

**Bath & North East  
Somerset Council**



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# Employers Guide to the LGPS

## Introduction

# 1 – INTRODUCTION

## 1.1 Administrative Procedures – the Guide

The aim of this guide is to provide an outline of the administrative responsibilities of all employers under the Local Government Pension Scheme (LGPS) as administered by the Avon Pension Fund and explains the various procedures, which should be followed for the duration of an employee's membership. The responsibilities have been summarised below. Within time limits that have been specified either in a Service Level Agreement or within the Fund's Pension Administration Strategy document employers must:

- Identify eligible members of the scheme
- Inform Avon Pension Fund of all new starters
- Inform Avon Pension Fund of any changes, such as Changes of Hours or Absence
- Process ill-health cases
- Report the death of active members
- Process leaver forms
- Report changes to a member's data eg. contribution rate, hour changes, part-time or term-time working, absences and maternity, paternity and adoption leave
- Prepare and publish discretionary policies
- Maintain payroll records for a period of 10 years and ensure that scheme contributions and AVCs are deducted and paid over at the appropriate rates and time
- Provide accurate data to the Avon Pension Fund as required for benefit calculations, end of year updates and membership data

The internal administrative procedures followed by employers vary enormously. It is therefore impossible to produce a guide that reflects these procedural differences.

Wherever possible, the Fund recommends that LGPS forms are raised by Human Resources that is responsible for the member, and passed to the employer's payroll department or payroll provider for completion where pay details etc are needed. This ensures that all necessary information is collated and forwarded to the Pensions Section promptly.

The guide contains a complete set of current forms. **Only use current forms.** Old forms may not request data required by the current pension regulations.

The Pensions Section holds details of all users issued with this Guide. Whenever a form or a procedure is changed, revised pages will be automatically issued via email.

**This Guide should not be treated as an authoritative interpretation of the law.** Throughout the guide references to the relevant regulation are made in bold.

There are separate pension schemes for Firefighters, Police and Teachers (including Lecturers). However, the civilian staff of Fire Brigade Authorities, Police Authorities are eligible to be members of the Local Government Pension Scheme

## 1.2 Local Government Pension Scheme

The Local Government Pension Scheme (LGPS) is a public service pension scheme for local government employees in England and Wales. The main rules are set out in:

- the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 ([as amended](#)) (the Benefits Regulations), and
- the Local Government Pension Scheme (Administration) Regulations 2008 ([as amended](#)) (the Administration Regulations)
- the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 ([as amended](#)) (the Transitional Regulations)

All of these Regulations are effective from 1 April 2008

Bath & North East Somerset Council is the Administering Authority for the Avon Pension Fund. The Fund administers the LGPS for over 90 employers.

To be able to join the LGPS, an employee must work for an employer who participates in the LGPS ([a Scheme Employer](#)). There are three types of employer who are able to participate, as follows:

- ***Scheduled Body:***

this is a statutorily defined body listed within **Part 1 of Schedule 2** of the Administration Regulations and has a statutory obligation to participate in the LGPS. The list can be found in Appendix 1 at the end of this part.

- ***Designating Body:***

this is a statutorily defined body listed within **Part 2 of Schedule 2** of the Administration Regulations and it has the power to designate which of their employees can join the LGPS. The list can be found in Appendix 1 at the end of this part.

- ***Admission Body:***

a) Community Admission Body – a body that satisfies the requirements of **Regulation 5** of the Administration Regulations can be admitted to the Avon Pension Fund by an admission agreement approved by the administering authority.

b) Transferee Admission Body - a body that provides a service of a Scheme Employer by means of a contract or other arrangement and satisfies the requirements of **Regulation 6** of the Administration Regulations can be admitted to the Avon Pension Fund by an admission agreement approved by the administering authority.

The Employers' Area of the Avon Pension Fund website [www.avonpensionfund.org.uk](http://www.avonpensionfund.org.uk) contains a section Outsourcing (TUPE) with comprehensive information about the requirements for Scheme Employers to consider pension provision as part of an outsourcing project and how service providers can become Transferee Admission Bodies.

## **Appendix 1**

### **SCHEME EMPLOYERS - PART 1**

1. The Commission for Local Administration in England.
2. In England, a county council, a district council, a London borough council or the Common Council.
3. In Wales, a county council or a county borough council.
4. [A residuary body established by Part 7 of the Local Government Act 1985 or the Residuary Body for Wales]. *Check position*
5. A joint board, body or committee appointed under any Act or statutory order or statutory scheme, of which all the constituent authorities are councils of a description in paragraph 3 or 4 or bodies of a description in paragraph 5 or a combination of such councils or bodies.
6. A fire and rescue authority within the meaning of the Fire and Rescue Services Act 2004.
7. A valuation tribunal in Wales established under Schedule 11 to the Local Government Finance Act 1988.
8. A police authority within the meaning of the Police Act 1996.
9. A National Probation Service local board.
10. The Chichester Harbour Conservancy.
11. The Lee Valley Regional Park Authority.
12. A passenger transport authority.
13. The Broads authority.
14. A further education corporation.
15. A higher education corporation.
16. The London Pensions Fund Authority.
17. The South Yorkshire Pensions Authority.
18. The Environment Agency.
19. A National Park Authority established under Part 3 of the Environment Act 1995.
20. An Education Action Forum within the meaning of section 11 of the School Standards and Framework Act 1998.
21. The National College for School Leadership.
22. The Standards Board for England.
23. An Academy within the meaning of section 482 of the Education Act 1996 or as a result of section 67 of the Education Act 2002 (conversion of city academies into Academies).
24. A body set up by a local housing authority in exercise of powers under section 2 of the Local Government Act 2000 [as a housing management company] to exercise

management functions of the authority under an agreement approved by the Secretary of State under section 27 of the Housing Act 1985.

25. The Valuation Tribunal service.
26. A conservation board established under section 86 of the Countryside and Rights of Way Act 2000.
27. Firebuy Limited.

## **PART 2**

1. The Board of Governors of the Museum of London;
2. A body (other than a body listed in Part 1 of this Schedule) which is—
  - (a) a precepting authority (as defined in section 69 of the Local Government Finance Act 1992),
  - (b) a levying body within the meaning of section 74 of the Local Government Finance Act 1988 (levies), or
  - (c) a body to which section 75 of that Act (special levies) applies.
3. A passenger transport executive;
4. A designated institution which immediately before designation was assisted or maintained by a local education authority;
5. A company under the control of a body listed in Part 1 of this Schedule.
6. The Public Services Ombudsman for Wales.
7. The Serious Organised Crime Agency.
8. Transport for London.
9. The London Development Agency.
10. The Metropolitan Police Authority.
11. The London Transport Users' Committee.
12. The Cultural Strategy Group for London.
13. The Children and Family Court Advisory and Support Service.
14. An urban development corporation.