
Meeting	Pension Fund Committee
Date	6 June 2013
Subject	Update on Admitted Body Organisations
Report of	Chief Operating Officer
Summary	This report updates the Committee on the Admitted Bodies participating in the Local Government Pension Scheme Fund administered by the London Borough of Barnet

Officer Contributors	John Hooton, Deputy Chief Operating Officer Hansha Patel, Pension Services Manager
Status (public or exempt)	Public
Wards Affected	Not Applicable
Key Decision	Not Applicable
Reason for urgency / exemption from call-in	Not Applicable
Function of	Council
Enclosures	Appendix 1 - Admitted Body Monitoring Spreadsheet
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1. RECOMMENDATIONS

- 1.1 That the Committee note the update to the issues in respect of admitted body organisations within the Pension Fund, as detailed in Appendix 1.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 None

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 To maintain the integrity of the Pension Fund by monitoring of admitted body organisations and ensuring all third-parties comply fully with admission agreements and bond requirements. This ensures that pension fund liabilities are covered by the responding admitted bodies; this in return protects Barnet's liabilities and supports the Council's corporate priorities as expressed through the Corporate Plan.

4. RISK MANAGEMENT ISSUES

- 4.1 The ongoing viability of the Pension Fund is dependent on maximising contributions to the Fund. All admitted bodies are subject to actuarial assessments and are reviewed to ensure compliance with admissions agreements and maintenance of appropriate employer contribution levels in order to mitigate against any risk to the financial viability of the pension fund.
- 4.2 There is a possibility of financial losses on the Pension Fund where arrangements around admitted bodies and bond agreements are not sufficiently robust. Monitoring arrangements are in place to ensure that Admissions Agreements and bond (where relevant) are in place and that bonds are renewed, as appropriate, during the lifetime of the relevant Admission Agreement.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to section 149 of the Equality Act, 2010, the council has a public sector duty to: (i) have due regard to eliminating unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (ii) advancing equality of opportunity between those with a protected characteristic and those without; (iii) promoting good relations between those with a protected characteristic and those without. The, relevant, 'protected characteristics' are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to elimination discrimination
- 5.2 Ensuring the long term financial health of the pension fund will benefit everyone who contributes to it. Access to and participation in the Pension Fund is open to those with and those without protected characteristics, alike, provided that the criteria set out within the, relevant, Regulations are met.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 Paragraph 4, above, deals with the financial implications of this report.
- 6.2 There are no procurement, performance & value for money, staffing, IT, Property or Sustainability implications.

6.3.1 All the contracts have an Admission Agreement and Bond Agreement in place, with the exception of the following contracts (as detailed in Appendix 1).

1. Birkin Cleaning Services: During a meeting with Birkin Cleaning Services they confirmed that they were having difficulties with arranging a Bond. Barnet has supplied details of a number of companies that they can approach and Birkin are currently liaising with two companies to arrange a pension bond.
2. Birkin Cleaning Services (St. James Catholic): Due to a change in the workforce, Birkin has requested a reassessment of the pension bond. A reassessment report has been requested from the Actuary and a response is expected by 31/05/2013.

Barnet, as the Administering Authority, will look at the option of the termination of the admissions agreement if satisfactory progress had not been demonstrated by Birkin by 30 June 2013.

3. Fremantle Trust: The parties are now dealing with the finalisation of the Deed of Guarantee. The Deed was not completed at the same time with the property and contract documentation, because at that time the parties were waiting for, the amount currently actuarially assessed to the satisfaction of the Administering Authority to secure the payment necessary to meet the level of risk exposure arising on premature termination of the Contract by reason of the insolvency, winding up or liquidation of the Transferee Admission Body assessed as required by Regulation 7(3) of the Regulations.

7. LEGAL ISSUES

- 7.1 The Local Government Pension Scheme (Administration) Regulations 2008 (as amended) provide that a Local Authority, as an 'Administering Authority' for the Fund, may admit an organisation into the Local Government Pension Scheme, subject to that organisation, or the contractual arrangement between that organisation and the council, meeting the criteria set out in the Regulations. Under the Regulations, the form of admission available to a contractor would either be 'a community admission body', or 'a transferee admission body' as defined in the Regulations
- 7.2 With respect to an admission agreement, the Regulations further provide for an assessment of the level of risk arising on premature termination of the provision of the service or assets by reason of insolvency, winding up or liquidation of the admission body. The assessment must be with the benefit of actuarial advice and, where the level of risk is such as to require it, the transferee admission body shall enter into an indemnity or bond to meet the level of risk identified.

7.3 The Council's standard admissions agreement makes provision for the admission body to maintain a bond in an approved form and to vary the level of risk exposure under the bond as may be required from time to time.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

8.1 The Council's constitution, Part 3 – Responsibility for Functions, Pension Fund Governance Compliance Statement, paragraph 2.2.13 empowers the Pension Fund Committee to “approve applications from organisations wishing to become admitted bodies into the Fund where legislation provides for discretion, including the requirements for bonds.”

9. BACKGROUND INFORMATION

9.1 This report provides an update on issues previously reported at the Committee meeting held in March 2013.

10. LIST OF BACKGROUND PAPERS

10.1 Appendix 1 to this report provides an update on the Admitted Body issues.

Cleared by Finance (Officer's initials)	MT
Cleared by Legal (Officer's initials)	POJ

Appendix 1

Admitted Body Monitoring Spreadsheet

Admitted Body	No Of active Employees on transfer	Start Date	Bondsman	Bond Value (£)	Bond Expiry date	Bond 6mth Tag (red)	Pension cont on time RAG	Comments
Housing 21 New	56	06/09/2010	Barclays Bank	778K	30/09/2015		G	
London Care	3	05/03/2012	Lloyds	60K	04/03/2015		G	
Personnel & Care Bank	5	01/05/2012	Nat West	33K	31/10/2014		G	
Viridian Housing	11	22.04.2006	Euler Hermes UK	65K	16/08/2016		G	
Fremantle Trust (2)	83	28/03/2014	Royal Bank of Scotland	770K	27/03/2014	R	G	The parties are now dealing with the finalisation of the Deed of Guarantee.
Greenwich Leisure	22	31.12.2002	Zurich Insurance PLC	328K	08/02/2015		G	
Birkin Cleaning Services	1	01.09.2009		3.8K		R	G	Officers from Barnet have met with Birkins to resolve this. Confirmation received from Birkins (22/05/2013), they are awaiting responses from two banks that they have approached for a bond.
Birkin Cleaning Services (St James Catholic)	6	24/10/2011		37K		R	G	Officers from Barnet have met with Birkins to resolve this. A re-assessment of the bond has been requested by Birkins and a report is awaited from the actuary.

Turners Industrial Cleaning	1	01.04.2008	Lloyds TSB Securities	6.2K	continuing		G	
Go Plant	12	04.10.2008	HCC International Insurance Company PLC	290K	31/12/2013		G	
Mears Group	19	10/04/2012	Euler Hermes	£320K	09/04/2015		G	
NSL	31	01/05/2012	Lloyds TSB	412K	30/04/2017		G	
Blue 9 Security	2	03.08.2012	Evolution Insurance	61K	02/08/2013		G	
Music Service (BEAT)	2	01.03.2013	N/A	24K	28/02/2016		G	Guarantee provided by LB Barnet for a three year period