

## **Appendix - Proprietors of Academies:**

### **Employees to be enrolled into the LGPS from the date the academy comes into being**

The LGPS Regulations require the academy to contractually-enrol into the LGPS all employees who are eligible to join (if they are under the age of 75 and not otherwise eligible to join the Teachers' Pension Scheme) from the date they become employees of the proprietor of the academy. If an employee does not want to be a member of the LGPS he or she can elect to opt out, but this cannot be done before the date on which his or her employment with the academy proprietor starts. The employee can get an opt out form (LGPS04) from Avon Pension Fund (also available to download from the Members' section of our website [www.avonpensionfund.org.uk](http://www.avonpensionfund.org.uk)). ***It is unlawful for you to give an opt out form to an employee.***

**If the academy is converting from a maintained school - where school staff are transferring under TUPE to the employment of the academy proprietor.** Any employees who elected to opt out of the LGPS while they worked for the school (or for the Local Authority) must still be contractually-enrolled into the LGPS on the date the academy comes into being. An opt out form completed when an employee worked for the school (or for the Local Authority) ceases to be valid when his or her employment transfers to the academy proprietor.