processes	=	402		79.00%	

3.3 There has been a 3% drop in overall performance from the 82.00% achieved in the last quarter in completed processes within the target days. This is due to targeting resources on the production of the annual benefit statements and the 2 outstanding vacancies in the Pension's Office. The vacancies have proved difficult to recruit to despite assistance from external Employment Agencies.

3.4 Number of members auto-enrolled into the LGPS from May 2021 to July 2021:

Month	Starters No.	Opt Outs	Opt Outs %
May	59	0	0
June	57	3	5.26
July	53	2	3.77
Total	169	5	2.96

3.5 The Pensions Office have received -7- communications thanking Pension Administration staff for their service and -2- complaints. The first complaint was in relation to a pensioner being unhappy with the rate of Pensions Increase and linking it to the overall performance of the Pension Fund.

3.6 The second complaint was resolved via our Internal Disputes Resolution process.

## 4. Prudential

4.1 The Local Government Pension Scheme Regulations requires local authorities to provide an Additional Voluntary Contribution (AVC) scheme to run concurrently with the occupational scheme. This is to allow members to pay additional contributions in order to increase retirement savings and/or to provide additional life insurance. Although this is an individual choice, the administering authority is the policyholder for the group arrangement in place and, therefore, has certain responsibilities.

4.2 Islington Council appointed Prudential as the Council's new AVC provider in 2004. Our relation with Prudential prior to the Covid pandemic was very good, information and payments requested were always actioned in a timely and efficient manner. This has changed since the start of the pandemic and we have made numerous complaints to Prudential in relation to the long delays our members have experienced when wishing to cash in their AVCs at retirement. Prudential have contacted us in relation to their recent service performance **Exempt Appendix 1** acknowledging the issues and conveying their expectation that the service would improve by April 2021, unfortunately this has not been the case. This issue has been discussed with the Council's Actuary and the LGA. If there is no improvement in performance by Prudential and we continue to experience long delays that are inconsistent with the Pensions Regulator's Codes of Practice, it will be necessary to refer them to the Pensions Regulator to investigate. The Pensions Regulator can take enforcement action against Prudential, including issuing compliance notices and fines.

## 5. Deferred Annual Pension Statement – Data Breach

5.1 The Council's Print Service Section when despatching the deferred pension statements unfortunately included the statements of other deferred members in the same envelope. We have yet to determine precisely how many deferred members this affected however our current list consists of over 30 deferred members to whom we re-sent out statements. Islington Council takes the issue of data security very seriously and the Council's Governance Team is currently investigating this incident with Print Services. A review of Print Services processes for bulk mail outs will be conducted to ensure there are effective checks in place to prevent any repeat of this failure.

## 6. Use of Special Severance Payments 2021

6.1 Special Severance Payments (SSP) are payments made to employees outside of statutory, contractual or other requirements when leaving employment in public service. The Ministry of Housing Communities and Local Government (MHCLG) has published a consultation on the use of Special Severance Payments. The key take aways from this guidance are as follows:

- There will be a requirement to document evidence that all options other than Special Severance Payments have been considered including performance improvement plan, reasonable adjustments, disciplinary processes and redeployment.
- Evidence will need to be provided that a SSP does not present a repercussive risk. That is to say, the circumstances are unique and does not set a precedent for future cases.
- SSP should be personally approved and signed off by the Chief Executive in consultation with both the Leader of the Council and the Section 151 Officer.
- Public bodies must also consider that even if the cost of defeating a vexatious claim will exceed the likely cost of that settlement to the employer, it may be just as prudent to undertake formal

proceedings. Such action will discourage future vexatious claims. SSP should not be used to avoid unfavourable publicity or reputational damage.

The Local Government Association (LGA) submitted a response to MHCLG on behalf of Local Authority Employers, pointing out a number of areas that need to be re-thought or clarified. These include the involvement of the Leader of the Council and the Chief Executive in the approval process (as this is likely to prolong this process) and whether a personal injury claim involving the exit of an employee on ill health grounds counts as a SSP? The Government has not given a timeline when it will respond to the submissions they have received.

The SSP guidance and compliance is an **employer responsibility and not the Pension Fund**. Islington Council will need to review its policies on the payment of severance so that it is compliant with the MHCLG guidance.

## **7. Implications**

### **7.1 Financial Implications**

7.1.1 The cost of administering the LGPS is chargeable to the Pension Fund.

### **7.2 Legal Implications**

7.2.1 There are no specific legal implications in this report.

### **7.3 Resident impact assessment**

7.3.1 The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

7.3.2 In respect of this report, a Resident Impact Assessment is not being made because the contents of the report relate to processes that are strictly in accordance with the statutory Local Government Pension Scheme Regulations. The LGPS Regulations are made under the Superannuation Act 1972, and the Council has a statutory duty to comply with the LGPS Regulations.

### **7.4 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030:**

None applicable to this report. Environmental implications will be included in each report to the Pension Board Committee as necessary. The current agreed investment strategy statement for pensions outlines the policies and targets set to April 2022 to reduce the current and future carbon exposure by 50% and 75% respectively compared to when it was measured in 2016 and also invest 15% of the fund in green opportunities. The link to the full document is <https://www.islington.gov.uk/~media/sharepoint-lists/public-records/finance/financialmanagement/adviceandinformation/20192020/20190910londonboroughofislingtonpensionfundinvestmentstrategystatement.pdf>

## 8 Conclusion and reasons for recommendations

8.1 The report will be made to each meeting of the Pension Board and is provided in order to assess administration performance and dispute resolution. The report also covers the government's guidance on SSP and service performance from our AVC provider, Prudential attached Exempt Appendix 1.

### Background papers:

None.

Final report clearance:

**Signed by:**



Corporate Director of Resources

Date 07 September 2021

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**Report of: Corporate Director of Resources**

<b>Meeting of:</b>	<b>Date</b>	<b>Agenda item</b>	<b>Ward(s)</b>
Pension Board/Pensions Sub-Committee	14 <sup>th</sup> September 2021		n/a
<b>Delete as appropriate</b>	Exempt	Non-exempt	

## **SUBJECT: EMPLOYER FLEXIBILITIES CONSULTATION TO FUNDING STRATEGY STATEMENT**

### **1. Synopsis**

- 1.1 A Funding Strategy Statement will be prepared by London Borough of Islington (the Administering Authority) to set out the funding strategy for the Islington Council Pension Fund (the "Fund"), in accordance with Regulation 58 of the Local Government Pension Scheme Regulations 2013 (as amended) and guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA).

Under the Regulations, the administering authority must prepare, maintain and publish a written statement setting out their funding strategy. In doing so the administering authority must consult with such persons as they feel appropriate. The Fund's actuary must have regard to the FSS in carrying out the formal actuarial valuation of the Fund.

A number of important regulatory changes have been made and supporting guidance came into force recently to provide greater flexibility to the Fund and employers in reviewing contributions and managing termination debts in certain circumstances. The Fund has considered its policies in these areas and has updated the FSS to reflect these changes.

- 1.2 This report informs the pension board and pensions sub-committee of the main issues that employers admitted into the Fund are to be consulted on, in the draft FSS.

### **2. Recommendations**

- 2.1 To review and note a summary of the main updates in the draft FSS , that employers are going to be consulted on between September and October.

- 2.2 Agree that officers with the Fund Actuary update the FSS for consultation with Employers admitted into the Islington Fund .

### **3. Background**

#### Introduction

- 3.1 A number of important regulatory changes have been made and supporting guidance came into force recently to provide greater flexibility to the Fund and employers in reviewing contributions and managing termination debts in certain circumstances. The Fund has considered its policies in these areas and has updated the FSS to reflect these changes.

- 3.1.1 The current Islington Council Pension Fund 2020 Funding Strategy Statement (FSS), was implemented following the 2019 Actuarial Valuation. The LGPS Regulations provide the statutory framework under which the Administering Authority is required to prepare and publish a Funding Strategy Statement (FSS) alongside each actuarial valuation. The Fund Actuary must have regard to the FSS as part of the actuarial valuation process.

The FSS must also be revised and published whenever there is a material change in either the policy set out in the FSS or the Investment Strategy Statement.

- 3.1.2 The draft FSS has been updated to reflect the regulatory changes on flexibilities for employers on termination and contribution rates between valuations. The main changes are highlighted below:

#### 1. Employer Flexibilities - How has the Funding Strategy Statement changed?

If certain conditions are met, the changes now allow:

- The Fund to review employer contributions between actuarial valuations (for example, where employers have a significant change in membership or financial covenant)
- An exit debt to be spread over an appropriate period
- An exit debt to be deferred, with the employer remaining in the Fund once all active members have left.

In light of the new Regulations, the Fund is required to include policies within its Funding Strategy Statement (FSS) which set out how the flexibilities will apply in practice for employers.

These policies aim to provide much needed flexibilities to manage the liabilities and have been developed allowing for the guide from the Scheme Advisory Board (SAB) (<https://www.lgpsboard.org/index.php/empflexm>) and the statutory FSS guidance from the Ministry of Housing, Communities and Local Government (MHCLG) (<https://www.gov.uk/government/consultations/local-government-pension-scheme-changes-to-the-local-valuation-cycle-and-management-of-employer-risk/outcome/guidance-on-preparing-and-maintaining-policies-on-review-of-employer-contributions-employer-exit-payments-and-deferred-debt-agreements>). These policies do not alter the main principles of the current funding plan as agreed as part of the 2019 actuarial valuation.

To implement these new policies the following updates have therefore been made to the Funding Strategy Statement.



## **2. Introduction of a new policy - Review of Employer Contributions between Valuations**

Previously the contribution rates set out in the valuation report stayed in place until the next valuation (except in limited circumstances or where an employer exits the Fund). The new Regulations allow changes to contributions to be made before the next actuarial valuation under the following circumstances:

- a) It appears likely to the administering authority that the amount of the liabilities arising or likely to arise has changed significantly since the last valuation;
- b) It appears likely to the administering authority that there has been a significant change in the ability of the Scheme employer or employers to meet the obligations of employers in the Scheme; or
- c) A Scheme employer or employers have requested a review of Scheme employer contributions and have undertaken to meet the costs of that review (and point (a) or (b) also applies)

It should be noted that the introduction of this new policy does not mean employers can simply request a reduction in contributions during an inter-valuation period. Further details on how this can be applied in practice are set out within the policy in Appendix D.

For the avoidance of doubt, the Fund still requires employers to notify the Fund of any material changes in their financial covenant i.e. their ability to meet their obligations to the Fund (in line with b) above) as was the case prior to the introduction of these new policies.

## **3. Updates to the Termination Policy when an employer exits the Fund**

Whilst the Fund's policy remains that any exit debt is paid up front, the changes now allow us to develop policies that provide more flexibility to employers in certain circumstances.

The options upon termination will therefore be as follows:

- a) Upfront payment of the exit debt (the existing approach)  
This will remain as the default option when an employer terminates.
- b) Spreading exit payments  
Where the upfront payment of the deficit has been determined as unaffordable by the Fund, the parties can enter into an agreement to instead spread the payment of the final exit debt. This will be over an agreed period of time with the amounts and frequency of the payments in the payment plan agreed at the outset along with any early payment terms. The maximum period proposed in the policy is 5 years from exit, except in exceptional circumstances at the sole discretion of the Fund based on the advice of the Actuary.
- c) Deferred Debt Arrangement (DDA)

Alternatively, where the upfront payment has been determined as unaffordable by the Fund, the parties may enter into a DDA which allows them to defer their obligation to make an exit payment and continue to make contributions to the Fund. Contribution requirements will continue to be reviewed as a minimum as

part of each actuarial valuation under this option. This option is essentially an employer continuing ongoing participation, but with no contributing members. The Fund or employer can terminate the DDA and settle a revised (potentially more affordable) exit debt in the future, or the DDA would automatically cease when the exit debt is paid.

If the Fund agrees that an employer may adopt any of the flexible termination options above then the employer will be required to supply regular covenant information and to notify the Fund of any change in circumstances under a notifiable event framework. The conditions for entering into any arrangement will be set out in the agreement between the parties.

#### **4. Termination Basis – What has changed?**

Alongside the additional flexibilities potentially available to exiting employers, following a review undertaken by the Actuary, the actuarial assumptions underlying termination calculations (for those employers where a guarantor does not exist to take on responsibility for any residual liabilities of the exiting employer) have been updated. The changes made reflect changes in market conditions and the wider defined benefit pension's landscape.

A new "low risk" basis of termination is to now be applied in such cases, replacing the "minimum risk" basis that applied previously. This change will serve to slightly reduce the liabilities assessed for exiting employers.

In addition, for any employer exiting the Fund the termination liabilities assessed will now include allowance for the estimated administrative expenses associated with any members remaining in the Fund associated with the exiting employer.

#### **5. New Admissions (less than 5 members)**

When a new employer enters the Fund, the Actuary would currently be required to carry out an assessment of the contribution rate payable by the new employer. Going forwards, to assist with the process for small admissions, it is proposed that where less than 5 members are involved, the initial contribution rate for the new employer will be set in line with the contribution rate payable by the letting employer. The Actuary would then reassess the new employer's contribution requirements in full at the subsequent actuarial valuation.

Whilst this approach would mean that the new employer is paying a contribution rate that does not reflect its own membership profile (and thus could result in an under/over payment) the approach will simplify the admission process for these small admissions to ensure that all parties (both new employer and letting employer) are aware that there will be pension costs from the date of admission and these can start to be paid from the outset.

Should the new employer require accounting calculations, or should the letting employer require their own calculations to reflect the transfer to the new employer, it should be noted that the Actuary will need to carry out calculations in these circumstances based on the relevant membership data.

More generally, the Fund will be writing to employers again in the autumn to propose a separate training session in this area relating to the roles and responsibilities of employers when services are outsourced.

## **6. Other Changes**

In addition, the termination policy has been updated to clarify the process involved in determining how an exit credit (i.e. a surplus) should be dealt with when an employer exits the Fund. In particular, upon request, the Fund will provide the exiting employer with a notice setting out who will receive the exit credit and the reasons behind this decision (e.g. details of the commercial or admission agreements referenced). The employer will be able to appeal this decision if they do not agree with the determination.

Some small clarification and technical changes have also been made throughout the document to allow for updated information after the valuation date.

- 3.1.3 Members are asked to note the updates and agree that officers with the Fund Actuary update the FSS for consultation with Employers admitted into the Islington Fund. The results of the consultation will be reported to Members at the November meeting so that an informed decision can be made to approve the final version of FSS for publication by December.

## **4. Implications**

### **4.1 Financial implications**

- 4.1.1 The cost of providing actuarial advice is part of fund management and administration fees charged to the pension fund.

### **4.2 Legal Implications**

The Local Government Pension Scheme Regulations 2013 (as amended) ("the 2013 Regulations") and the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 ("the 2014 Transitional Regulations") (collectively; "the Regulations") provide the statutory framework from which the Administering Authority is required to prepare a Funding Strategy Statement (FSS).

Prior to agreeing the statement, the Council must have proper regard to any comments received from the consultees.

### **4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030:**

None applicable to this report. Environmental implications will be included in each report to the Pension Board Committee as necessary. The current agreed investment strategy statement for pensions outlines the policies and targets set to April 2022 to reduce the current and future carbon exposure by 50% and 75% respectively compared to when it was measured in 2016 and also invest 15% of the fund in green opportunities. The link to the full document is <https://www.islington.gov.uk/~media/sharepoint-lists/public-records/finance/financialmanagement/adviceandinformation/20192020/20190910londonboroughislingtonpensionfundinvestmentstrategystatement.pdf>

#### 4.4 **Resident Impact Assessment**

None applicable to this report. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

- 4.4.1 An equalities impact assessment has not been conducted because this report is an update on existing exercise and the consultation of employers will mitigate any inequality issues.

#### **5. Conclusion and reasons for recommendation**

- 5.1 Members asked to review and note the updates to prepare the draft FSS for employers' consultation.

#### **Background papers:**

None

Final report clearance:



**Signed by:** Corporate Director of Resources

Date 07 September 2021

**Received by:**

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# FUNDING STRATEGY STATEMENT

Islington Council Pension Fund

~~(date)~~ August 2021

**This Funding Strategy Statement has been prepared by London Borough of Islington (the Administering Authority) to set out the funding strategy for the Islington Council Pension Fund (the “Fund”), in accordance with Regulation 58 of the Local Government Pension Scheme Regulations 2013 (as amended) and guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA).**

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# 1. Executive Summary

Ensuring that the Islington Council Pension Fund (the “Fund”) has sufficient assets to meet its pension liabilities in the long term is the fiduciary responsibility of the Administering Authority (London Borough of Islington). The Funding Strategy adopted by the Islington Council Pension Fund will therefore be critical in achieving this.

The purpose of this Funding Strategy Statement (“FSS”) is to set out a clear and transparent funding strategy that will identify how each Fund employer’s pension liabilities are to be met going forward.

The details contained in this Funding Strategy Statement will have a financial and operational impact on all participating employers in the Islington Council Pension Fund.

It is imperative therefore that each existing or potential employer is aware of the details contained in this statement.

Given this, and in accordance with governing legislation, all interested parties connected with the Islington Council Pension Fund have been consulted and given opportunity to comment prior to this Funding Strategy Statement being finalised and adopted. This statement takes into consideration all comments and feedback received.

## Meeting the Fund’s Solvency Objective

The Administering Authority’s long term objective is for the Fund to achieve a 100% solvency level over a reasonable time period. Contributions are set in relation to this objective which means that once 100% solvency is achieved, if assumptions are borne out in practice, there would be sufficient assets to pay all benefits earned up to the valuation date as they fall due.

However, because financial and market conditions/outlook change between valuations, the assumptions used at one valuation may need to be amended at the next to meet the primary objectives. This in turn means that contributions will be subject to change from one valuation to another.

This objective is considered on an employer specific level when setting individual contribution rates so each employer has the same fundamental objective in relation to their liabilities.

The general principle adopted by the Fund is that the assumptions used, taken as a whole, will be chosen sufficiently prudently for this objective to be reasonably achieved in the long term at each valuation.

The funding strategy set out in this document has been developed alongside the Fund’s investment strategy on an integrated basis, taking into account the overall financial and demographic risks inherent in the Fund to meet the objective for all employers over different periods. The funding strategy includes appropriate margins to allow for the

possibility of adverse events (e.g. material reduction in investment returns, economic downturn and higher inflation outlook) leading to a worsening of the funding position which would normally lead to volatility of contribution rates at future valuations if these margins were not included. This prudence is required by the Regulations and guidance issued by professional bodies and Government agencies to assist the Fund in meeting its primary solvency and long term cost efficiency objectives.

The level of prudence has been quantified by the Actuary to show the level of contingency to provide protection against future adverse experience in the long term. Individual employer results will also have regard to their covenant strength and the investment strategy applied to the asset shares of those employers.

## **Solvency and long term cost efficiency**

Each employer's contributions are set at such a level to achieve full solvency in a reasonable timeframe. Solvency is defined as a level where the Fund's liabilities i.e. benefit payments can be reasonably met as they arise.

Employer contributions are also set in order to achieve long term cost efficiency. Long term cost-efficiency implies that contributions must not be set at a level that is likely to give rise to additional costs in the future. For example, deferring costs to the future would be likely to result in those costs being greater overall than if they were provided for at the appropriate time. Equally, the FSS must have regard to the desirability of maintaining as nearly constant a primary rate of contribution as possible.

When formulating the funding strategy, the Administering Authority has taken into account these key objectives and also considered the implications of the requirements under Section 13(4)(c) of the Public Service Pensions Act 2013. As part of these requirements the Government Actuary's Department (GAD) must, following an actuarial valuation, report on whether the rate of employer contributions to the Fund is set at an appropriate level to ensure the "solvency" of the pension fund and "long term cost efficiency" of the Local Government Pension Scheme (the "LGPS") so far as relating to the Fund.

## **Deficit recovery plan and contributions**

As the solvency level of the Fund is 85% at the valuation date (i.e. the assets of the Fund are less than the liabilities), a deficit recovery plan needs to be implemented such that additional contributions are paid into the Fund to meet the shortfall. At an individual employer level, there will be some instances where the assets allocated are higher than the liabilities and therefore a surplus will exist. In such cases, a plan may need to be implemented to remove some, or all, of the surplus over an agreed timeframe, taking into account any increases to the Primary Contribution Rate which also emerge.

For those employers where a shortfall exists, deficit contributions paid to the Fund by each employer will be expressed as £s amounts (flat or increasing year on year) and it is the Fund's objective that any funding deficit is eliminated as quickly as the participating employers can reasonably afford given other competing cost pressures. This may result in some flexibility in recovery periods by employer which would be at the sole discretion of the Administering Authority. The recovery periods will be set by the Fund, although employers will be free to select any shorter deficit recovery period if they wish. Employers may also elect to make prepayments of contributions which could result in a cash saving over the valuation certificate period.

The objective is to recover any deficit over a reasonable timeframe which in the long term provides equity between different generations of taxpayers whilst ensuring the deficit payments are eliminating a sufficient proportion of the capital element of the deficit, thereby reducing the interest cost. This will be periodically reviewed depending on the maturity profile of the scheme.

Subject to affordability considerations (and any change emerging to the Primary Rate) a key principle will be to maintain the deficit contributions at least at the expected monetary levels from the preceding valuation (including any indexation in these monetary payments over the recovery period). Full details are set out in this FSS.

Where there is a material increase in contributions required at this valuation, in certain circumstances the employer may be able to 'phase in' contributions over a period of 3 years in a pattern agreed with the Administering Authority and depending on the affordability of contributions as assessed in the covenant review of an employer.

The maximum recovery period for the Fund as a whole is 19 years which is three years shorter than that adopted at the previous valuation. Subject to affordability and other considerations, individual employer recovery periods would be expected to have the same end date as the period set at the previous valuation. The average recovery period emerging from this valuation is 19 years.

The Government has confirmed that a remedy is required for the LGPS in relation to the McCloud judgment. Therefore, the Fund has considered its policy in relation to costs that could emerge from the McCloud judgment in line with the guidance from the Scheme Advisory Board in conjunction with the Actuary. Whilst the remedy is not known and may not be known for some time, for the purpose of this valuation, when considering the appropriate contribution provision, we have assumed that the judgment would have the effect of removing the current age criteria applied to the underpin implemented in 2014 for the LGPS. This underpin therefore would apply to all active members as at 1 April 2012. The relevant estimated costs have been quantified and notified to employers on this basis but also highlighting that the final costs may be significantly different. All employers in the Fund as at 31 March 2019 have chosen to include these estimated costs over 2020/23 in their certified contributions.

## **Actuarial assumptions**

The actuarial assumptions used for assessing the funding position of the Fund and the individual employers, the "Primary" contribution rate, and any contribution variations due to underlying surpluses or deficits (i.e. included in the "Secondary" rate) are set out in Appendices A and B to this FSS.

When assessing the appropriate prudent discount rate, consideration has been given to the level of expected asset returns in excess of CPI inflation (i.e. the rate at which the benefits in the LGPS generally increase each year). The discount rate in excess of CPI inflation (the "real discount rate") has been derived based on the expected return on the Fund's assets based on the long term strategy set out in its Investment Strategy Statement (ISS).

The assumption for the long term expected future real returns has fallen since the last valuation. This is principally due to a combination of expectations of the returns on the Fund's assets and the higher expected level of inflation in the long term. As the Fund has implemented a number of risk management strategies since the last valuation in order to

reduce the expected volatility of returns (i.e. provide more certainty on contribution outcomes), the Actuary has also taken this into account when proposing the assumptions. The assumption has therefore been adjusted so that in the Actuary's opinion, when allowing for the resultant employer contributions emerging from the valuation, the Fund can reasonably be expected to meet the Solvency and Long Term Cost Efficiency objectives.

Taking into account the above the Fund Actuary is proposing that the long term real return over CPI inflation assumptions for determining the baseline past service liabilities should be 1.8% per annum and 2.25% per annum for determining the future service ("primary") contribution rate. This compares to 2.2% per annum and 2.75% per annum respectively at the last valuation.

Where warranted by an employer's circumstances, the Administering Authority retains the discretion to apply a different discount rate. Such cases will be determined by the Section 151 Officer and reported to the Committee.

The demographic assumptions are based on the Fund Actuary's bespoke analysis for the Fund, also taking into account the experience of the wider LGPS where relevant. For those employers terminating participation in the Fund, a more prudent mortality assumption may apply (see further comments below).

## **Employer asset shares**

The Fund is a multi-employer pension fund that is not formally unitised and so individual employer asset shares are calculated at each actuarial valuation. This means it is necessary to make some approximations in the timing of cashflows and allocation of investment returns when deriving each employer's asset share.

At each review, cashflows into and out of the Fund relating to each employer, any movement of members between employers within the Fund, along with investment return earned on the asset share, are allowed for when calculating asset shares at each valuation.

Other adjustments are also made on account of the funding positions of orphan bodies where any residual funding deficit is the responsibility of all other active employers in the Fund. In addition, the asset share may be restated for changes in data or other policies.

## **Fund policies**

In addition to the information/approaches required by overarching guidance and Regulation, this statement also summarises the Fund's practice and policies in a number of key areas:

### **1. Covenant assessment and monitoring**

An employer's financial covenant underpins its legal obligation and crucially the ability to meet its financial responsibilities to the Fund now and in the future. The strength of covenant to the Fund effectively underwrites the risks to which the Fund is exposed. These risks include underfunding, longevity, investment and market forces.

The strength of employer covenant can be subject to substantial variation over relatively short periods of time and, as such, regular monitoring and assessment is vital to the overall risk management and governance of the Fund. The employers' covenants will be assessed and monitored objectively in a proportionate manner, and an employer's ability to meet their obligations in the short and long term will be considered when determining its funding strategy.

After the valuation, the Fund may continue to monitor employer's covenants in conjunction with their funding positions over the inter-valuation period. This will enable the Fund to anticipate and pre-empt any material issues arising and thus adopt a proactive approach in partnership with the employer.

## **2. Admitting employers to the Fund**

Various types of employers are permitted to join the LGPS under certain circumstances, and the conditions upon which their entry to the Fund is based and the approach taken is set out in **Appendix C**. Examples of new employers include:

- Mandatory Scheme Employers - for example new academies (see later section)
- Designated bodies - those that are permitted to join if they pass a resolution for example Town and Parish Councils.
- Admission bodies - usually arising as a result of an outsourcing or a transfer to an entity that provides some form of public service and their funding primarily derives from local or central government.

The key objective for the Fund is to only admit employers where the risk to the Fund is mitigated as far as possible. The different employers pose different risks to the Fund.

Certain employers may be required to provide a guarantee or alternative security before entry will be allowed, in accordance with the Regulations and Fund policies.

## **3. Termination policy for employers exiting the Fund**

When an employer ceases to participate within the Fund, it becomes an exiting employer under the Regulations. The Fund is then required to obtain an actuarial valuation of that employer's liabilities in respect of the benefits of the exiting employer's current and former employees, along with a termination contribution certificate.

### **The policy for employers who do not have a guarantor participating in the Fund:**

Where there is no guarantor who would subsume the liabilities of the exiting employer, the Fund's policy is that a discount rate linked to government bond yields and a more prudent longevity assumption is used for assessing liabilities on termination. Any exit payments due should be paid immediately although instalment plans will be considered by the Administering Authority on a case by case basis. The Administering Authority also reserves the right to modify this approach on a case by case basis if circumstances warrant it.

Any exit credits (surplus assets over liabilities) will be paid from the Fund to the exiting employer within 6 months of completion of the cessation assessment by the Actuary. The Administering Authority will seek to modify this approach on a case by case basis if circumstances warrant it (for example, it may work with the outsourcing scheme employer



to adjust any exit payment or exit credit to take into account any risk sharing arrangements which exist between the exiting employer and other Fund employers).

This is subject to the exiting employer providing sufficient notice to the Fund of their intent to exit; any delays in notification will impact on the payment date. The Administering Authority also reserves the right to modify this approach on a case by case basis if circumstances warrant it based on the advice of the Actuary.

### **The policy for employers who have a guarantor participating in the Fund:**

Where there is a guarantor who would subsume the assets and liabilities of the outgoing employer, the default policy is that any deficit or surplus would be subsumed into the guarantor and taken into account at the following valuation. In some instances an exit debt may be payable by an employer before the assets and liabilities are subsumed by the guarantor, this will be considered on a case-by-case basis. No exit credit would be payable in these circumstances.

In line with the amending Regulations (The Local Government Pension Scheme (Amendment) Regulations 2020) the parties will need to make representations to the Administering Authority if they believe an Exit Credit should be paid outside the policy set out above, or if they dispute the determination of the Administering Authority. The Administering Authority will provide details of the information required to make their determination for each case when the need arises. Further details are set out within the Termination Policy in **Appendix C**.

The Administering Authority can modify this approach on a case by case basis if circumstances warrant it and the parties make representation. For example if the parties make representation it may be appropriate to adjust any exit payment or exit credit to take into account any risk sharing arrangements which exist between the exiting employer and the outsourcing scheme employer.

In the event of parties unreasonably seeking to crystallise the exit credit on termination, the Fund will consider its overall policy and seek to recover termination deficits as opposed to allowing them to be subsumed with no impact on contribution requirements until the next assessment of the contribution requirements for the guarantor. Equally where a guarantor decides not to underwrite the residual liabilities the basis of assessment on termination will assume the liabilities are orphaned and thus the ~~minimum risk~~low risk termination basis will apply.

### **The policy for repayment of exit debts:**

The default position for exit payments is that they are paid in full at the point of exit (adjusted for interest where appropriate). At the discretion of the administering authority, instalment plans over an agreed period or a Deferred Debt Agreement may be entered into. If an employer requests that an exit debt payment is recovered over a fixed period of time or that they wish to enter into a Deferred Debt Agreement with the Fund, they must make a request in writing covering the reasons for such a request. Any deviation from this position will be based on the Administering Authority's assessment of whether the full exit debt is affordable and whether it is in the interests of taxpayers to adopt either of the approaches. In making this assessment the Administering Authority will consider the covenant of the employer and also whether any security is required and available to back the arrangements. Further details are set out with in **Appendix C**.

## 2. Introduction

The Local Government Pension Scheme Regulations 2013 (“the 2013 Regulations”), the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (“the 2014 Transitional Regulations”) and The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 (all as amended) (collectively; “the Regulations”) provide the statutory framework from which the Administering Authority is required to prepare a Funding Strategy Statement (FSS). The key requirements for preparing the FSS can be summarised as follows:

- After consultation with all relevant interested parties involved with the Islington Council Pension Fund (the “Fund”), the Administering Authority will prepare and publish their funding strategy;
- In preparing the FSS, the Administering Authority must have regard to:
  - the guidance issued by CIPFA for this purpose; and
  - the Investment Strategy Statement (ISS) for the Fund published under Regulation 7 of the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 (as amended);
- The FSS must be revised and published whenever there is a material change in either the policy set out in the FSS or the ISS.

### Benefits

The benefits provided by the Fund are specified in the governing legislation contained in the Regulations referred to above. Benefits payable under the Fund are guaranteed by statute and thereby the pensions promise is secure for members. The FSS addresses the issue of managing the need to fund those benefits over the long term, whilst at the same time facilitating scrutiny and accountability through improved transparency and disclosure.

The Fund is a defined benefit arrangement with principally final salary related benefits from contributing members up to 1 April 2014 and Career Averaged Revalued Earnings (“CARE”) benefits earned thereafter. There is also a “50:50 Scheme Option”, where members can elect to accrue 50% of the full Fund benefits in relation to the member only and pay 50% of the normal member contribution.

### Employer contributions

The required levels of employee contributions are specified in the Regulations. Employer contributions are determined in accordance with the Regulations (which require that an actuarial valuation is completed every three years by the actuary, including a rates and adjustments certificate specifying the “primary” and “secondary” rate of the employer’s contribution).

## **Primary rate**

The “Primary rate” for an employer is the contribution rate required to meet the cost of the future accrual of benefits, ignoring any past service surplus or deficit, but allowing for any employer-specific circumstances, such as its membership profile, the funding strategy adopted for that employer, the actuarial method used and/or the employer’s covenant.

The Primary rate for each employer is specified in the rates and adjustments certificate.

The Primary rate for the whole fund is the weighted average (by payroll) of the individual employers’ Primary rates.

## **Secondary rate**

The “Secondary rate” is an adjustment to the Primary rate to arrive at the total rate of contribution each employer is required to pay. The Secondary rate may be expressed as a percentage adjustment to the Primary rate, and/or a cash adjustment in each of the three years beginning 1 April in the year following the actuarial valuation.

The Secondary rate for each employer is specified in the rates and adjustments certificate.

Secondary rates for the whole fund in each of the three years shall also be disclosed. These will be the calculated weighted average based on the whole fund payroll in respect of percentage rates and the total amount in respect of cash adjustments.

For any employer, the rate they are actually required to pay is the sum of the Primary and Secondary rates.



### 3. Purpose of FSS in policy terms

Funding is the making of advance provision to meet the cost of accruing benefit promises. Decisions taken regarding the approach to funding will therefore determine the rate or pace at which this advance provision is made. Although the Regulations specify the fundamental principles on which funding contributions should be assessed, implementation of the funding strategy is the responsibility of the Administering Authority, acting on the professional advice provided by the actuary.

The Administering Authority's long term objective is for the Fund to achieve a 100% solvency level over a reasonable time period and then maintain sufficient assets in order for it to pay all benefits arising as they fall due.

The purpose of this Funding Strategy Statement is therefore:

- to establish a clear and transparent fund-specific strategy which will identify how employers' pension liabilities are best met going forward by taking a prudent longer-term view of funding those liabilities;
- to establish contributions at a level to "secure the solvency" of the pension fund and the "long term cost efficiency",
- to have regard to the desirability of maintaining as nearly constant a primary rate of contribution as possible.

The intention is for this strategy to be both cohesive and comprehensive for the Fund as a whole, recognising that there will be conflicting objectives which need to be balanced and reconciled. Whilst the position of individual employers must be reflected in the statement, it must remain a single strategy for the Administering Authority to implement and maintain.

## 4. Aims and purpose of the Fund

### **The aims of the fund are to:**

- manage employers' liabilities effectively and ensure that sufficient resources are available to meet all liabilities as they fall due
- enable employer contribution rates to be kept at a reasonable and affordable cost to the taxpayers, scheduled, resolution and admitted bodies, while achieving and maintaining fund solvency and long term cost efficiency, which should be assessed in light of the profile of the Fund now and in the future due to sector changes
- maximise the returns from investments within reasonable risk parameters taking into account the above aims.

### **The purpose of the fund is to:**

- receive monies in respect of contributions, transfer values and investment income, and
- pay out monies in respect of Fund benefits, transfer values, costs, charges and expenses as defined in the Regulations.

## 5. Responsibilities of the key parties

The efficient and effective management of the Fund can only be achieved if all parties exercise their statutory duties and responsibilities conscientiously and diligently. The key parties for the purposes of the FSS are the Administering Authority (and, in particular the Pensions Sub-Committee), the individual employers and the Fund Actuary and details of their roles are set out below. Other parties required to play their part in the fund management process are bankers, custodians, investment managers, auditors and legal, investment and governance advisors, along with the Local Pensions Board created under the Public Service Pensions Act 2013.

### Key parties to the FSS

The **Administering Authority** should:

- operate the pension fund
- collect employer and employee contributions, investment income and other amounts due to the pension fund as stipulated in the Regulations
- pay from the pension fund the relevant entitlements as stipulated in the Regulations
- invest surplus monies in accordance the Regulations
- ensure that cash is available to meet liabilities as and when they fall due
- take measures as set out in the Regulations to safeguard the fund against the consequences of employer default
- manage the valuation process in consultation with the Fund's actuary
- prepare and maintain a FSS and an ISS, both after proper consultation with interested parties, and
- monitor all aspects of the Fund's performance and funding, amending the FSS/ISS as necessary
- effectively manage any potential conflicts of interest arising from its dual role as both fund administrator and a Fund employer, and
- establish, support and monitor a Local Pension Board (LPB) as required by the Public Service Pensions Act 2013, the Regulations and the Pensions Regulator's relevant Code of Practice.

The **Individual Employer** should:

- deduct contributions from employees' pay correctly after determining the appropriate employee contribution rate (in accordance with the Regulations), unless they are Deferred Employer
- pay all contributions, including their own as determined by the actuary, promptly by the due date
- undertake administration duties in accordance with the Pension Administration Strategy.
- develop a policy on certain discretions and exercise those discretions as permitted within the regulatory framework

- make additional contributions in accordance with agreed arrangements in respect of, for example, augmentation of Fund benefits, early retirement strain, and
- have regard to the Pensions Regulator's focus on data quality and comply with any requirement set by the Administering Authority in this context, and
- notify the Administering Authority promptly of any changes to membership which may affect future funding.
- understand the pensions impacts of any changes to their organisational structure and service delivery model
- understand that the quality of the data provided to the Fund will directly impact on the assessment of the liabilities and contributions. In particular, any deficiencies in the data would normally result in employer paying higher contributions than otherwise would be the case if the data was of high quality.

The **Fund Actuary** should:

- prepare valuations including the setting of employers' contribution rates at a level to ensure fund solvency after agreeing assumptions with the Administering Authority and having regard to their FSS and the Regulations
- prepare advice and calculations in connection with bulk transfers and individual benefit-related matters such as pension strain costs, ill health retirement costs etc.
- provide advice and valuations on the termination of admission agreements
- provide advice to the Administering Authority on bonds and other forms of security against the financial effect on the Fund of employer default
- assist the Administering Authority in assessing whether employer contributions need to be revised between valuations as required by the Regulations
- advise the Administering Authority on funding strategy, the preparation of the FSS and the inter-relationship between the FSS and the ISS, and
- ensure the Administering Authority is aware of any professional guidance or other professional requirements which may be of relevance to the Fund Actuary's role in advising the Fund.

## 6. Solvency funding target

Securing the “solvency” and “long term cost efficiency” is a regulatory requirement. To meet these requirements, the Administering Authority’s long term funding objective is for the Fund to achieve and then maintain sufficient assets to cover 100% of projected accrued liabilities (the “funding target”) assessed on an ongoing past service basis including allowance for projected final pay where appropriate. In the long term, an employer’s total contribution rate would ultimately revert to its Primary rate of contribution.

### Solvency and Long Term Efficiency

Each employer’s contributions are set at such a level to achieve full solvency in a reasonable timeframe. Solvency is defined as a level where the Fund’s liabilities i.e. benefit payments can be reasonably met as they arise.

Employer contributions are also set in order to achieve long term cost efficiency. Long term cost-efficiency implies that contributions must not be set at a level that is likely to give rise to additional costs in the future. For example, deferring costs to the future would be likely to result in those costs being greater overall than if they were provided for at the appropriate time.

When formulating the funding strategy, the Administering Authority has taken into account these key objectives and also considered the implications of the requirements under Section 13(4)(c) of the Public Service Pensions Act 2013. As part of these requirements the Government Actuary’s Department (GAD) must, following an actuarial valuation, report on whether the rate of employer contributions to the Fund is set at an appropriate level to ensure the “solvency” of the pension fund and “long term cost efficiency” of the LGPS so far as relating to the Fund.

### Determination of the solvency Funding Target and deficit Recovery Plan

The principal method and assumptions to be used in the calculation of the funding target are set out in **Appendix A**. The Employer Deficit Recovery Plans are set out in **Appendix B**.

Underlying these assumptions are the following two tenets:

- that the Fund is expected to continue for the foreseeable future; and
- favourable investment performance can play a valuable role in achieving adequate funding over the longer term.

This allows the Fund to take a longer term view when assessing the contribution requirements for certain employers.

In considering this the Administering Authority, based on the advice of the Actuary, will consider if this results in a reasonable likelihood that the funding plan will be successful potentially taking into account any changes in funding after the valuation date up to the finalisation of the valuation by 31 March 2020 at the latest.

As part of each valuation separate employer contribution rates are assessed by the Fund Actuary for each participating employer or group of employers. These rates are assessed

taking into account the experience and circumstances of each employer, following a principle of no cross-subsidy between the distinct employers and employer groups in the Fund.

The Administering Authority, following consultation with the participating employers, has adopted the following objectives for setting the individual employer contribution rates arising from the 2019 actuarial valuation:

Individual employer contributions will be expressed and certified as two separate elements:

- the **Primary rate**: a percentage of pensionable payroll in respect of the cost of the future accrual of benefits and ancillary death in service and ill health benefits (where appropriate).
- the **Secondary rate**: a schedule of lump sum monetary amounts over 2020/23 in respect of an employer's surplus or deficit (including phasing adjustments).

For any employer, the total contributions they are actually required to pay in any one year is the sum of the Primary and Secondary rates (subject to an overall minimum of zero). Both elements are subject to review from 1 April 2023 based on the results of the 2022 valuation.

Where an employer is in a surplus position and a Secondary rate deduction applies (see comment below), the Secondary rate deduction from the Primary rate will be subject to a minimum threshold of £100, below which no deduction will be made.

### **Deficit Recovery Plan**

Where deficits remain, the Fund does not believe it appropriate for contribution reductions to apply compared to the existing funding plan (allowing for indexation where applicable on deficit contributions) unless there is a specific reason to do so.

Subject to consideration of affordability, as a general rule the deficit recovery period will have the same end date as the recovery period adopted at the preceding valuation. This is to target full solvency over a similar time horizon. Employers will have the freedom to adopt a recovery plan on the basis of a shorter period if they so wish. Subject to affordability considerations and other factors, a bespoke period may be applied in respect of particular employers where the Administering Authority considers this to be warranted (see Deficit Recovery Plan in **Appendix B**). These principles have resulted in a target recovery period of 19 years being adopted for most Fund employers.

Where increases (or decreases) in employer contributions are required from 1 April 2020, following completion of the 2019 actuarial valuation, at the sole discretion of the Administering Authority the increase (or decrease) from the rates of contribution payable in the year 2020/21 may be implemented in steps, over a maximum period of 3 years.

For those employers assessed to be in surplus at the valuation date and who are expected to exit the Fund in the period to 31 March 2023, the Secondary rate payments will be based on the expected length of participation in the Fund. For all other employers assessed to be in surplus at the valuation date, the Secondary rate payments will be based on the maximum recovery period, unless otherwise agreed by the Administering Authority.

For certain employers, subject to the agreement of the administering authority, the option to prepay Primary rate contributions may be made available. This option would be on the proviso that a “top-up” payment would be made by the employer prior to the end of the prepayment period in order to ensure that no underpayment emerges versus the minimum required by the valuation certificate.

In all cases the Administering Authority reserves the right to apply a different approach at its sole discretion, taking into account the risk associated with an employer in proportion to the Fund as a whole (see further comment below). Any employer affected will be notified separately.

### **Special circumstances to consider alternative deficit recovery plans**

As part of the process of agreeing funding plans with individual employers, the Administering Authority will consider the use of contingent assets and other tools such as bonds or guarantees that could assist employing bodies in managing the cost of their liabilities or could provide the Fund with greater security against outstanding liabilities. All other things being equal this could result in a longer recovery period being acceptable to the Administering Authority, restricted to the maximum periods set out in **Appendix B**, although employers will still be expected to at least cover expected interest costs on the deficit.

It is acknowledged by the Administering Authority that, whilst posing a relatively low risk to the Fund as a whole, a number of smaller employers may be faced with significant contribution increases that could seriously affect their ability to function in the future. The Administering Authority therefore would be willing to use its discretion to accept an evidence-based affordable level of contributions for the organisation for the three years 2020/2023. Any application of this option is at the ultimate discretion of the Fund officers in order to effectively manage risk across the Fund. It will only be considered after the provision of the appropriate evidence as part of the covenant assessment and also the appropriate professional advice.

For those bodies identified as having a weaker covenant, the Administering Authority will need to balance the level of risk plus the solvency requirements of the Fund with the sustainability of the organisation when agreeing funding plans. As a minimum, the annual deficit payment must meet the on-going interest costs to ensure, everything else being equal, that the deficit does not increase in monetary terms.

Notwithstanding the above principles, the Administering Authority, in consultation with the actuary, has also had to consider whether any exceptional arrangements should apply in particular cases.

### **Employers Exiting the Fund**

Employers must notify the Fund as soon as they become aware of their planned exit date. Where appropriate, or at the request of the Scheme Employer, the Fund will review their certified contribution in order to target a fully funded position at exit. The costs of the contribution rate review will be payable by the employer or the outsourcing Scheme Employer (where necessary).

On the cessation of an employer’s participation in the Fund, in accordance with the Regulations, the Fund Actuary will be asked to make a termination assessment. In such circumstances:



## **The policy for employers who have a guarantor participating in the Fund:**

The residual assets and liabilities and hence any surplus or deficit will transfer back to the guarantor as a default policy

The interested parties will need to consider any separate agreements that have been put in place between the exiting employer and the guarantor when considering whether an exit credit should be paid. In some instances an exit credit or debt may be payable by an employer before the assets and liabilities are subsumed by the guarantor, this will be considered on a case-by-case basis.

If there is any dispute, then the following arrangements will apply:

- In the case of a surplus, in line with the amending Regulations (The Local Government Pension Scheme (Amendment) Regulations 2020) the parties will need to make formal representations to the Administering Authority if they believe an Exit Credit should be paid outside the policy set out above, or if they dispute the determination of the Administering Authority. The Fund will notify the parties of the information required to make the determination on request.
- If the Fund determines an Exit Credit is payable then they will pay this directly to the exiting employer within 6 months of completion of the final cessation by the Actuary.
- In the case of a deficit, in order to maintain a consistent approach, the Fund will seek to recover this from the exiting employer in the first instance although if this is not possible then the deficit will be recovered from the guarantor either as a further contribution collection or at the next valuation.

If requested, the Administering Authority will provide details of the information considered as part of the determination. A determination notice will be provided alongside the termination assessment from the Actuary. The notice will cover the following information and process steps:

1. Details of the employers involved in the process (e.g. the exiting employer and guarantor).
2. Details of the admission agreement, commercial contracts and any amendments to the terms that have been made available to the Administering Authority and considered as part of the decision making process. The underlying principle will be that if an employer is responsible for a deficit, they will be eligible for any surplus. This is subject to the information provided and any risk sharing arrangements in place.
3. The final termination certification of the exit credit by the Actuary.
4. The Administering Authority's determination based on the information provided.
5. Details of the appeals process in the event that a party disagrees with the determination and wishes to make representations to the Administering Authority.

In some instances, the outgoing employer may only be responsible for part of the residual deficit or surplus as per the separate risk sharing agreement. The default is that any surplus would be retained by the Fund in favour of the outsourcing employer/guarantor unless representation is made by the relevant parties in line with the Regulations (as noted above). For the avoidance of doubt, the Fund's default position is that where the outgoing employer is not responsible for any costs under a risk sharing agreement then no exit credit will be paid as per the Regulations, provided that the Fund is aware of the provisions of the risk sharing agreement in any representation made. Any deviation from the default



position will be considered on its merits based on the information provided by the relevant parties.

The Government has confirmed that a remedy is required for the LGPS in relation to the McCloud judgment, however the final remedy is not currently known with any certainty although it is expected to be similar to the allowance made in the employer rates at this valuation. Where a surplus or deficit is being subsumed, no allowance will be made for McCloud within the calculations. However, if a representation is made to the Administering Authority then a reasonable estimate for the potential cost of McCloud will need to be included. This will be calculated in line with the treatment set out in this Funding Strategy Statement for all members of the outgoing employer. For the avoidance of doubt, there will be no recourse for an employer with regard to McCloud, once the final termination has been settled and payments have been made. Once the remedy is known, any calculations will be performed in line with the prevailing regulations and guidance in force at the time.

In the event of parties unreasonably seeking to crystallise the exit credit on termination, the Fund will consider its overall policy and seek to recover termination deficits as opposed to allowing them to be subsumed with no impact on contribution requirements until the next assessment of the contribution requirements for the guarantor. Equally where a guarantor decides not to underwrite the residual liabilities then the basis of assessment on termination will assume the liabilities are orphaned and the minimum risk/low risk termination basis ~~of termination~~ will apply.

#### **The policy for employers who do not have a guarantor participating in the Fund:**

In the case of a surplus, the Fund pays the exit credit to the exiting employer following completion of the termination process (within 6 months of completion of the cessation assessment by the Actuary). This is subject to the exiting employer providing sufficient notice to the Fund of their intent to exit; any delays in notification will impact on the payment date.

In the case of a deficit, the Fund would require the exiting employer to pay the termination deficit to the Fund as an immediate lump sum cash payment (unless agreed otherwise by the Administering Authority at their sole discretion) following completion of the termination process.

The Government has confirmed that a remedy is required for the LGPS in relation to the McCloud judgment, however the final remedy is not known. As part of any termination assessment, a reasonable estimate for the potential cost of McCloud will be included. This will be calculated in line with the treatment set out in this Funding Strategy Statement for all members of the outgoing employer. For the avoidance of doubt, there will be no recourse for an employer with regard to McCloud, once the final termination has been settled and payments have been made. Once the remedy is known, any calculations will be performed in line with the prevailing regulations and guidance in force at the time.

The Administering Authority also reserves the right to modify this approach on a case by case basis at its sole discretion if circumstances warrant it based on the advice of the Actuary.

Where an employer with no guarantor leaves the Fund and leaves liabilities with the Fund which the Fund must meet without recourse to that employer, the valuation of the termination payment will be calculated using the minimum risk/low risk termination basis.

### **The policy for repayment of exit debts:**

The default position for exit payments is that they are paid in full at the point of exit (adjusted for interest where appropriate). At the discretion of the administering authority, instalment plans over an agreed period or a Deferred Debt Agreement may be entered into. If an employer requests that an exit debt payment is recovered over a fixed period of time or that they wish to enter into a Deferred Debt Agreement with the Fund, they must make a request in writing covering the reasons for such a request. Any deviation from this position will be based on the Administering Authority's assessment of whether the full exit debt is affordable and whether it is in the interests of taxpayers to adopt either of the approaches. In making this assessment the Administering Authority will consider the covenant of the employer and also whether any security is required and available to back the arrangements. Further details are set out in the termination policy is set out in **Appendix C** (including details of repayment plans over an agreed period and Deferred Debt Agreement).

### **Funding for early retirement costs**

With regard to costs for ill-health or voluntary early retirement, for certain employers in the Fund, allowance will be included within the certified future service contribution rate. Additionally, any 'strain' costs generated on redundancy, efficiently, or flexible retirements will be recovered by additional capital payments to the Fund. These will be paid in full at the point of retirement.

For those employers for whom the certified future service contribution rate excludes an allowance for ill-health or voluntary early retirement costs, the administering authority will require the costs of all early retirements to be paid in full by the employer by additional capital payments at the point of retirement.

### **Funding for deaths in service**

The financial impact of the benefits that become payable on the death of a member differ depending on whether the member dies before or after retirement.

The extent of any funding strain/profit which emerges on the death of a pensioner member (typically a profit) will be determined by the age of the pensioner at death and whether or not any dependants' benefits become payable.

In the event of a member dying whilst in active service, it is not certain that a funding profit would emerge. Whilst the Fund would no longer have to pay the accrued benefits at retirement for the deceased member, a lump sum death grant and also dependants' benefits would become payable instead. The dependants' benefits would also be based on the pensionable service that the member could have accrued had they remained in service until retirement.

Typically, the death of a young member with low pensionable service and dependants is likely to result in a large funding strain for the employer. However, the death of an older/long serving member with no dependants could actually result in a funding profit. Any funding strain or profit will emerge at the next actuarial valuation through increased/reduced deficit, except where the employer is in the termination process when it will be taken into account when the Actuary determines the termination position.

## 7. Link to Investment Policy and the Investment Strategy Statement (ISS)

In assessing the value of the Fund's liabilities in the valuation, allowance has been made for growth asset out-performance as described below, taking into account the investment strategy adopted by the Fund, as set out in the ISS.

It is not possible to construct a portfolio of investments which produces a stream of income exactly matching the expected liability outgo. However, it is possible to construct a portfolio which represents the "minimum risk" investment position which would deliver a very high certainty of real returns above assumed CPI inflation. Such a portfolio would consist of a mixture of long-term index-linked, fixed interest gilts and possible swaps.

Investment of the Fund's assets in line with this portfolio would minimise fluctuations in the Fund's funding position between successive actuarial valuations.

If, at the valuation date, the Fund had been invested in this portfolio, then in carrying out this valuation it would not be appropriate to make any allowance for growth assets out-performance or any adjustment to market implied inflation assumption due to supply/demand distortions in the bond markets. This would result in a real return versus CPI inflation of minus 0.9% per annum at the valuation date. On this basis of assessment, the assessed value of the Fund's liabilities at the valuation would have been significantly higher, resulting in a funding level of 51%. This is a measure of the level of reliance on future investment returns i.e. level of investment risk being taken.

Departure from a minimum risk investment strategy, in particular to include growth assets such as equities, gives a better prospect that the assets will, over time, deliver returns in excess of CPI inflation and reduce the contribution requirements. The target solvency position of having sufficient assets to meet the Fund's pension obligations might in practice therefore be achieved by a range of combinations of funding plan, investment strategy and investment performance. The overall strategic asset allocation is set out in the Investment Strategy Statement.

The current strategy is:

	<b>Benchmark %</b>
Global Equities (Developed Market)	40
Global Equities (Emerging Market)	6
<b>Total Equities</b>	<b>46</b>
Corporate Bonds	5
<b>Total Bonds</b>	<b>5</b>
Property	25
Private Equity	4
Infrastructure	10
Diversified Growth Funds	10
<b>Total Alternatives</b>	<b>49</b>
Cash	0
<b>Total</b>	<b>100%</b>

The investment strategy set out above and individual return expectations on those asset classes equate to an overall best estimate average expected return of 3.0% per annum in excess of CPI inflation as at 31 March 2019 i.e. a 50/50 chance of achieving this real return. For the purposes of setting a funding strategy however, the Administering Authority believes that it is appropriate to take a margin for prudence on these return expectations (see further comment in **Appendix A**).

During the recovery period, an overall investment return assumption in excess of that used to calculate the solvency target (up to 0.2% p.a.) will be allowed for in the calculation of the required deficit recovery contributions for certain employers on the proviso that the Fund's current investment strategy will change over 2020/23 in order to deliver additional returns over and above the current best estimate return for the same level of risk. The Administering Authority believes that this is a reasonable approach to take for certain employers following analysis undertaken by the Actuary and the Fund's investment advisors.

## **Risk management strategy**

In the context of managing various aspects of the Fund's financial risks, the Administering Authority has implemented a number of risk management techniques. In particular:

- Equity Protection - the Fund implemented protection against potential falls in the equity markets via the use of derivatives until March 2020. The aim of the protection has been to provide further stability in employer contributions (all other things equal) in the event of significant equity market falls (although it is recognised that it will not protect the Fund in totality).

The principal aim of these risk management techniques is to effectively look to provide more certainty of real investment returns vs CPI inflation and/or protect against volatility in

the termination position. It is designed to reduce risk and provide more stability/certainty of outcome for funding and ultimately employer contribution rates.

The effect of these techniques has been allowed for in the 2019 actuarial valuation calculations and could have implications on future actuarial valuations and the assumptions adopted. Further details of the framework have been included in the ISS.

## 8. Identification of Risks and Counter-Measures

The funding of defined benefits is by its nature uncertain. Funding of the Fund is based on both financial and demographic assumptions. These assumptions are specified in the actuarial valuation report. When actual experience is not in line with the assumptions adopted a surplus or shortfall will emerge at the next actuarial assessment and will require a subsequent contribution adjustment to bring the funding back into line with the target.

The Administering Authority has been advised by the Fund Actuary that the greatest risk to the funding level is the investment risk inherent in the predominantly equity based strategy, so that actual asset out-performance between successive valuations could diverge significantly from that assumed in the long term. The Actuary's formal valuation report includes quantification of some of the major risk factors.

### Financial

The financial risks are as follows:-

- Investment markets fail to perform in line with expectations
- Protection and risk management policies fail to perform in line with expectations
- Market outlook moves at variance with assumptions
- Investment Fund Managers fail to achieve performance targets over the longer term
- Asset re-allocations in volatile markets may lock in past losses
- Pay and price inflation significantly more or less than anticipated
- An employer ceasing to exist without prior notification, resulting in a large exit credit requirement from the Fund impacting on cashflow requirements.
- Future underperformance arising as a result of participating in the larger asset pooling vehicle.

Any increase in employer contribution rates (as a result of these risks) may in turn impact on the service delivery of that employer and their financial position.

In practice the extent to which these risks can be reduced is limited. However, the Fund's asset allocation is kept under constant review and the performance of the investment managers is regularly monitored. In addition, the implementation of a risk management framework to manage the key financial risks will help reduce risk over time.

### Demographic

The demographic risks are as follows:-

- Future changes in life expectancy (longevity) cannot be predicted with any certainty
- Potential strains from ill health retirements, over and above what is allowed for in the valuation assumptions

- Unanticipated acceleration of the maturing of the Fund resulting in materially negative cashflows and shortening of liability durations

Increasing longevity is something which government policies, both national and local, are designed to promote. It does, however, result in a greater liability for pension funds.

Ill health retirements can be costly for employers, particularly small employers where one or two costly ill health retirements can take them well above the “average” implied by the valuation assumptions. Increasingly we are seeing employers mitigate the number of ill health retirements by employing HR / occupational health preventative measures. These in conjunction with ensuring the regulatory procedures in place to ensure that ill-health retirements are properly controlled, can help control exposure to this demographic risk.

Apart from the regulatory procedures in place to ensure that ill-health retirements are properly controlled, employing bodies should be doing everything in their power to minimise the number of ill-health retirements.

Early retirements for reasons of redundancy and efficiency do not affect the solvency of the Fund because they are the subject of a direct charge. For some employers, a direct charge will also be levied at the point of an ill-health retirement.

With regards to increasing maturity (e.g. due to further cuts in workforce and/or restrictions on new employees accessing the Fund), the Administering Authority regularly monitors the Fund’s cashflow requirements and considers the impact on the investment strategy.

## **Insurance of certain benefits**

The contributions for any employer may be varied as agreed by the Actuary and Administering Authority to reflect any changes in contribution requirements as a result of any benefit costs being insured with a third party or internally within the Fund.

## **Regulatory**

The key regulatory risks are as follows:-

- Changes to Regulations, e.g. changes to the benefits package, retirement age, potential new entrants to Fund. Typically, these would be via the Cost Management Process although in light of the McCloud discrimination case (see further comment in Section 9) there can be exceptional circumstances which give rise to unexpected changes in Regulations
- Changes to national pension requirements and/or HMRC Rules
- Political risk that the guarantee from the Department for Education for academies is removed or modified along with the operational risks as a consequence of the potential for a large increase in the number of academies in the Fund due to Government policy.

Membership of the LGPS is open to all local government staff and should be encouraged as a valuable part of the contract of employment. However, increasing membership does result in higher employer monetary costs.



## **Governance**

The Fund has done as much as it believes it reasonably can to enable employing bodies and Fund members (via their representatives on the Local Pension Board) to make their views known to the Fund and to participate in the decision-making process.

Governance risks are as follows:-

- The quality of membership data deteriorates materially due to breakdown in processes for updating the information resulting in liabilities being under or overstated
- Administering Authority unaware of structural changes in employer's membership (e.g. large fall in employee numbers, large number of retirements) with the result that contribution rates are set at too low a level
- Administering Authority not advised of an employer closing to new entrants, something which would normally require an increase in contribution rates
- An employer ceasing to exist with insufficient funding or adequacy of a bond
- An employer ceasing to exist without prior notification, resulting in a large exit credit requirement from the Fund impacting on cashflow requirements.
- Changes in the Committee membership.

For these risks to be minimised much depends on information being supplied to the Administering Authority by the employing bodies. Arrangements are strictly controlled and monitored, but in most cases the employer, rather than the Fund as a whole, bears the risk.

## **Local Pension Board**

The Pension Board was established in April 2015 in accordance with the Public Service Pensions Act 2013, the national statutory governance framework delivered through the LGPS Regulations and guidance as issued by the Scheme Advisory Board.

The Board seeks to assist the London Borough of Islington to maintain effective and efficient administration and governance. The LPB comprises both Scheme members, retired and active, together with employer representatives.

It meets quarterly and all Board Members have undertaken training and have established a work programme that will enable them to meet their obligations to ensure that the Fund complies with the relevant codes of practice and current legislation.



## 9. Monitoring and review

The Administering Authority has taken advice from the actuary in preparing this Statement, and has consulted with the employers participating in the Fund.

A full review of this Statement will occur no less frequently than every three years, to coincide with completion of a full actuarial valuation and every review of employer rates or interim valuation. Any review will take account of the current economic conditions and will also reflect any legislative changes.

The Administering Authority will monitor the progress of the funding strategy between full actuarial valuations. If considered appropriate, the funding strategy will be reviewed (other than as part of the triennial valuation process), for example, if there:

- has been a significant change in market conditions, and/or deviation in the progress of the funding strategy
- have been significant changes to the Fund membership, or LGPS benefits
- have been changes to the circumstances of any of the employing authorities to such an extent that they impact on or warrant a change in the funding strategy
- have been any significant special contributions paid into the Fund.

When monitoring the funding strategy, if the Administering Authority considers that any action is required, the relevant employers will be contacted. In the case of admitted bodies, there is statutory provision for rates to be amended between valuations but it is unlikely that this power will be invoked other than in exceptional circumstances.

### Review of contributions

In line with the Regulations, the Administering Authority has the ability to review employer contributions between valuations. The Administering Authority and employers now have the following flexibilities:

1. The Administering Authority may review the contributions of an employer where there has been a significant change to the liabilities of an employer.
2. The Administering Authority may review the contributions of an employer where there has been a significant change in the employer's covenant.
3. An employer may request a review of contributions from the Administering Authority if they feel that either point 1 or point 2 applies to them.

Consideration will be given to any risk sharing arrangements (e.g. cap and collar arrangements) when reviewing contribution rates. Further information is set out within the policy in **Appendix D**.

## Cost management and the McCloud judgement

The cost management process was set up by HMT, with an additional strand set up by the Scheme Advisory Board (for the LGPS). The aim of this was to control costs for employers and taxpayers via adjustments to benefits and/or employee contributions.

As part of this, it was agreed that employers should bear the costs/risks of external factors such as the discount rate, investment returns and inflation changes, whereas employees should bear the costs/risks of other factors such as wage growth, life expectancy changes, ill health retirement experience and commutation of pension.

The outcomes of the cost management process were expected to be implemented from 1 April 2019, based on data from the 2016 valuations for the LGPS. This has now been put on hold due to age discrimination cases brought in respect of the firefighters and judges schemes, relating to protections provided when the public sector schemes were changed (which was on 1 April 2014 for the LGPS and 1 April 2015 for other Schemes).

It is not known how these cases will affect the LGPS or the cost management process at this time. The Scheme Advisory Board issued guidance [here](#) which sets out how the McCloud case should be allowed for within the 2019 valuation.

The potential impact of the judgement (based on the information available at the time) has been quantified and communicated to employers as part of the 2019 valuation. This has been assessed by removing the current age criteria applied to the underpin implemented in 2014 for the LGPS. This underpin therefore would apply to all active members as at 1 April 2012. Employers will be able to choose to include these estimated costs over 2020/23 in their certified contributions. Alternatively, they will need to make allowance within their budgets and note that backdated contributions could be payable if the remedy is known before the next valuation.

# Appendix A – Actuarial method and assumptions

## Method

The actuarial method to be used in the calculation of the solvency funding target is the Projected Unit method, under which the salary increases assumed for each member are projected until that member is assumed to leave active service by death, retirement or withdrawal from service. This method implicitly allows for new entrants to the Fund on the basis that the overall age profile of the active membership will remain stable. As a result, for those employers which are closed to new entrants, alternative methods are adopted, which make advance allowance for the anticipated future ageing and decline of the current closed membership group potentially over the period of the rates and adjustments certificate.

## Financial assumptions – solvency funding target and cost of future accrual

### Investment return (discount rate) – Solvency Funding Target

The discount rate has been derived based on the expected return on the Fund assets based on the long term strategy set out in the Investment Strategy Statement (ISS). It includes appropriate margins for prudence. When assessing the appropriate discount rate consideration has been given to the returns in excess of CPI inflation (as derived below). The discount rate at the valuation has been derived based on an assumed return of 1.8% per annum above CPI inflation, i.e. a total discount rate of 4.2% per annum. This real return will be reviewed from time to time based on the investment strategy, market outlook and the Fund's overall risk metrics.

### Investment return (discount rate) – Cost of Future Accrual

The future service liabilities are calculated using the same assumptions as the solvency funding target except that a different financial assumption for the discount rate is used. A critical aspect here is that the Regulations state the desirability of keeping the "Primary Rate" (which is the future service rate) as stable as possible so this needs to be taken into account when setting the assumptions.

As future service contributions are paid in respect of benefits built up in the future, the Primary Rate should take account of the market conditions applying at future dates, not just the date of the valuation, thus it is justifiable to use a slightly higher expected return from the investment strategy. In addition, the future liabilities for which these contributions will be paid have a longer average duration than the past service liabilities as they relate to active members only.

The financial assumptions in relation to future service (i.e. the normal cost) are based on an overall assumed real discount rate of 2.25% per annum above the long term average assumption for consumer price inflation of 2.4% per annum. This leads to a discount rate of 4.65% per annum.

### Inflation (Consumer Prices Index)

The inflation assumption will be taken to be the investment market's expectation for RPI inflation as indicated by the difference between yields derived from market instruments, principally conventional and index-linked UK Government gilts as at the valuation date,

reflecting the profile and duration of the Fund's accrued liabilities, but subject to an adjustment due to retirement pensions being increased annually by the change in the Consumer Price Index rather than the Retail Price Index

The overall reduction to RPI inflation at the valuation date is 1.0% per annum. The CPI inflation assumption at the valuation date is 2.4% per annum. This adjustment to the RPI inflation assumption will be reviewed from time to time to take into account any reform of the RPI index as announced by the Chancellor of the Exchequer. Any change will then be implemented for all relevant policies in this Funding Strategy Statement. The adjustment to the RPI inflation may also vary by funding basis. Further information is set out within the termination policy

### **Salary increases**

In relation to benefits earned prior to 1 April 2014, the assumption for real salary increases (salary increases in excess of price inflation) will be determined by an allowance of 1.5% p.a. over the inflation assumption as described above. This includes allowance for promotional increases. In addition to the long term salary increase assumption allowance has been made for expected short term pay restraint for employers. The default assumption is for pay growth of 2% (covering both headline increases and incremental drift) each year from the valuation date up to 31st March 2023 although employers will be able to opt for the long-term assumption only should they wish.

Application of bespoke salary increase assumptions as put forward by individual employers will be at the ultimate discretion of the Administering Authority but as a minimum must be reasonable and practical. Employers will need to provide clear evidence that justifies any bespoke assumptions (for example a long-term pay agreement). To the extent that experience differs to the assumption adopted, the effects will emerge at the next actuarial valuation.

### **Pension increases/Indexation of CARE benefits**

Increases to pensions are assumed to be in line with the inflation (CPI) assumption described above. This is modified appropriately to reflect any benefits which are not fully indexed in line with the CPI (e.g. some Guaranteed Minimum Pensions where the LGPS is not currently required to provide full indexation). For members in pensionable employment, their CARE benefits are also indexed by CPI although this can be less than zero i.e. a reduction in benefits, whereas for pension increases this cannot be negative, as pensions cannot be reduced.

## **Demographic assumptions**

### **Mortality/Life Expectancy**

The mortality in retirement assumptions will be based on the most up-to-date information in relation to self-administered pension schemes published by the Continuous Mortality Investigation (CMI), making allowance for future improvements in longevity and the experience of the scheme. The mortality tables used are set out below, with a loading reflecting Fund specific experience. The derivation of the mortality assumption is set out in a separate paper as supplied by the Actuary. A specific mortality assumption has also been adopted for current members who retire on the grounds of ill health. For all members, it is assumed that the accelerated trend in longevity seen in recent years will continue in the longer term and as such, the assumptions build in a minimum level of longevity 'improvement' year on year in the future in line with the CMI projections and a long term improvement trend of 1.75% per annum.

The mortality before retirement has also been reviewed based on LGPS wide experience.

## **Commutation**

It has been assumed that, on average, retiring members will take 80% of the maximum tax-free cash available at retirement. This is broadly equivalent to the assumption at the 2016 actuarial valuation. The option which members have to commute part of their pension at retirement in return for a lump sum is a rate of £12 cash for each £1 p.a. of pension given up.

## **Other Demographics**

Following an analysis of Fund experience carried out by the Actuary, the proportions married/civil partnership, rates of ill-health retirement and withdrawal from active service assumptions remain in line with the assumptions adopted for the last valuation. In addition, no allowance will continue to be made for the future take-up of the 50:50 option. Where any member has actually opted for the 50:50 scheme, this will be allowed for in the assessment of the rate for the next 3 years. Other assumptions are as per the last valuation.

## **Expenses**

Expenses are met out of the Fund, in accordance with the Regulations. This is allowed for by adding 0.7% of pensionable pay to the contributions as required from participating employers. This addition is reassessed at each valuation. Investment expenses have been allowed for implicitly in determining the discount rates.

For employers exiting the Fund, the assessment of the termination position will include an allowance for the estimated costs of future administrative expenses associated with any members remaining in the Fund who were associated with the exiting employer.

## **Discretionary Benefits**

The costs of any discretion exercised by an employer in order to enhance benefits for a member through the Fund will be subject to additional contributions from the employer as required by the Regulations as and when the event occurs. As a result, no allowance for such discretionary benefits has been made in the valuation.

## **Method and Assumptions used in calculating Recovery Plan Contributions (or Secondary Rate)**

The contributions payable under the recovery plan are calculated using the same assumptions as those used to calculate the funding target with the exception that, under specific circumstances, for certain employers which are considered by the Administering Authority to provide a high level of financial covenant, an allowance may be made within the recovery plan for investment performance at a higher level than that assumed for assessing the funding target (on the proviso that the Fund's investment strategy will be amended in order to deliver the additional returns for a similar level of risk). This means that the required contributions may be adjusted to allow for the following variation in assumptions during the period of the recovery plan:

### **Investment return on existing assets and future contributions**

A maximum overall return effective as at the valuation date of 2% p.a. above CPI, reflecting the expected changes in investment strategy that will result in additional returns of up to 0.2% p.a. above CPI. This will apply to the assets of the scheme that underlie the non-pensioner as well as the pensioner liabilities.

The investment return assumed under the recovery plan is taken to apply throughout the recovery period. As a result, any change in investment strategy which would act to reduce

the expected future investment returns could invalidate these assumptions and therefore the recovery plan.

As indicated above, this variation to the assumptions in relation to the recovery plan can only be applied for those employers which the Administering Authority deems to be of sufficiently high financial covenant to support the anticipation of investment returns, based on the current investment strategy, over the entire duration of the recovery period. No such variation in the assumptions will apply in any case to any employer which does not have a funding deficit at the valuation (and therefore for which no recovery plan is applicable).

## **Employer asset shares**

The Fund is a multi-employer pension Fund that is not formally unitised and so individual employer asset shares are calculated at each actuarial valuation. This means it is necessary to make some approximations in the timing of cashflows and allocation of investment returns when deriving the employer asset share. In attributing the overall investment performance obtained on the assets of the Fund to each employer a pro-rata principle is adopted. This approach is effectively one of applying a notional individual employer investment strategy identical to that adopted for the Fund as a whole unless agreed otherwise between the employer and the Fund at the sole discretion of the Administering Authority.

At each review, cashflows into and out of the Fund relating to each employer, any movement of members between employers within the Fund, along with investment return earned on the asset share, are allowed for when calculating asset shares at each valuation. In addition, the asset share maybe restated for changes in data or other policies.

Other adjustments are also made on account of the funding positions of orphan bodies which fall to be met by all other active employers in the Fund.

**Summary of key whole Fund assumptions used for calculating funding target and cost of future accrual (the “primary rate”) for the 2019 actuarial valuation**

Long-term yields	
Market implied RPI inflation	3.40% p.a.
Solvency Funding Target financial assumptions	
Investment return/Discount Rate	4.20% p.a.
CPI price inflation	2.40% p.a.
Long Term Salary increases*	3.90% p.a.
Pension increases/indexation of CARE benefits**	2.40% p.a.
Future service accrual financial assumptions	
Investment return/Discount Rate	4.65% p.a.
CPI price inflation	2.40% p.a.
Long Term Salary increases*	3.90% p.a.
Pension increases/indexation of CARE benefits	2.40% p.a.

\* in addition to this, an allowance for further short-term pay restraint may be made. This will be 2% per annum for 4 years to 31 March 2023 depending on an employer’s circumstances.

\*\* for those members reaching State Pension Age between 6 April 2016 and 5 April 2021, full CPI increases on Guaranteed Minimum Pensions have been assumed once in payment. Otherwise statutory increases on Guaranteed Minimum Pension will apply e.g. nil on Guaranteed Minimum Pensions accrued prior to 6 April 1988 and in line with CPI (subject to a maximum of 3% p.a.) for Guaranteed Minimum Pensions accrued after 5 April 1988.

**Life expectancy assumptions**

The post retirement mortality tables adopted for this valuation, along with sample life expectancies, are set out below:



**-Post retirement mortality tables**

Current Status	Retirement Type	Mortality Table
Pensioner	Normal Health	98% S3PMA_CMI_2018 [1.75%] 88% S3PFA_M_CMI_2018 [1.75%]
	Dependant	128% S3PMA_CMI_2018 [1.75%] 85% S3DFA_CMI_2018 [1.75%]
	Ill Health	121% S3IMA_CMI_2018 [1.75%] 129% S3IFA_CMI_2018 [1.75%]
	Future Dependant	126% S3PMA_CMI_2018 [1.75%] 109% S3DFA_CMI_2018 [1.75%]
Active	Normal Health	105% S3PMA_CMI_2018 [1.75%] 90% S3PFA_M_CMI_2018 [1.75%]
	Ill Health	121% S3IMA_CMI_2018 [1.75%] 139% S3IFA_CMI_2018 [1.75%]
Deferred	All	124% S3PMA_CMI_2018 [1.75%] 104% S3PFA_M_CMI_2018 [1.75%]
Future Dependant	Dependant	131% S3PMA_CMI_2018 [1.75%] 113% S3DFA_CMI_2018 [1.75%]

**-Life expectancies at age 65**

Membership Category	Male Life Expectancy at 65	Female Life Expectancy at 65
Pensioners	22.6	25.1
Actives aged 45 now	24.1	27.0
Deferreds aged 45 now	22.8	25.9

Other demographic assumptions are set out in the Actuary's formal report.



# Appendix B – Employer Deficit Recovery Plans

As the assets of the Fund are less than the liabilities at the effective date, a deficit recovery plan needs to be adopted such that additional contributions are paid into the Fund to meet the shortfall.

Deficit contributions paid to the Fund by each employer will be expressed as £s amounts increasing at 3.9% per annum (in line with long-term pay growth assumption) and it is the Fund's objective that any funding deficit is eliminated as quickly as the participating employers can reasonably afford based on the Administering Authority's view of the employer's covenant and risk to the Fund.

Recovery periods will be set by the Fund on a consistent basis across employer categories where possible and communicated as part of the discussions with employers. This will determine the minimum contribution requirement and employers will be free to select any shorter deficit recovery period and higher contributions if they wish, including the option of prepaying the deficit contributions in one lump sum either on annual basis or a one-off payment. This will be reflected in the monetary amount requested via a reduction in overall £ deficit contributions payable.

The determination of the recovery periods is summarised in the table below:

Category	Default Deficit Recovery Period	Derivation
Scheme Employers	16 years	Determined by maintaining the period from the preceding valuation and to ensure, where appropriate, contributions do not reduce versus those expected from the existing recovery plan. <u>For certain employers, subject to the agreement of the administering authority, depending on affordability and other considerations, a maximum recovery period of up to 19 years may be applied</u>
Open Admitted Bodies	16 years	Determined by maintaining the period from the preceding valuation and to ensure, where appropriate, contributions do not reduce versus those expected from the existing recovery plan.
Closed Employers	Lower of 16 years and the future working lifetime of the membership	Determined by maintaining the period from the preceding valuation and to ensure, where appropriate, contributions do not reduce versus those expected from the existing recovery plan.
Employers with a limited participation in the Fund	Determined on a case by case basis	Length of expected period of participation in the Fund..

In determining the actual recovery period to apply for any particular employer or employer grouping, the Administering Authority may take into account some or all of the following factors:

- The size of the funding shortfall;
- The business plans of the employer;
- The assessment of the financial covenant of the Employer, and security of future income streams;
- Any contingent security available to the Fund or offered by the Employer such as guarantor or bond arrangements, charge over assets, etc.

The objective is to recover any deficit over a reasonable timeframe, and this will be periodically reviewed. Subject to affordability considerations a key principle will be to maintain broadly the deficit contributions at the expected monetary levels from the preceding valuation (allowing for any indexation in these monetary payments over the recovery period), taking into account any changes in the future service contribution requirements.

For those employers assessed to be in surplus at the valuation date and who are expected to exit the Fund in the period to 31 March 2023, the Secondary rate payments will be based on the expected length of participation in the Fund. For all other employers assessed to be in surplus at the valuation date, the Secondary rate will be based on the maximum recovery period, unless otherwise agreed by the Administering Authority.

### **Other factors affecting the employer deficit recovery plans**

As part of the process of agreeing funding plans with individual employers and managing risk in the inter-valuation period, the Administering Authority will consider the use of contingent assets and other tools such as bonds or guarantees that could assist employing bodies in managing the cost of their liabilities or could provide the Fund with greater security against outstanding liabilities. All other things equal this could result in a longer recovery period being acceptable to the Administering Authority, although employers will still be expected to at least cover expected interest costs on the deficit.

It is acknowledged by the Administering Authority that, whilst posing a relatively low risk to the Fund as a whole, a number of smaller employers may be faced with significant contribution increases that could seriously affect their ability to function in the future. The Administering Authority therefore may in some cases be willing to use its discretion to accept an evidence based affordable level of contributions for such organisations for the three years 2020/2023. Any application of this option is at the ultimate discretion of the Fund officers and Section 151 officer in order to effectively manage risk across the Fund. It will only be considered after the provision of the appropriate evidence as part of the covenant assessment and also the appropriate professional advice.

For those bodies identified as having a weaker covenant, the Administering Authority will need to balance the level of risk plus the solvency requirements of the Fund with the sustainability of the organisation when agreeing funding plans. As a minimum, the annual deficit payment must meet the on-going interest costs to ensure, everything else being equal, that the deficit does not increase in monetary terms.

Notwithstanding the above, the Administering Authority, in consultation with the actuary, has also had to consider whether any exceptional arrangements should apply in particular cases.

# **Appendix C – Admission policy, termination policy, Flexibility for exit payments and deferred debt agreements**

This document details the Islington Council Pension Fund's (ICPF) policy on the methodology for assessment of ongoing contribution requirements and termination payments in the event of the cessation of an employer's participation in the Fund. This document also covers ICPF's policy on admissions into the Fund and sets out the considerations for current and former admission bodies. It supplements the general policy of the Fund as set out in the Funding Strategy Statement (FSS).

A list of all current employing bodies participating in the ICPF is kept as a live document and will be updated by the Administering Authority as bodies are admitted to, or leave the ICPF.

Please see the glossary for an explanation of the terms used throughout this Appendix.

## **Entry to the fund**

### **Mandatory scheme employers**

Certain employing bodies are required to join the scheme under the Regulations. These bodies include tax raising bodies, those funded by central government (academies and colleges) and universities (reliant on non-government income). Academies also fall under this category.

### **Designating Bodies**

Designating bodies are permitted to join the scheme if they pass a resolution to this effect. Designating bodies, other than connected entities, are not required under the Regulations to provide a guarantee. These bodies usually have tax raising powers and include Parish and Town Councils.

### **Admission Bodies**

An admitted body is an employer which, if it satisfies certain regulatory criteria, can apply to participate in the Fund. If its application is accepted by the administering authority, it will then have an "admission agreement". In accordance with the Regulations, the admission agreement sets out the conditions of participation of the admitted body including which employees (or categories of employees) are eligible to be members of the Fund.

Admitted bodies can join the Fund if

- They provide a service for a scheme employer as a result of an outsourcing (formerly known as Transferee Admission Bodies)

- They provide some form of public service and their funding in most cases derives primarily from local or central government. In reality they take many different forms but the one common element is that they are “not for profit” organisations (formerly known as Community Admission Bodies).

Admitted bodies may only join the Fund if they are guaranteed by a scheme employer. When the agreement or service provision ceases, the Fund’s policy is that in all cases it will look to recover any outstanding deficit from the outgoing body unless appropriate instruction is received from the outsourcing employer or guaranteeing employer, in which case the assets and liabilities of the admission body will in revert to the outsourcing scheme employer or guaranteeing employer.

## **Connected Entities**

Connected entities by definition have close ties to a scheme employer given that a connected entity is included in the financial statements of the scheme employer.

Although connected entities are “Designating Bodies” under the Regulations, they have similar characteristics to admitted bodies (in that there is an “outsourcing employer”). However, the Regulations do not strictly require such bodies to have a guarantee from a scheme employer.

However, to limit the risk to the Fund, the Fund will require that the scheme employer provides a guarantee for their connected entity, in order that the ongoing funding basis will be applied to value the liabilities.

## **Second generation outsourcings for staff not employed by the scheme employer contracting the services to an admitted body**

A 2nd generation outsourcing is one where a service is being outsourced for the second time, usually after the previous contract has come to an end. For Best Value Authorities, principally the unitary authorities, they are bound by The Best Value Authorities Staff Transfers (Pensions) Direction 2007 so far as 2nd generation outsourcings are concerned. In the case of most other employing bodies, they should have regard to Fair Deal Guidance issued by the Government.

It is usually the case that where services have previously been outsourced, the transferees are employees of the contractor as opposed to the original scheme employer and as such will transfer from one contractor to another without being re-employed by the original scheme employer. There are even instances where staff can be transferred from one contractor to another without ever being employed by the outsourcing scheme employer that is party to the Admission Agreement. This can occur when one employing body takes over the responsibilities of another, such as a maintained school (run by the local education authority) becoming an academy. In this instance the contracting body is termed a ‘Related Employer’ for the purposes of the Local Government Pension Scheme Regulations and is obliged to guarantee the pension liabilities incurred by the contractor.

“Related employer” is defined as “any Scheme employer or other such contracting body which is a party to the admission agreement (other than an administering authority in its role as an administering authority)”.

## Risk assessments

Prior to admission to the Fund, an Admitted Body is required to carry out an assessment of the level of risk on premature termination of the contract to the satisfaction of the Administering Authority. If the risk assessment and/or bond amount is not to the satisfaction of the Administering Authority (as required under the LGPS Regulations) it will consider and determine whether the admission body must pre-fund for termination with contribution requirements assessed using the ~~minimum-risk~~low risk termination methodology and assumptions.

Some aspects that the Administering Authority may consider when deciding whether to apply a ~~minimum~~low risk methodology are:

- Uncertainty over the security of the organisation's funding sources e.g. the body relies on voluntary or charitable sources of income or has no external funding guarantee/reserves;
- If the admitted body has an expected limited lifespan of participation in the Fund;
- The average age of employees to be admitted and whether the admission is closed to new joiners.

In order to protect other Fund employers, where it has been considered undesirable to provide a bond, a guarantee must be sought in line with the LGPS Regulations.

## Admitted bodies providing a service

Generally Admitted Bodies providing a service will have a guarantor within the Fund that will stand behind the liabilities. Accordingly, in general, the ~~minimum~~low risk approach to funding and termination will not apply for these bodies.

As above, the Admitted Body is required to carry out an assessment of the level of risk on premature termination of the contract to the satisfaction of the Administering Authority. This assessment would normally be based on advice in the form of a "risk assessment report" provided by the actuary to the ICPF. As the Scheme Employer is effectively the ultimate guarantor for these admissions to the ICPF it must also be satisfied (along with the Administering Authority) over the level (if any) of any bond requirement. Where bond agreements are to the satisfaction of the Administering Authority, the level of the bond amount will be subject to review on a regular basis.

In the absence of any other specific agreement between the parties, deficit recovery periods for Admitted Bodies will be set in line with the Fund's general policy as set out in the FSS.

Any risk sharing arrangements agreed between the Scheme Employer and the Admitted Body will be documented in the commercial agreement between the two parties and not the admission agreement.

In the event of termination of the Admitted Body, any orphan liabilities in the Fund will be subsumed by the relevant Scheme Employer.

An exception to the above policy applies if the guarantor is not a participating employer within the ICPF, including if the guarantor is a participating employer within another LGPS Fund. In order to protect other employers within the ~~Page 58~~ Administering Authority may

in this case treat the admission body as pre-funding for termination, with contribution requirements assessed using the minimum-low risk methodology and assumptions.

## **Contribution Rate Assessments**

Where there are less than 5 members transferring at the point of admission, unless agreed otherwise with the Administering Authority, the initial contribution rate payable from the date of admission, will be set in line the corresponding contribution rate payable by the letting employer towards future service benefit accrual. The initial rate payable will be a combination of the Primary Rate certified for the employer following the most recent actuarial valuation plus any % element of the employer's Secondary Rate certified i.e. excluding any certified deficit contribution / surplus offset. The initial rate will apply until the actuarial valuation following the date of admission when the new admitted body's contribution requirements will be fully reassessed.

In all other situations, unless agreed otherwise with the Administering Authority, the Actuary will undertake an assessment of the required contribution rate payable by the new admitted body.

## **Pre-funding for termination**

An employing body may choose to pre-fund for termination i.e. to amend their funding approach to a minimum-low risk methodology and assumptions. This will substantially reduce the risk of an uncertain and potentially large debt being due to the Fund at termination. However, it is also likely to give rise to a substantial increase in contribution requirements, when assessed on the minimum risk basis.

For any employing bodies funding on such a minimum-low risk strategy a notional investment strategy will be assumed as a match to the liabilities. In particular, the employing body's notional asset share of the Fund will be credited with an investment return in line with the minimum-low risk funding assumptions adopted rather than the actual investment return generated by the actual asset portfolio of the entire Fund. The Fund reserves the right to modify this approach in any case where it might materially affect the finances of the Scheme, or depending on any case specific circumstances.

## **Exiting the fund**

### **Termination of an employer's participation**

When an employer's participation in the Fund comes to its end, or is prematurely terminated for any reason (e.g. a contract with a local authority comes to an end or the employer chooses to voluntarily cease participation), employees may transfer to another employer, either within the Fund or elsewhere. If this is not the case the employees will retain pension rights within the Fund i.e. either deferred benefits or immediate retirement benefits.

In addition to any liabilities for current employees the Fund will also retain liability for payment of benefits to former employees, i.e. to existing deferred and pensioner members except where there is a complete transfer of responsibility to another Fund with a different Administering Authority.



Where the Fund obtains advance notice that an employer's participation is coming to an end, the Regulations enable the Fund to commission a funding assessment leading to a revised contribution certificate which is designed to eliminate, as far as possible, any surplus or deficit by the cessation date.

Whether or not an interim contribution adjustment has been initiated once participation in the Fund has ceased, the employer becomes an exiting employer under the Regulations and the Fund is then required to obtain an actuarial valuation of that employer's liabilities in respect of benefits of the exiting employer's current and former employees along with a revision of the rates and adjustment certificate showing any contributions due from the admission body.

When an employer exits the Fund the Regulations give power to the Fund to set a repayment plan to recover the outstanding debt over a period at its sole discretion and this will depend on the affordability of the repayments and financial strength of the exiting employer. Once this repayment plan is set the payments would not be reviewed for changes in the funding position due to market or demographic factors.

The Fund's policy for termination payment plans is as follows:

- The default position is for exit payments and exit credits to be paid immediately in full unless agreed otherwise with the relevant parties.
- At the discretion of the administering authority, instalment plans over a defined period will only be agreed when there are issues of affordability that risk the financial viability of the organisation and the ability of the Fund to recover the debt (see further details below).
- Any costs associated with the exit valuation will be paid by the employer by either increasing the exit payment or reducing the exit credit by the appropriate amount. In the case of an employer where the exit debt/credit is the responsibility of the original employer through a risk sharing agreement the costs will be charged directly to the employer unless the original employer directs otherwise.

In the event that unfunded liabilities arise that cannot be recovered from the exiting employer, these will normally fall to be met by the Fund as a whole (i.e. all employers) unless there is a guarantor or successor body within the Fund.

## **Basis of termination**

Whilst reserving the right to consider options on a case by case basis, the ICPF's policy is that a termination assessment will be made based on a minimum-low risk funding basis, unless the employing body has a guarantor within the Fund or a successor body exists to take over the employing body's liabilities (including those for former employees). This is to protect the other employers in the Fund as, at termination, the employing body's liabilities will become orphan liabilities within the Fund, and there will be no recourse to it if a shortfall emerges in the future (after participation has terminated).

Details of the minimum-low risk funding basis are shown below.

If, instead, the employing body has a guarantor within the Fund or a successor body exists to take over the employing body's liabilities, the ICPF's policy is that the valuation funding basis will be used for the termination assessment unless the guarantor informs the ICPF otherwise. The guarantor or successor body will then, following any termination payment made, subsume the assets and liabilities of the employing body within the Fund. (For Admission Bodies, this process is sometimes known as "novation" of the admission



agreement.) This may, if agreed by the successor body, constitute a complete amalgamation of assets and liabilities to the successor body, including any funding deficit (or surplus) on closure. In these circumstances no termination payment will be required from (or made to) the outgoing employing body itself, as the deficit (or surplus) would be recovered via the successor body's own deficit recovery plan.

It is possible under certain circumstances that an employer can apply to transfer all assets and current and former members' benefits to another LGPS Fund in England and Wales. In these cases, no termination assessment is required as there will no longer be any orphan liabilities in the ICPF. Therefore, a separate assessment of the assets to be transferred will be required.

Whether or not the termination liabilities are assessed on the valuation funding basis or the low risk termination basis, the liabilities will also include an allowance for estimated future administrative expenses in relation to any remaining members on termination.

## Implementation

### Admission bodies participating by virtue of a contractual arrangement

For employers that are guaranteed by a guarantor (usually the original employer or letting authority), the Fund's policy at the point of cessation is for the guarantor to subsume the residual assets, liabilities and any surplus or deficit under the default policy. In some instances an exit debt may be payable by an employer before the assets and liabilities are subsumed by the guarantor, this will be considered on a case-by-case basis. No payment of an exit credit will be payable unless representation is made as set out below.

If there is any dispute, then the following arrangements will apply:

- In the case of a surplus, in line with the amending Regulations (**The Local Government Pension Scheme (Amendment) Regulations 2020**) the parties will need to make representations to the Administering Authority if they believe an Exit Credit should be paid outside the policy set out above, or if they dispute the determination of the Administering Authority. The Fund will notify the parties of the information required to make the determination on request.
- If the Fund determines an Exit Credit is payable then they will pay this directly to the exiting employer within 6 months of completion of the final cessation assessment by the Actuary.
- In the case of a deficit, in order to maintain a consistent approach, the Fund will seek to recover this from the exiting employer in the first instance although if this is not possible then the deficit will be recovered from the guarantor either as a further contribution collection or at the next valuation.

If requested, the Administering Authority will provide details of the information considered as part of the determination. A determination notice will be provided alongside the termination assessment from the Actuary. The notice will cover the following information and process steps:

1. Details of the employers involved in the process (e.g. the exiting employer and guarantor).

2. Details of the admission agreement, commercial contracts and any amendments to the terms that have been made available to the Administering Authority and considered as part of the decision making process. The underlying principle will be that if an employer is responsible for a deficit, they will be eligible for any surplus. This is subject to the information provided and any risk sharing arrangements in place.
3. The final termination certification of the exit credit by the Actuary.
4. The Administering Authority's determination based on the information provided.
5. Details of the appeals process in the event that a party disagrees with the determination and wishes to make representations to the Administering Authority.

In some instances, the outgoing employer may only be responsible for part of the residual deficit or surplus as per the separate risk sharing agreement. The default is that any surplus would be retained by the Fund in favour of the outsourcing employer/guarantor unless representation is made by the relevant parties in line with the Regulations as noted above. For the avoidance of doubt, where the outgoing employer is not responsible for any costs under a risk sharing agreement then no exit credit will be paid as per the Regulations unless the Fund is aware of the provisions of the risk sharing agreement in any representation made and determines an exit credit should be paid.

The Government has confirmed that a remedy is required for the LGPS in relation to the McCloud judgment, however the final remedy is not currently known with any certainty although it is expected to be similar to the allowance made in the employer rates at this valuation. Where a surplus or deficit is being subsumed, no allowance will be made for McCloud within the calculations. However, if a representation is made to the Administering Authority then a reasonable estimate for the potential cost of McCloud will need to be included. This will be calculated in line with the treatment set out in this Funding Strategy Statement for all members of the outgoing employer. For the avoidance of doubt, there will be no recourse for an employer with regard to McCloud, once the final termination has been settled and payments have been made. Once the remedy is known, any calculations will be performed in line with the prevailing regulations and guidance in force at the time.

In the event of parties unreasonably seeking to crystallise the exit credit on termination unreasonably the Fund will consider its overall policy and seek to recover termination deficits as opposed to allowing them to be subsumed with no impact on contribution requirements until the next assessment of the contribution requirements for the guarantor. Equally where a guarantor decides not to underwrite the residual liabilities then the termination assessment will assume the liabilities are orphaned and the minimum-low risk basis of termination will be applied.

As the guarantor will absorb the residual assets and liabilities under the default policy above, it is the view of the Actuary that the ongoing valuation basis described above should be adopted for the termination calculations. This is the way the initial admission agreement would typically be structured i.e. the admission would be fully funded based on liabilities assessed on the valuation basis.

If the guarantor refuses to take responsibility, then the residual deferred pensioner and pensioner liabilities should be assessed on the more cautious minimum-low risk basis. In this situation the size of the termination payment would also depend on what happened to the active members and if they all transferred back to the original Scheme Employer (or elsewhere) and aggregated their previous benefits. As the transfer would normally be effected on a "fully funded" valuation basis the termination payment required would vary depending on the circumstances of the case. Where this occurs the exiting employer would then be treated as if it had no guarantor as per the policy below.

The Administering Authority also reserves the right to modify this approach on a case by case basis at its sole discretion if circumstances warrant it based on the advice of the Actuary, based on representations from the interested parties where appropriate.

### **Non contract based admission bodies with a guarantor in the fund**

The approach for these will be the same as that above and will depend on whether the guarantor is prepared to accept responsibility for residual liabilities. Indeed, it may be that Fund is prepared to accept that no actual termination payment is needed (even if one is calculated) and that all assets/liabilities can simply be absorbed by the guarantor.

### **Admission bodies with no guarantor in the fund**

These are the cases where the residual liabilities would be orphaned within Fund. It is possible that a bond would be in place. The termination calculation would be on the more cautious "minimum-low risk" basis.

The actuarial valuation and the revision of any Rates and Adjustments Certificate in respect of the outgoing admission body must be produced by the Actuary at the time when the admission agreement ends; the policy will always be subject to change in the light of changing economic circumstances and legislation.

The policy for such employers will be:

- In the case of a surplus, the Fund pays the exit credit to the exiting employer following completion of the termination process (within 6 months of completion of the cessation assessment by the Actuary). This is subject to the exiting employer providing sufficient notice to the Fund of their intent to exit; any delays in notification will impact on the payment date.
- In the case of a deficit, the Fund would require the exiting employer to pay the termination deficit to the Fund as an immediate lump sum cash payment (unless agreed otherwise by the Administering Authority at their sole discretion) following completion of the termination process.

The Government has confirmed that a remedy is required for the LGPS in relation to the McCloud judgment, however the final remedy is not known. As part of any termination assessment, a reasonable estimate for the potential cost of McCloud will be included. This will be calculated in line with the treatment set out in this Funding Strategy Statement for all members of the outgoing employer. For the avoidance of doubt, there will be no recourse for an employer with regard to McCloud, once the final termination has been settled and payments have been made. Once the remedy is known, any calculations will be performed in line with the prevailing regulations and guidance in force at the time.

The Administering Authority also reserves the right to modify this approach on a case by case basis at its sole discretion if circumstances warrant it based on the advice of the Actuary.

The above funding principles will also impact on the **bond requirements** for certain admitted bodies. The purpose of the bond is that it should cover any unfunded liabilities arising on termination that cannot be reclaimed from the outgoing body.

### **Connected Entities**

In the event of cessation, the connected entity will be required to meet any outstanding liabilities valued in line with the approach outlined above. In the event there is a shortfall,

the assets and liabilities will revert to the Fund as a whole (i.e. all current active employers).

In the event that a scheme employer provides a guarantee for their connected entity, the assets and liabilities will revert in totality to that scheme employer on termination, including any unrecovered deficit.

## **Policy in relation to the flexibility for exit debt payments and deferent debt agreements (DDA)**

The Fund's policy for termination payment plans is as follows:

1. The default position is for exit payments to be paid immediately in full unless there is a risk sharing arrangement in place with a guaranteeing Scheme employer in the Fund whereby the exiting employer is not responsible for any exit payment. In the case of an exit credit the determination process set out above will be followed.
2. At the discretion of the administering authority, instalment plans over an agreed period or a Deferred Debt Agreement will only be agreed subject to the policy in relation to any flexibility in recovering exit payments.

As set out above, the default position for exit payments is that they are paid in full at the point of exit (adjusted for interest where appropriate). If an employer requests that an exit debt payment is recovered over a fixed period of time or that they wish to enter into a Deferred Debt Agreement with the Fund, they must make a request in writing covering the reasons for such a request. Any deviation from this position will be based on the Administering Authority's assessment of whether the full exit debt is affordable and whether it is in the interests of taxpayers to adopt either of the approaches. In making this assessment the Administering Authority will consider the covenant of the employer and also whether any security is required and available to back the arrangements.

Any costs (including necessary actuarial, legal and covenant advice) associated with assessing this will be borne by the employer and will be charged as an upfront payment to the Fund.

The following policy and processes will be followed in line with the principles set out in the statutory guidance published 2 March 2021.

## **Policy for spreading exit payments**

The following process will determine whether an employer is eligible to spread their exit payment over a defined period.

1. The Administering Authority will request updated financial information from the employer including management accounts showing expected financial progression of the organisation and any other relevant information to use as part of their covenant review. If this information is not provided then the default policy of immediate payment will be adopted.
2. Once this information has been provided, the Administering Authority (in conjunction with the Fund Actuary, covenant and legal advisors where necessary) will review the covenant of the employer to determine whether it is in the interests of the Fund to allow them to spread the exit debt over a period of time. Depending on the length of the period and also the size of the outstanding debt, the Fund may request security to

support the payment plan before entering into an agreement to spread the exit payments.

3. This could include non-uniform payments e.g. a lump sum up front followed by a series of payments over the agreed period. The payments required will include allowance for interest on late payment.
4. The initial process to determine whether an exit debt should be spread may take up to 6 months from receipt of data so it is important that employers who request to spread exit debt payments notify the Fund in good time
5. If it is agreed that the exit payments can be spread then the Administering Authority will engage with the employer regarding the following:
  - a. The spreading period that will be adopted (this will be subject to a maximum of 5 years).
  - b. The initial and annual payments due and how these will change over the period
  - c. The interest rates applicable and the costs associated with the payment plan devised (which will be met by the employer unless agreed otherwise with the Administering Authority)
  - d. The level of security required to support the payment plan (if any) and the form of that security e.g. bond, escrow account etc.
  - e. The responsibilities of the employer during the exit spreading period including the supply of updated information and events which would trigger a review of the situation
  - f. The views of the Actuary, covenant, legal and any other specialists necessary
  - g. The covenant information that will be required on a regular basis to allow the payment plan to continue.
  - h. Under what circumstances the payment plan may be reviewed or immediate payment requested (e.g. where there has been a significant change in covenant or circumstances)
6. Once the Administering Authority has reached its decision, the arrangement will be documented and any supporting agreements will be included.

## **Employers participating with no contributing members**

As opposed to paying the exit debt an employer may participate in the Fund with no contributing members and utilise the “Deferred Debt Agreements” (DDA) at the sole discretion of the Administering Authority. This would be at the request of the employer in writing to the Administering Authority.

The following process will determine whether the Fund and employer will enter into such an arrangement:

1. The Administering Authority will request updated financial information from the employer including management accounts showing expected financial progression of the organisation. If this information is not provided then a DDA will not be entered into by the Administering Authority



2. Once this information has been provided, the Administering Authority will firstly consider whether it would be in the best interests of the Fund and employers to enter into such an arrangement with the employer. This decision will be based on a covenant review of the employer to determine whether the exit debt that would be required if the arrangement was not entered into is affordable at that time (based on advice from the Actuary, covenant and legal advisor where necessary).
3. The initial process to determine whether a Deferred Debt Agreement should apply may take up to 6 months from receipt of the required information so an employer who wishes to request that the Administering Authority enters into such an arrangement needs to make the request in advance of the potential exit date.
4. If the Administering Authority's assessment confirms that the potential exit debt is not affordable, the Administering Authority will engage in discussions with the employer about the potential format of a Deferred Debt Agreement using the template Fund agreement which will be based on the principles set out in the Scheme Advisory Board's separate guide. As part of this, the following will be considered and agreed:
  - What security the employer can offer whilst the employer remains in the Fund. In general the Administering Authority won't enter into such an arrangement unless they are confident that the employer can support the arrangement on an ongoing basis. Provision of security may also result in a review of the recovery period and other funding arrangements.
  - Whether an upfront cash payment should be made to the Fund initially to reduce the potential debt.
  - What the updated secondary rate of contributions would be required up to the next valuation.
  - The financial information that will be required on a regular basis to allow the employer to remain in the Fund and any other monitoring that will be required.
  - The advice of the Actuary, covenant, legal and any other specialists necessary.
  - The responsibilities that would apply to the employer while they remain in the Fund.
  - What conditions would trigger the implementation of a revised deficit recovery plan and subsequent revision to the secondary contributions (e.g. provision of security).
  - The circumstances that would trigger a variation in the length of the deferred debt agreement (if appropriate), including a cessation of the arrangement (e.g. where the ability to pay contributions has weakened materially or is likely to weaken in the next 12 months). Where an agreement ceases an exit payment (or credit) could become payable. Potential triggers may be the removal of any security or a significant change in covenant assessed as part of the regular monitoring.
  - Under what circumstances the employer may be able to vary the arrangement e.g. a further cash payment or change in security underpinning the agreement.

The Administering Authority will then make a final decision on whether it is in the best interests of the Fund to enter into a Deferred Debt Agreement with the employer and confirm the terms that are required.

5. For employers that are successful in entering into a Deferred Debt Agreement, contribution requirements will continue to be reviewed as part of each actuarial valuation or in line with the Deferred Debt Agreement in the interim if any of the agreed triggers are met.
6. The costs associated with the advice sought and drafting of the Deferred Debt Agreement will be passed onto the employer and will be charged as an upfront payment to the Fund.

## **Minimum Risk Termination basis**

The minimum risk financial assumptions that applied at the actuarial valuation date (31 March 2019) are set out below in relation to any liability remaining in the Fund. ~~These will be updated on a case-by-case basis, with reference to prevailing market conditions at the relevant employing body's cessation date.~~

Minimum risk assumptions	31 March 2019
Discount Rate	1.5% p.a.
CPI price inflation	2.4% p.a.
Pension increases/indexation of CARE benefits	2.4% p.a.

The discount rate underlying the minimum risk basis was set with reference to the underlying yields available on fixed interest government bond yields at the valuation date.

Since the valuation date the Administering Authority has reviewed the minimum risk basis following advice from the Fund Actuary. As a result of this review the minimum risk basis has been replaced with a low risk basis for termination calculations with an effective date of 1 September 2021 onwards.

The discount rate underlying the low risk basis will be set with reference to the return on a notional portfolio of low risk assets (comprising investments such as gilts, bonds) that can be achieved with a high likelihood (c90%). The discount rate set will initially be equal to the underlying yields available on fixed interest government bond yields at the date of termination plus an additional 0.5% per annum. The discount rate will be kept under review over time.

In addition, since the valuation date, it has been announced that the derivation of the RPI measure of inflation will change to be in line with the CPIH inflation measure with effect from 2030. This therefore needs to be reflected when deriving an updated market estimate of CPI inflation.

For example when assessing a termination position on the ongoing funding assumptions (at February 2021) we will adjust the market RPI inflation to arrive at the CPI inflation assumption by deducting 0.6% per annum as opposed to the 1.0% per annum at the valuation date when assessing an employer's termination position. The adjustment to market RPI inflation will be reduced to 0.4% on the minimum low risk basis to reflect the fully hedged nature of the notional low risk portfolio. This adjustment will be kept under review over time.

The low risk financial assumptions that would have applied at 30 June 2021, had this new termination basis been in force at that time, are set out below. These will be updated on a

case-by-case basis, with reference to prevailing market conditions at the relevant employing body's cessation date.

<u>Low risk assumptions</u>	<u>30 June 2021</u>
<u>Discount Rate</u>	<u>1.7% p.a.</u>
<u>CPI price inflation</u>	<u>3.0% p.a.</u>
<u>Pension increases/indexation of CARE benefits</u>	<u>3.0% p.a.</u>

All demographic assumptions will be the same as those adopted for the 2019 actuarial valuation, except in relation to the life expectancy assumption. Given the minimum-low risk financial assumptions do not protect against future adverse demographic experience a higher level of prudence will be adopted in the life expectancy assumption.

The termination basis for an outgoing employer will include an adjustment to the assumption for longevity improvements over time by increasing the rate of improvement in mortality rates to 2% p.a. from 1.75% used in the 2019 valuation for ongoing funding and contribution purposes. This assumption will be reviewed from time to time to allow for any material changes in life expectancy trends and will be formally reassessed at the next valuation.

~~[Since the valuation date the Administering Authority has reviewed the minimum risk basis following advice from the Fund Actuary, the investment return assumption will be increased for terminations applying from [date] to [tbc]]~~

~~In addition, since the valuation date, it has been announced that RPI inflation will move to be in line with the CPIH inflation measure with effect from 2030. This therefore needs to be reflected when deriving an updated market estimate of CPI inflation.~~

~~For example when assessing a termination position on the ongoing funding assumptions (at February 2021) we will adjust the market RPI inflation to arrive at the CPI inflation assumption by deducting 0.6% per annum as opposed to the 1.0% per annum at the valuation date when assessing an employer's termination position. The adjustment to market RPI inflation will be reduced to [tbc]% on the minimum risk basis to reflect the market price of hedging inflation risk through index linked gilts. This adjustment will be kept under review over time.~~



|

# Appendix D – Review of Employer Contributions between valuations

In line with the Regulations that came into force on 23rd September 2020, the Administering Authority has the ability to review employer contributions between valuations. The Administering Authority and employers now have the following flexibilities:

1. The Administering Authority may review the contributions of an employer where there has been a significant change to the liabilities of an employer.
2. The Administering Authority may review the contributions of an employer where there has been a significant change in the employer's covenant.
3. An employer may request a review of contributions from the Administering Authority if they feel that either point 1 or point 2 applies to them. The employer would be required to pay the costs of any review following completion of the calculations and is only permitted to make one request between actuarial valuation dates (except in exceptional circumstances and at the sole discretion of the Administering Authority).

Where the funding position for an employer significantly changes solely due to a change in assets (and changes in actuarial assumptions), the overarching policy intent is that contribution reviews are not permitted outside of a full valuation cycle. However changes in assets would be taken into account when considering if an employer can support its obligations to the Fund after a significant covenant change (see 2. above).

The Administering Authority will consult with the employer prior to undertaking a review of their contributions including setting out the reason for triggering the review.

For the avoidance of doubt, any review of contributions may result in no change and a continuation of contributions as per the latest actuarial valuation assessment. In the normal course of events, a rate review would not be undertaken close to the next actuarial valuation date unless in exceptional circumstances. For example:

- A contribution review due to a change in membership profile would not be undertaken in the 6 months leading up to the next valuation Rates and Adjustments Certificate.
- However, where there has been a material change in covenant, a review will be considered on a case by case basis which will determine if it should take place and when any contribution change would be implemented. This will take into account the proximity of the actuarial valuation and the implementation of the contributions from that valuation.

## Situations where contributions may be reviewed

Contributions may be reviewed if the Administering Authority becomes aware of any of the following scenarios. Employers will be notified if this is the case.

Consideration will also be given to the impact that any employer changes may have on the other employers and on the Fund as a whole, when deciding whether to proceed with a contribution review.

### 1) Significant changes in the employer's liabilities

This includes but is not limited to the following scenarios:

- a) Significant changes to the employer's membership which will have a material impact on their liabilities, such as:
  - i. Restructuring of an employer
  - ii. A significant outsourcing or transfer of staff to another employer (not necessarily within the Fund)
  - iii. A bulk transfer into or out of the employer
  - iv. Other significant changes to the membership for example due to redundancies, significant salary awards, ill health retirements or a large number of withdrawals
- b) Two or more employers merging including insourcing and transferring of services
- c) The separation of an employer into two or more individual employers

In terms of assessing the triggers under a) above, the Administering Authority will only consider a review if the change in liabilities is expected to be more than 510% of the total liabilities. In some cases this may mean there is also a change in the covenant of the employer.

Any review of the rate will only take into account the impact of the change in liabilities (including any underfunding in relation to pension strain costs) both in terms of the Primary and Secondary rate of contributions.

### 2) Significant changes in the employer's covenant

- a) This includes but is not limited to the following scenarios:
- b) Provision of, or removal of, or impairment of, security, bond, guarantee or some other form of indemnity by an employer against their obligations in the Fund. For the avoidance of doubt, this includes provision of security to any other pension arrangement which may impair the security provided to the Fund.
- c) Material change in an employer's immediate financial strength or longer-term financial outlook (evidence should be available to justify this) including where an employer ceases to operate or becomes insolvent.
- d) Where an employer exhibits behaviour that suggests a change in their ability and/or willingness to pay contributions to the Fund.

In some instances, a change in the liabilities will also result in a change in an employer's ability to meet this obligations.

Whilst in most cases the regular covenant updates requested by the Administering Authority will identify some of these changes, in some circumstances employers will be required to agree to notify the Administering Authority of any material changes. Where

this applies, employers will be notified separately and the Administering Authority will set out the requirements.

Additional information will be sought from the employer in order to determine whether a contribution review is necessary. This may include annual accounts, budgets, forecasts and any specific details of restructure plans. As part of this, the Administering Authority will take advice from the Fund Actuary, covenant, legal and any other specialist adviser.

In this instance, any review of the contribution rate would include consideration of the updated funding position (both on an ongoing and termination basis) and would usually allow for changes in asset values when considering if the employer can meet its obligations on both an ongoing and termination basis (if applicable). This could then lead to the following actions (see further comments below):

- The contributions changing or staying the same depending on the conclusion, and/or;
- Security to improve the covenant to the Fund, and/or;
- Funding for termination

## **Process and potential outcomes of a contribution review**

Where one of the listed events occurs, the Administering Authority will enter into discussion with the employer to clarify details of the event and any intent of the Administering Authority to review contributions. Ultimately, the decision to review contributions as a result of the above events rests with the Administering Authority after, if necessary, taking advice from their Actuary, legal or a covenant specialist advisors.

This also applies where an employer notifies the Administering Authority of the event and requests a review of the contributions. The employer will be required to agree to meet any professional and administration costs associated with the review. The employer will be required to outline the rationale and case for the review through a suitable exchange of information prior to consideration by the Administering Authority.

The Administering Authority will consider whether it is appropriate to use updated membership data within the review (e.g. where the change in data is expected to have a material effect on the outcome) and whether any supporting information is required from the employer.

As well as revisiting the employer's contribution plan, as part of the review it is possible that other parts of the funding strategy will also be reviewed where the covenant of the employer has changed, for example the Fund will consider:

- Whether the employer should fund for termination.
- Whether the Primary contribution rate should be adjusted to allow for any profile change and/or move to fund for termination
- Whether the secondary contributions should be adjusted including whether the length of the recovery period adopted at the previous valuation remains appropriate. The remaining recovery period from the valuation would be the maximum period

adopted (except in exceptional and justifiable circumstances and at the sole discretion of the Administering Authority on the advice of the Actuary).

The review of contributions may take up to 6 months from the date of confirmation to the employer that the review is taking place, in order to collate the necessary data.

Any change to an employer's contributions will be implemented at a date agreed between the employer and the Fund. The Schedule to the Rates and Adjustment Certificate at the last valuation will be updated for any contribution changes. As part of the process the Administering Authority will consider whether it is appropriate to consult any other Fund employers prior to implementing the revised contributions. Circumstances where the Administering Authority may consider it appropriate to do so include where there is another employer acting as guarantor in the Fund, then the guarantor would be consulted on as part of the contribution review process.

The Administering Authority will agree a proportionate process for periodical ongoing monitoring and review following the implementation of the revised contribution plan. The Employer will be required to provide information to the Fund to support this, which will depend in part of the reasons for triggering the contribution review.

# Appendix E – Glossary of terms

## **Actuarial Valuation**

An investigation by an actuary into the ability of the Fund to meet its liabilities. For the LGPS the Fund Actuary will assess the funding level of each participating employer and agree contribution rates with the administering authority to fund the cost of new benefits and make good any existing deficits as set out in the separate Funding Strategy Statement. The asset value is based on market values at the valuation date.

## **Administering Authority**

The council with a statutory responsibility for running the Fund and that is responsible for all aspects of its management and operation.

## **Admission bodies**

A specific type of employer under the Local Government Pension Scheme (the “LGPS”) who do not automatically qualify for participation in the Fund but are allowed to join if they satisfy the relevant criteria set out in the Regulations.

## **Benchmark**

A measure against which fund performance is to be judged.

## **Best Estimate Assumption**

An assumption where the outcome has a 50/50 chance of being achieved.

## **Bonds**

Loans made to an issuer (often a government or a company) which undertakes to repay the loan at an agreed later date. The term refers generically to corporate bonds or government bonds (gilts).

## **Career Average Revalued Earnings Scheme (CARE)**

With effect from 1 April 2014, benefits accrued by members in the LGPS take the form of CARE benefits. Every year members will accrue a pension benefit equivalent to 1/49th of their pensionable pay in that year. Each annual pension accrued receives inflationary increases (in line with the annual change in the Consumer Prices Index) over the period to retirement.

## **CPI**

Acronym standing for “Consumer Prices Index”. CPI is a measure of inflation with a basket of goods that is assessed on an annual basis. The reference goods and services differ from those of RPI. These goods are expected to provide lower, less volatile inflation increases. Pension increases in the LGPS are linked to the annual change in CPI.

## **CPIH**

An alternative measure of CPI which includes owner occupiers’ housing costs and Council Tax (which are excluded from CPI).

**Covenant**

The assessed financial strength of the employer. A strong covenant indicates a greater ability (and willingness) to pay for pension obligations in the long run. A weaker covenant means that it appears that the employer may have difficulties meeting its pension obligations in full over the longer term or affordability constraints in the short term.

**Deferred Debt Agreement (DDA)**

A written agreement between the Administering Authority and an exiting Fund employer for that employer to defer their obligation to make an exit payment and continue to make contributions at the assessed Secondary rate until the termination of the DDA.

**Deferred Employer**

An employer that has entered into a DDA with the Fund.

**Deficit**

The extent to which the value of the Fund's past service liabilities exceeds the value of the Fund's assets. This relates to assets and liabilities built up to date, and ignores the future build-up of pension (which in effect is assumed to be met by future contributions).

**Deficit recovery period**

The target length of time over which the current deficit is intended to be paid off. A shorter period will give rise to a higher annual contribution, and vice versa.

**Discount Rate**

The rate of interest used to convert a cash amount e.g. future benefit payments occurring in the future to a present value.

**Employer's Future Service Contribution Rate**

The contribution rate payable by an employer, expressed as a % of pensionable pay, as being sufficient to meet the cost of new benefits being accrued by active members in the future. The cost will be net of employee contributions and will include an allowance for the expected level of administrative expenses.

**Employing bodies**

Any organisation that participates in the LGPS, including admission bodies and Fund employers.

**Equities**

Shares in a company which are bought and sold on a stock exchange.

**Equity Protection**

An insurance contract which provides protection against falls in equity markets. Depending on the pricing structure, this may be financed by giving up some of the upside potential in equity market gains.

**Exit Credit**

The amount payable from the Fund to an exiting employer where the exiting employer is determined to be in surplus at the point of cessation based on a termination assessment by the Fund Actuary.

**Fund / Scheme Employers**

Employers that have the statutory right to participate in the LGPS. These organisations (set out in Part 1 of Schedule 2 of the 2013 Regulations) would not need to designate eligibility, unlike the Part 2 Fund Employers.

### **Funding or solvency Level**

The ratio of the value of the Fund's assets and the value of the Fund's liabilities expressed as a percentage.

### **Funding Strategy Statement**

This is a key governance document that outlines how the administering authority will manage employer's contributions and risks to the Fund.

### **Government Actuary's Department (GAD)**

The GAD is responsible for providing actuarial advice to public sector clients. GAD is a non-ministerial department of HM Treasury.

### **Guarantee / guarantor**

A formal promise by a third party (the guarantor) that it will meet any pension obligations not met by a specified employer. The presence of a guarantor will mean, for instance, that the Fund can consider the employer's covenant to be as strong as its guarantor's.

### **Investment Strategy**

The long-term distribution of assets among various asset classes that takes into account the Funds objectives and attitude to risk.

### **Letting employer**

An employer that outsources part of its services/workforce to another employer, usually a contractor. The contractor will pay towards the LGPS benefits accrued by the transferring members, but ultimately the obligation to pay for these benefits will revert to the letting employer.

### **Liabilities**

The actuarially calculated present value of all benefit entitlements i.e. Fund cashflows of all members of the Fund, built up to date or in the future. The liabilities in relation to the benefit entitlements earned up to the valuation date are compared with the present market value of Fund assets to derive the deficit and funding/solvency level. Liabilities can be assessed on different set of actuarial assumptions depending on the purpose of the valuation.

### **LGPS**

The Local Government Pension Scheme, a public sector pension arrangement put in place via Government Regulations, for workers in local government. These Regulations also dictate eligibility (particularly for Scheduled Bodies), members' contribution rates, benefit calculations and certain governance requirements.

### **Low risk basis**

An approach where the discount rate used to assess the liabilities is determined based on a portfolio of investments (actual or notional) designed to provide an expected rate of return over the duration of the Fund's liabilities above market yields of Government bond investments, with a very high likelihood of being achieved (c90%). This is usually adopted when an employer is exiting the Fund.

### **Maturity**

A general term to describe a Fund (or an employer's position within a Fund) where the members are closer to retirement (or more of them already retired) and the investment



time horizon is shorter. This has implications for investment strategy and, consequently, funding strategy.

### **Members**

The individuals who have built up (and may still be building up) entitlement in the Fund. They are divided into actives (current employee members), deferreds (ex-employees who have not yet retired) and pensioners (ex-employees who have now retired, and dependants of deceased ex-employees).

### **Minimum risk basis**

An approach where the discount rate used to assess the liabilities is determined based on the market yields of Government bond investments based on the appropriate duration of the liabilities being assessed. ~~This is usually adopted when an employer is exiting the Fund.~~

### **Orphan liabilities**

Liabilities in the Fund for which there is no sponsoring employer within the Fund. Ultimately orphan liabilities must be underwritten by all other employers in the Fund.

### **Percentiles**

Relative ranking (in hundredths) of a particular range. For example, in terms of expected returns a percentile ranking of 75 indicates that in 25% of cases, the return achieved would be greater than the figure, and in 75% cases the return would be lower.

### **Phasing/stepping of contributions**

When there is an increase/decrease in an employer's long term contribution requirements, the increase in contributions can be gradually stepped or phased in over an agreed period. The phasing/stepping can be in equal steps or on a bespoke basis for each employer.

### **Pooling**

Employers may be grouped together for the purpose of calculating contribution rates, (i.e. a single contribution rate applicable to all employers in the pool). A pool may still require each individual employer to ultimately pay for its own share of deficit, or (if formally agreed) it may allow deficits to be passed from one employer to another.

### **Prepayment**

The payment by employers of contributions to the Fund earlier than that certified by the Actuary. The amount paid will be reduced in monetary terms compared to the certified amount to reflect the early payment.

### **Present Value**

The value of projected benefit payments, discounted back to the valuation date.

### **Profile**

The profile of an employer's membership or liability reflects various measurements of that employer's members, i.e. current and former employees. This includes: the proportions which are active, deferred or pensioner; the average ages of each category; the varying salary or pension levels; the lengths of service of active members vs their salary levels, etc.

### **Prudent Assumption**

An assumption where the outcome has a greater than 50/50 chance of being achieved i.e. the outcome is more likely to be overstated than understated. Legislation and Guidance requires the assumptions adopted for an actuarial valuation to be prudent.

### **Rates and Adjustments Certificate**

A formal document required by the LGPS Regulations, which must be updated at least every three years at the conclusion of the formal valuation. This is completed by the actuary and confirms the contributions to be paid by each employer (or pool of employers) in the Fund for the three-year period until the next valuation is completed.

### **Real Return or Real Discount Rate**

A rate of return or discount rate net of (CPI) inflation.

### **Recovery Plan**

A strategy by which an employer will make up a funding deficit over a specified period of time ("the recovery period"), as set out in the Funding Strategy Statement.

### **Scheduled bodies**

Types of employer explicitly defined in the LGPS Regulations, whose employers must be offered membership of their local LGPS Fund. These include Councils, colleges, universities, police and fire authorities etc., other than employees who have entitlement to a different public sector pension scheme (e.g. teachers, police and fire officers, university lecturers).

### **Section 13 Valuation**

In accordance with Section 13 of the Public Service Pensions Act 2014, the Government Actuary's Department (GAD) have been commissioned to advise the Department for Communities and Local Government (DCLG) in connection with reviewing the 2019 LGPS actuarial valuations. All LGPS Funds therefore will be assessed on a standardised set of assumptions as part of this process.

### **Solvency Funding Target**

An assessment of the present value of benefits to be paid in the future. The desired funding target is to achieve a solvency level of a 100% i.e. assets equal to the accrued liabilities at the valuation date assessed on the ongoing concern basis.

### **Valuation funding basis**

The financial and demographic assumptions used to determine the employer's contribution requirements. The relevant discount rate used for valuing the present value of liabilities is consistent with an expected rate of return of the Fund's investments. This includes an expected out-performance over gilts in the long-term from other asset classes, held by the Fund.

### **50/50 Scheme**

In the LGPS, active members are given the option of accruing a lower personal benefit in the 50/50 Scheme, in return for paying a lower level of contribution.



**Finance Department  
7 Newington Barrow Way  
London N7 7EP**

**Report of: Corporate Director of Resources**

<b>Meeting of:</b>	<b>Date</b>	<b>Agenda item</b>	<b>Ward(s)</b>
Pensions Board	14 <sup>th</sup> September 2021		n/a

<b>Delete as appropriate</b>	Exempt	Non-Exempt
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## **SUBJECT: PENSIONS BOARD 2021/22– FORWARD WORK PROGRAMME**

### **1. Synopsis**

- 1.1** The Appendix A to this report provides information for Members of the Board on agenda items for forthcoming meetings and training topics where required as per its work programme objectives.

### **2. Recommendation**

- 2.1** To consider and note Appendix A attached and amend the forward programme where there is change in priorities
- 2.2** To note for information LGPS Current Issues- August attached as Appendix B

### **3. Background**

- 3.1** The Public Services Pensions Act 2013 required the establishment of local pension boards for each Local Government Pension Fund.
- 3.2** Local Government Pension Scheme (Amendment) Governance Regulations 2014 (the Governance Regulations) provide that Pensions Board will have responsibility for assisting the 'scheme manager' (the Pensions Sub Committee in Islington's case) in relation to the following matters:

To ensure compliance with:

- the Local Government Pension Scheme Regulation (LGPS),
- other legislation relating to the governance and administration of the LGPS, and

- the requirements imposed by the Pensions Regulator in relation to the LGPS to ensure the effective and efficient governance and administration of the scheme.

3.3 The Pensions Sub- committee is the decision making body of the Fund and the Pension board can only advise or make recommendations to the Pensions -Sub Committee  
The Pension Board should therefore be mindful;

- Its work plan should take account of the Fund’s own work programme and seek to add value
- Servicing the Pension board will consume Fund management resources and time
- Senior Fund officers servicing the pension Board may on some fund performance issues be personally compromised and conflicted
- Some work items required may need the use of specialist external consultancy resources rather than using the officers servicing the Fund.

3.4 Based on the LGPS and The Pension Regulator’s guidance on the role of the pension boards, the focus should include the following:

- a) Its own training, knowledge and understanding
- b) Avoiding any conflicts of interest
- c) Ensuring its own statutory compliance
- d) Checking fund governance
- e) Reviewing fund risks and internal systems and controls
- f) Checking fund external advisors/service providers and their internal controls
- g) Reviewing fund member record keeping
- h) Checking fund contributions
- i) Reviewing fund administration
- j) Benchmarking fund performance and Value for Money (VFM)
- k) Fraud prevention
- l) Employer and member communications
- m) Complaints and dispute resolution
- n) Reporting regulatory breaches

3.5 The Pension Board must also consider its Annual Report and the review of Pension Fund’s draft Annual Report and audited accounts and triennial actuarial review.

3.6 Members agreed a work programme at the March meeting and this will be reviewed annually for progress and amendment if required. The objectives are as follows:

- To ensure accurate record keeping, data quality and improvements
- To ensure Governance Compliance Statement sets out delegation, function and structure
- To ensure Fund has the appropriate policies in place to safeguard the Fund’s assets through appropriate methods of risk management
- To ensure members have the necessary skills knowledge and understanding
- The General Data Protection Regulation (GDPR) is upheld
- To ensure the effective and efficient governance and administration of the Scheme
- That the Pension board are able to make recommendations on Statutory and non-statutory policies and strategies
- Self-Assessment review of the effectiveness of the Board

- 3.7 Members need to consider their priorities for the next 12 months and use that to formulate their agenda for forthcoming meetings. The draft programme attached as Appendix A is a guide for members to discuss and amend. It will be updated as necessary at each meeting, to reflect any changes in administration policy, new regulation and pension fund priorities after discussions with Members.

#### **4. Implications**

##### **Financial implications**

- 4.1 Any cost associated with the governance of the fund will be treated as administration cost and charged to the Fund.

##### **Legal Implications**

The Public Services Pensions Act 2013 requires the council to establish a local pension boards by 1 April 2015. The board must comply with the requirements of the relevant Legislation.

##### **4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030:**

None applicable to this report. Environmental implications will be included in each report to the Pension Board Committee as necessary. The current agreed investment strategy statement for pensions outlines the policies and targets set to April 2022 to reduce the current and future carbon exposure by 50% and 75% respectively compared to when it was measured in 2016 and also invest 15% of the fund in green opportunities. The link to the full document is <https://www.islington.gov.uk/~media/sharepoint-lists/public-records/finance/financialmanagement/adviceandinformation/20192020/20190910londonboroughofislingtonpensionfundinvestmentstrategystatement.pdf>.

##### **4.4 Resident Impact Assessment**

None applicable to this report. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

- 4.4.1 An equalities impact assessment has not been conducted because this report is seeking opinions on a policy document and therefore no specific equality implications arising from this report.

#### **5 Conclusion and reasons for recommendation**

- 5.1 To advise Members of forthcoming items of business to the Pension Board and training topics and note the August LGPS Current Issues.

**Background papers:**

None:

Final report clearance:

**Signed by:**



Date 07 September 2021

Corporate Director of Resources

Report Author: Joana Marfoh  
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**APPENDIX A****Pensions Board Forward Plan for September 2021 to June 2022**

Date of meeting	Work programme objective	Reports
	To ensure the effective and efficient governance and administration of the Scheme	<p><u>Please note:</u> there will be a standing item to each meeting on:</p> <ul style="list-style-type: none"> <li>• Admin Performance report</li> <li>• Forward work programme</li> </ul>
14 September 2021		Draft Annual Report Pension discretion policies review Governance Review Implementation
October	Annual pension meeting	
23 November 2021		Risk Register McCloud implementation plan
8 March 2022		Cashflow monitoring and Budget 22/23
June 2022		Draft year end accounts Actuarial valuation timeline

## Planned and Proposed Training on committee meeting dates

November 2018- pension sub cttee meeting	Training Actuarial Review update
September 2019 joint pension sub and board training	Funding strategy and actuarial valuation
February 2021- joint pension sub and board training	Net zero carbon transition training

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# LGPS CURRENT ISSUES

August 2021



welcome to brighter

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# In this edition

We hope you have been keeping well and staying safe over the summer as restrictions have been lifted all around the UK. With the unlocking of the UK, we trust you have been able to enjoy more time with friends and family and maybe even a staycation, or have this to look forward to in the near future.

In this edition of Mercer Current issues, we provide a focus on climate change, in addition updates on the recent developments and what is to be expected over the next few months.

## **Regulatory round up – where are we now? 3-4**

- [Exit Credits](#)
- [Public Sector Exit Payments](#)
- [HMT Consultations: Cost Management & SCAPE](#)

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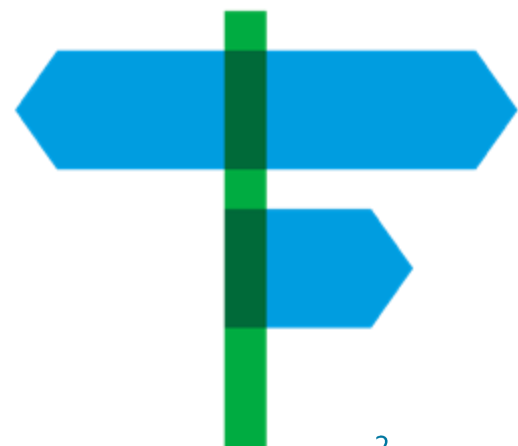
## **Climate Change 7-8**

## **And in other news... 9-10**

- [LGPS Non-Club Transfer Out Technical guide](#)
- [Special Severance Payments by local authorities](#)
- [Public Service Pensions Bill](#)
- [TPR published its Public Sector Survey](#)
- [TPR closes consultation on new single code of practice](#)
- [COVID-19 Mortality impact report](#)
- [The FCA's Long-Term Asset Fund Consultation](#)
- [Increase to normal minimum pension age to go ahead](#)
- [Occupational Pensions Stewardship Council](#)
- [Finance Act 2021](#)

## **Dates to remember 11**

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# Regulatory round up

## EXIT CREDITS JUDGMENT

On 27 May 2021, a High Court judgment on exit credits found in favour of MHCLG and upheld the retrospective effect of the LGPS (Amendment) Regulations 2020. The case related to the non-payment of a £6.5 million exit credit. The judge noted that 'there were compelling public interest reasons for making the regulations retroactive' and that 'the aim of avoiding windfall payments and protecting the pension funds was legitimate'. The judgment included clarification over how this discretion may be applied and will set a precedent for other cases. The full judgment in relation to this case can be found [online](#). Funds should review the wording in their Funding Strategy Statement regarding the exercise of the discretion to pay an exit credit in light of this judgment. Please get in touch with your usual Mercer consultant if you have any concerns in this area.



## PUBLIC SECTOR EXIT PAYMENTS

On 2nd July 2021, MHCLG published a summary on exit payment data for 2019/20 and 2020/21. We expect a further publication by the MHCLG to follow shortly. The summary published outlines that the exit payment paid in 2020/21 averaged at around £26,000 across local authorities (including the pension strain). We anticipate this data will be considered as part of the wider review of the cap on exit payments and more on this is expected later this year.

## HMT CONSULTATIONS: COST MANAGEMENT

Following the Government Actuary Department (GAD)'s review of the cost control mechanism for public sector pensions, on 24 June 2021 HMT issued a [consultation](#) setting out its proposed reforms to the cost control mechanism.

### **The consultation includes the following proposals for comment:**

- To change the benefits considered by the mechanism to be based on only benefits in the reformed pension schemes and exclude the former schemes from the mechanism (but the continued inclusion of past service in the reformed schemes)
- Widen the 2% corridor for assessing whether a cost breach would trigger a benefit change, to 3%
- The introduction of an "economic check" mechanism when the cost ceiling or floor has breached. This could be the impact of the change in the SCAPE discount rate, which is given as an example, which can be used to mitigate a breach but not in itself trigger a breach.

These changes aim to address the issues identified in GAD's review of the mechanism and on which we have previously commented. Such issues were highlighted by the perverse results stemming from the 2016 cost management review which (prior to allowance for McCloud), *triggered benefit improvements* despite an *increase in costs* due to the fall in the SCAPE rate (and LGPS valuation discount rates generally). Whilst an economic check would help to limit the chance of perverse outcomes arising out of the cost management process and should be welcomed, in our view consideration of only the SCAPE rate would be insufficient to mitigate this risk – particularly for the LGPS where SCAPE is not a driver of employer contribution rates. Instead, we would prefer a more detailed economic check mechanism, which takes into account for LGPS the funded status in determining the discount rate to be used.

Where Funds are preparing their own responses, we have shared our key comments and if you would like to see a copy of our response please get in touch with your usual Mercer consultant.

## HMT CONSULTATIONS: SCAPE RATE

HMT has also issued a [consultation](#) on the calculation of the SCAPE rate, which is currently based on expected long-term GDP growth. The SCAPE rate is key in the non-funded public service schemes, with its main use being the discount rate for determining pension contributions payable as part of the actuarial valuations. Included in the consultation is a review of the objectives of the rate, where stability is now prioritised alongside the requirement for the rate to provide a fair reflection of costs and to reflect future risks to Government from income.

For the LGPS the use of the SCAPE discount rate is limited to the actuarial factors, including transfer values. Any reduction in the SCAPE discount rate will serve to increase transfer value payments (with any increase in rate having the opposite impact).

We are responding to the consultation and are happy to share this with interested Funds, please get in touch with your usual Mercer consultant if you want to know more about this.





# AVCS AND TAX

## AVC UPDATE

As with the rest of the LGPS, it is never a quiet time in the AVC sector also!

The transfers from Equitable Life to Utmost last year and the closure by Prudential of their Property Fund in recent months highlights the importance for administering authorities to keep on top of developments in this sector and the need for appropriate (regulated) advice in order that administering authorities can carry out their fiduciary duties. Alongside this, as you will be aware, given the administration performance issues of some AVC providers at the moment we recommend that administering authorities continue to monitor the position and raise their concerns with the relevant parties, escalating these accordingly where appropriate.



Ongoing review of AVC arrangements is an important component of a Fund's governance framework but with recent challenges of Covid, McCloud and the rise and fall of the exit cap, administering authorities have needed to focus time and resource elsewhere. Ongoing review should consider aspects such as:

- provider performance (administration and investment);
- the continued suitability of the fund range members can access and the impact of potential changes to available funds;
- member communications; and
- options to consolidate / transfer provision where possible and appropriate.

For Funds who have not reviewed the continued suitability of their AVC arrangements for some time, we recommend that this is now added to the business plan. The Mercer LGPS AVC Club will be pleased to help you in these areas as needed (please contact your usual Mercer consultant for further details).

## PENSION TAX SEASON IS ABOUT TO START!

Whilst administering authorities will have been working hard to finalise and issue Annual Benefit Statements, Pension Saving Statements will need to be sent by 6 October 2021 to those members who exceed £40,000 of pension savings in the 2020/21 tax year. This year's pension tax season is slightly different because this is the first year in which changes to the tapered annual allowance apply.

In March 2020, the Government was facing huge pressure from NHS doctors who had taken early retirement or gave up overtime in order to avoid the risk of being hit with unexpected annual allowance charges. This had been affecting NHS resources, which of course was a particularly present issue in the face of the start of the pandemic.

In his first Budget, Rishi Sunak announced his only change to pensions in the form of a change to the tapered annual allowance. This was that the two tapered annual allowance thresholds for pension tax relief would increase by £90,000. This represented an increase from £110,000 to £200,000 for "threshold income" – broadly total pre-tax income. At the time, it was stated that this change would result in 98% of consultants and 96% of GPs no longer being affected by the taper. Many in the pensions industry had been calling for the complicated annual allowance taper to be scrapped altogether and that this was an opportunity missed, however, the taper increase was welcome news for not just doctors but also a number of LGPS members who were being impacted by the previous levels. This means that for the first year since 2016, members who only rely on their employed income could have a reduced annual allowance if their pensionable salary is in excess of £228,000 as opposed to £124,000.

However, with inflation remaining low we still anticipate a number of members will exceed their annual allowance limit and require support on how to undertake the complex calculations to work out if they have a liability and what their liability is.

Given the general complexities of Pension Taxation we have found that it is important for members to understand what their responsibility is, given it is a "personal" tax and what the responsibility of the administering authority is. At Mercer, we have developed a three-stage process that can help administering authorities provide members with additional information and guidance and also the opportunity to access individual financial advice should they require it at a later stage. The three stages in the support process we can provide constitute:





1. **Education** – workshops for Fund officers, employer HR representatives, and members.
2. **Guidance** – high level 1:1 guidance sessions based on an individual's pension saving statement with guidance (not advice) on next steps they should take
3. **Advice** – detailed sessions with members to discuss their own position, objectives and actions where independent and authorised financial advice can be delivered by a Mercer IFA specialising in the LGPS

As part of the educational workshops for 2021 that we will be delivering, we will be communicating to officers and members the impact of recent changes announced by HMRC on 20 July 2021 in relation to the extending the deadlines for submitting Scheme Pays notifications – further details of this can be found [here](#).

If you would like further details on how Mercer can help administering authorities in relation to pension taxation please contact your usual Mercer consultant in the first instance.

# Climate Change

## Setting a path to Net Zero

On Monday 9th August, the United Nations Intergovernmental Panel on Climate Change released its sixth report in which it analysed the most up-to-date understanding of the climate system and climate change. The study issued stark warnings about unprecedented global warming and rising sea levels that have been seen in recent years.

In addition to the warnings over the impact of climate change, the report did seek to address what could be done to manage some of the worst impacts and address the key issues that world leaders need to consider.

Whilst none of the findings of the report are necessarily a surprise, it does highlight that action is required sooner rather than later, and this fits in with conversations we have been having with clients around setting a path to net zero. You will already know that you will not achieve net zero by simply divesting from today's high carbon companies, so we have looked to address this across a four-step guide to support LGPS funds in navigating your journey to net zero.





1. **Calculating your baseline:** Before you embark on any journey, you need to know where you are starting from. Understanding your portfolio's current emissions, transition capacity and green exposures, means you can clearly communicate your position to internal or external stakeholders, and monitor your progress.
2. **Assessing your portfolio possibilities:** It is not just about recognising and understanding the risk in your current portfolio but also the opportunities for change and transitioning that exist.
3. **Setting your metrics and targets:** Establishing your long-term goal is crucial but equally important is setting a series of milestone targets along the way that will ensure you stay on course.
4. **Implementing a transition plan:** Once you have taken the first three steps, you'll be well placed to create your transition plan, before sharing your roadmap to success with your internal and external stakeholders.



## Webinar

We are hosting a Webinar looking at this subject on Tuesday, 21 September, 11am-12pm. Please contact your usual Mercer contact if you wish to join the session.

## TPR publishes Climate Change Strategy

The Pensions Regulator (TPR) published a [climate change strategy](#) in April, setting out how it will help Funds meet challenges around climate change as well its own strategic response. TPR believes that any scheme that does not consider climate change is ignoring a major risk to pension savings and may be missing investment opportunities. TPR's new Climate Change Strategy outlines three aims:

1. **To create better outcomes in later life for workplace savers by driving employer action on the risks and opportunities from climate change.** TPR hopes to achieve this by ensuring that schemes meet the existing requirements for publishing information. It will also produce further guidance for schemes reporting in line with the TCFD framework, will review a selection of scheme implementation statements, and will publish a report on the findings. On compliance, TPR says it will strengthen enforcement where schemes are not meeting their responsibilities.
2. **To seek to influence the debates around pensions and climate change** - TPR says it will do this through participation in cross industry groups and by working with other regulators.
3. **As a business, to take part in the transition to net zero** - TPR proposes to publish a Climate Adaptation Report, which will outline how it will use TCFD recommendations as a framework for its own management of climate risk.





# And in other news...

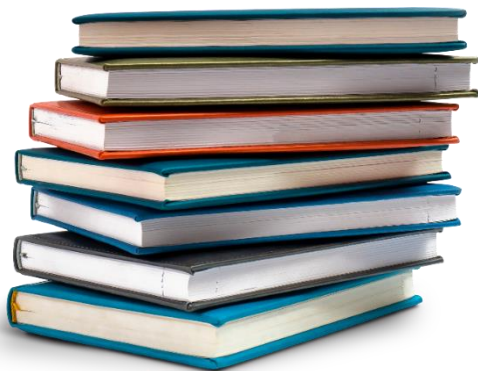
## LGPS Non-Club Transfer Out Technical guide

The LGPS Non-Club Transfer Out Technical guide was updated and re-published on 30<sup>th</sup> July 2021. Version 1.3 of the guide can be found in section 1.2 of the Non-club transfer out technical guide [here](#) and in the Scottish regulations under Transfers Out [here](#).

## Special Severance Payments by local authorities

On 2 July, MHCLG commenced a [consultation](#) on statutory guidance in respect of special severance payments for local authorities.

The intention of the guidance is to limit the use local authorities make of Special Severance Payments (defined as payments made to employees, office workers, contractors, and others outside of statutory, contractual or other requirements) when leaving employment in special service. The guidance sets out the criteria and “truly exceptional circumstances” that should apply to these payments. The consultation ran for 6 weeks until 13<sup>th</sup> August 2021.



## Public Service Pensions Bill

On 19<sup>th</sup> July 2021, the Public Service Pensions and Judicial Offices Bill (which will pave the way for the implementation of the McCloud remedy) made its way through parliament in the House of Lords with its first [reading](#).



## TPR published its Public Sector Survey

The Pension Regulator’s (TPR’s) [published](#) its annual Public Sector Survey on 1<sup>st</sup> July 2021. The main aim of the survey was to track administration and governance practices in the public sector. The 2020/21 survey also included additional questions in relation to the pension dashboard, responses to the COVID-19 pandemic and action taken in relation to climate related risks.

## TPR closes consultation on new single code of practice

On 26 May 2021, TPR closed its consultation on the first phase of its new single code of practice (COP). The proposal is currently to combine its 15 existing codes into a single web-based COP.

The consultation asked for input on the first phase, which will bring together 10 existing codes and introduce additional material on new governance expectations in relation to the “own risk assessment”, climate change, cyber security and remuneration policies.

## COVID-19 Mortality impact report

On 15th June 2021, the LGPS Board published updated mortality impact reports on two LGPS funds (originally commissioned in September 2020 to specifically analyse the mortality during the Covid-19 pandemic). The updated reports incorporate the winter analysis also. The report can be found [here](#).

## The FCA's Long-Term Asset Fund Consultation

In May 2021, the Financial Conduct Authority (FCA) launched a consultation for a new category of authorised fund called a Long-Term Asset Fund (LTAF).

The consultation closed on 25 June 2021, and the FCA intends to publish a final policy statement and final handbook rules later in 2021. The consultation is part of a broader government agenda to facilitate investment in illiquid assets as a viable option for investors with long-term time horizons who understand the risks.

## Increase to normal minimum pension age to go ahead

The Government recently published its [response](#) to the consultation on increasing the normal minimum pension age from 55 to 57 (from 6 April 2028). Some schemes and members may have protections that override these changes and individuals will be able to keep their protected pension age if they transfer their pension.

## Occupational Pensions Stewardship Council

The DWP launched the [Occupational Pensions Stewardship Council](#) (OPSC) on 8th July. The aim of the Council is to develop a “stronger overall voice of trustees within the market, especially in relation to service providers”. Schemes can also collaborate on stewardship

activities such as shareholder resolutions, climate change and corporate governance.

## Finance Act 2021

The [Finance Act 2021](#) received Royal Assent on 10 June. The Act gives legal effect to a number of measures announced in March's Budget such as the decision to freeze the lifetime allowance at £1,073,100 for tax years 2021/22 to 2025/26.



## What's coming up?

**Section 13** – GAD's report on its valuation of the LGPS is due to be published in the autumn.

**Pooling guidance** – is expected in October 2021, alongside a consultation on climate risk and reporting.

**Data Quality** – As we get closer and closer to the 2022 valuations, the importance of clean and complete data grows. Funds will be carrying out their annual data quality reviews in the coming months to plan for the valuation. Speak to your Mercer consultant about arranging your review ahead of the valuation.

**95k Cap** – This is not the last we have heard of the cap and we expect it to come back around soon....

# Dates to remember

Date	Issue	The latest
Expected Q2/Q3	Consultation on scams	Consultation is expected on draft regulations (under the Pension Schemes Act 2021) covering scams. Commencement of the scams measures (relating to transfer restrictions) is expected in early Autumn.
Expected Q3/Q4	Consultation on pensions dashboard	The Government aims to consult on proposed regulations for the dashboard later this year and lay draft regulations before Parliament for debate in 2022. Delivery of the dashboard is still projected to be in 2023.
30 September 2021	Extended Coronavirus Job Retention Scheme due to end	The Coronavirus Job Retention Scheme (CJRS), which was due to end on 30 April, has been extended across the UK until the end of September 2021. From July, employers will have to pay 10% toward hours not worked, increasing to 20% for August and September.
Expected first half of 2022 (initially expected 6 April 2020 but now delayed)	Governance and Registration draft regulations	Regulations that will replace some of the measures in the Competition and Markets Authority (CMA) Order have been delayed. Until they are implemented, the CMA Order will continue to be legally binding.
1 April 2023	McCloud remedy regulations in force	It is the Government's intention that regulations providing for the "McCloud remedy" come into force from 1 April 2023.
6 April 2028	Normal minimum pension age to rise to 57	The Government has confirmed the normal minimum pension age (the earliest age from which in most circumstances, members can take a pension without incurring tax penalties) will rise from 55 to 57 from this date (with pension age protection in place for eligible members).
2030	RPI to increase in line with CPIH	The Government's consultation response in November 2020 confirmed that RPI will increase in line with CPIH from 2030.

# Meet the team



**Name:** Neville Khorshidchehr

**Role:** Chartered Financial Planner specialising in providing retirement advice to members of the LGPS

**Joined Mercer:** November 2010

**Place of Birth:** London

**Favourite film:** The Usual Suspects, I am definitely partial to a film with a quirky or clever ending!

**Did you go anywhere nice this Summer?:** Lucky enough to go to Cornwall during the July heatwave, which was like being in the Med.

**After the excitement of the Euros what are your predictions for the football season ahead?:** The England squad certainly gave us something to cheer this summer and I was certainly a Happy Hammer last season and hope this year brings us a European adventure of our own or an FA cup victory. It's worth remembering the last time England won something they were captained by a West Ham player.

**Name:** Traci Bennett

**Role:** Wealth Analyst

**Joined Mercer:** July 2017

**Place of Birth:** Nova Scotia, Canada

**Favourite film:** 10 Things I Hate About You

**Did you go anywhere nice this Summer?:** No, but definitely looking forward to the time I can start booking trips again. I haven't seen my family since about 2018!

**After the excitement of the Euros what are your predictions for the football season ahead?** I don't really follow football so wouldn't even be able to guess.



**Name:** Chris West

**Role:** Investment Consultant

**Joined Mercer:** 2012

**Place of Birth:** Wirral

**Favourite film:** It's a Wonderful Life (I watch it every Christmas Day) or Scarface for the soundtrack. Although I remember watching Jurassic Park in the cinema as a child and being amazed for days afterwards.

**Did you go anywhere nice this Summer?:** Liverpool FC's old training ground for my vaccination

**After the excitement of the Euros what are your predictions for the football season ahead?:** Rafa Benitez to cement his legendary status among LFC supporters 😊

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