

Local Government Pension Scheme in England and Wales: Scheme improvements (access and protections)

CROYDON
www.croydon.gov.uk

The Pensions Team
Resources Department
Floor 3 Zone D
Bernard Weatherill House
8 Mint Walk
Croydon CR0 1EA

Email:pensions@croydon.gov.uk

Date: 7 August 2025

The Officers of Croydon Council Local Government Pension Scheme are pleased to submit our response to the LGPS in England and Wales: Access and Protections Consultation. The Officers of the fund administer the Pension scheme on behalf of the Administrating Authority, Croydon Council.

Please see response below, which has been emailed to MHCLG:

Q1. Do you agree with keeping the NMPA at below 57 for members with a PPA?

We have reservations about allowing Category 1 members to access their benefits from age 55 after 5 April 2008. We agree with the LGA that this will cause issues as it makes it much more complicated for members and employers to assess how early an individual member can access their pension. Employers will find it complex to work out who they need to ask for redundancy quotes for, as they will not know if a member has transferred in LGPS service, so were a member before 4 November 2021.

This will also be very complex to explain to members; we feel that issues like when scheme members are allowed to retire should be simple and easy to explain. This is because scheme members are not pension industry experts but ordinary people with differing levels of understanding so some parts of the scheme should be simple and easy for them to understand such as retirement dates. In cases of redundancy this will also be very costly for employers, which in the end will impact taxpayers. Previously normal minimum pension age (NMPA) has risen for all members rather than a select group, we believe this should happen again.

This added complexity to the scheme of allowing two different minimum pension ages (55 and 57) also puts huge strain on the scheme administration. Administrating officers are already under great strain from McCloud, Dashboard and the Access and Fairness regulation changes. It takes years to train new staff to a high level and adding further

complexities makes it harder to retain staff. There is a knowledge drain within the LGPS as those with the most knowledge head to retirement. All of this means these changes will put unnecessary stress on LGPS administration.

It is likely scheme members will query why service before 4 November 2021 is relevant. In future, when setting dates for big changes like this please use the first of the month to avoid confusion and upset amongst scheme members.

We ask for further clarity on if a member has transferred in pre-4 November 2021 service and has a 5-year gap between the transferred service and rejoining after 4 November 2021 whether they will still be protected? We would assume they would lose their right to retire early at age 55 if there was a 5-year gap. We also ask for further clarity about flexible retirement; we assume that they lose the PPA on the ongoing active record that starts after flexible retirement.

We would instead prefer if the minimum pension age was moved to 57 for all LGPS members. This will mean you are not creating a protected group (who will likely be older, especially as time passes) and a group who feel disadvantaged because they cannot retire until 57. We would also like to point out that if we follow the changes as suggested in the consultation, a member may still have the right to retire at age 55 in 35 years, if they joined the LGPS at 16 and were in the scheme on 3 November 2021, this means these complexities will cause issues for many decades to come. Our understanding was that the point in changing the NMPA was to save money and keep staff working longer, we do not feel that the consultations proposal provides this result.

Q2. Do you agree with increasing the NMPA to 57 for members without a PPA?

Yes, we agree with this and are happy to see this practical solution put into place. We agree that it would be very complex and expensive to extend the protection to transfers in and it would have a disproportionate cost on the scheme to do this. For the scheme this is the best option, we ask for reassurance that all angles on this have been considered including checking if it is likely these changes may result in a similar situation which created the McCloud remedy. We ask for further clarity on whether a club transfer in (pre-2021) fall into this category? If it does this would seem to be against the fundamental essence of a club transfer which is supposed to give broadly similar benefits even though you transferred. This change could also cause complaints regarding members feeling disadvantaged if they have transferred in protected benefits before 2021 and feel they have lost the earlier retirement date.

Q3. Do you have any views on the design of the regulations to incorporate this change?

We agree with the assessment by LGA in their answer to this question.

Q4. Do you agree with the proposal to give mayors access to the scheme?

Yes, we agree that giving access to Mayors to the scheme is fair as they do work whole time and often devote far more than 36 hours a week to the role. They also have significant responsibilities. This is a sensible change that recognises Mayor's contributions and should help make this role accessible to a diverse range of candidates as they will not be financially disadvantaged by taking the role.

Q5. Do you agree with the proposal to give councillors access to the scheme?

Yes, we agree in principle to allowing Councillors back into the LGPS since the other nations in the UK have allowed access to councillors. It would be unfair to not allow councillors into the scheme in England. Allowing councillors into the LGPS may help encourage people from a wide range of walks of life to work as councillors, which will help representation.

Q6. Do you agree with the two principles of how the government plans to develop regulations?

Whilst we broadly agree with the changes there are two main issues we have with the proposals: the implementation date and the fact that the rules will greatly differ between different UK nations for Councillors.

We would support a change across all branches of the LGPS so that the rules for councillors' line up. We do not have an issue with the proposed rules for councillors in England, we just feel that because they are different from the other nations these changes do not meet your aims.

We fundamentally disagree with the proposed implementation date of 1 April 2026. This date is impossible to implement. Our system providers will not have any capacity to look at any new changes to the system until late summer 2026 as all capacity is currently focused on having the systems fully ready for the McCloud remedy and Dashboard. Both McCloud remedy and Dashboard are statutory requirements and are part of years long projects to update the pension system. We understand the government may feel that this is a simple system change, but it is unlikely to be a quick change to the system. To give an example, one of the most requested changes to the system for the last 5 years is to make the job role box accept more characters because it is too short. We were recently told that after several years of background work this will be able to be changed in the next couple of years. This seems like the simplest change you can make to a system, but we were informed that to do this they had to make changes to every calculation the system runs (because job role is output on calculation documents). We strongly advise the government to engage with LGPS system providers on setting a more achievable implementation date.

We also feel that when considering an implementation date, the dates of elections should be taken into account. If the implementation date is left as 1 April 2026, the

systems will not be ready, then a councillor who has opted in may lose the elections in May 2026, becoming eligible for a refund of contributions. How will the refund be paid and recorded when the system is not ready. This will cause huge amounts of work and upset for those affected. We would ask that the implementation date is put back to 1 April 2027 as the earliest date to implement. We still feel that system updates and new regulations may not be in place by this date, but it is a far more achievable target.

Another consideration when discussing the implementation date is cost. Councils have set their budget for the 2026/27 year already and they have not included councillors in the LGPS as part of this. Even with contribution rate changes due to the valuation many councils may find their pension costs higher due to allowing Councillors back into the LGPS. Councils are already under great stress to balance their budgets, adding additional costs at this late a date is setting the councils budgets up to fail. The cost of changing the pension systems to include councillors will also be costly to the Pension Fund and will not have been included in any budgeting for the Fund. We agree with the LGA that these changes represent a new financial commitment and should therefore fall under the New Burdens principle so request funding from the government to implement them.

We agree to the principles of the changes to the mayors' and councillors' scheme. We do feel more clarity is needed on removing access to underpin and McCloud remedy in the new scheme as per the LGA recommendations on aggregations and transfers.

Q7. Do you have any specific comments on the draft regulations?

No, we do not. We do feel that the LGA has raised some interesting points in answer to this question.

Q8. Do you agree with the proposal to establish the criteria above in legislation?

legislation?

- Yes but with more definition around criteria A, ie setting out a standard formula for the calculation.
- How will you assess admin efficiencies, will there be a standard prescribed formula for the calculation that does not include the differences in er cons rates?

I think it is better to have a clear cut definition and criteria rather than leaving it open to interpretation for consistency purpose

Q9. Do you have any views on how contribution rate shopping can be discouraged?

- Adding additional information in criteria A and [defining a standard formula for calculation](#).

- Defining the receiving admin authority as the one in which the MAT central address is registered; the central address should have been at the location for a qualifying period, for example at least 2 years, to prevent relocation to a preferred admin authority area. This may not be where the MAT currently has schools so that should be reflected in the regulations, not necessarily just saying it has to be where there are existing schools as that invites cherry picking favourable admin authorities.
- Whether the relevant admin authority for consolidation will be based on the MAT central address at the time of transfer and whether the MAT would need to move to another admin authority if the central address changes.
- Once consolidation has taken place, whether the employer be able to apply to move to another admin authority on subsequent occasions; I would suggest building in limiting factors in this regard.
- Whether there will be restrictions on the amount of times an employer can change admin authorities either at all or how many times within a prescribed time period; consideration should be given to deterring potential desire to 'admin authority hop' aligned to triennial valuation periods where preferable rates may be set in particular authorities – restrictions on moving within 2 years of a valuation should be implemented.
- There should be some sort of criteria around morphing of MATs; some reference to name changes, registrations where the entity is clearly the same but is attempting to present itself as a new distinct body in order to get around qualifying criteria in terms of time registered in an area to be eligible to consolidate in a particular admin authority.

Q10. Are there any other criteria that should be included?

- Will it be more difficult for Fund Actuaries to determine er rates for ers operating in other parts of the country in terms of er profiles and longevity data? Should there be some sort of consideration / criteria around this?
- As a Fund, our policy is to track individual schools within MATS separately, so they all have their own individual er rates. I think this should be made mandatory as it makes things easier when schools move from one MAT to another within an administering authority as only the individual school rate needs recalculating rather than the rate for the whole MAT, both new and old.

- If a school changes MAT and the new MAT is registered at another administering authority, that would presumably trigger a bulk transfer; currently changes of MAT tend to be within the current admin authority so this would generate extra work for the authorities, both ceding and receiving. It would also require a valuation to be carried out to set a new employer rate for the school concerned, thus generating additional actuarial and administration costs.
- On what grounds might an admin authority be entitled to refuse the application either for an employer to move out of or into their Fund? Will there be a prescribed criteria for this or will it be purely down to whether the Fund is individually minded one way or the other – for example would it be with regard to the Fund's individual admissions policies, hence would there need to be a specific policy statement on this issue within it and what would it need to cover. This needs to be included within the criteria.

Q11. Do you have any other comments or considerations relating to establishing the criteria in legislation?

- Clarity and detail in what is required to meet the criteria so that consistency of application is possible.

Q12. Do you agree to the removal of the requirement to seek Secretary of State consent for standard direction order applications?

- Yes, but only where all parties agree that the conditions a to d have been met and this can be adequately evidenced.
- There should be independent sign off on this, for example from a Fund actuary or legal advisor to the receiving Fund. I would suggest fees for this are included in the value formula in criteria A, as would be fees for actuarial assessments of new rates and work around transfers of service.
- There is also the question of what liabilities would transfer over, current or pensioner and deferred liabilities and officer time in transferring member records and setting up schedule submissions and checks going forward.
- Would staffing resources to administer both the transfer and ongoing work be included in the value formula and how would that be quantified – will there be a standard way of assessing that.

Q13. What would be the most helpful information to include in guidance?

- Clear cut definitions and criteria as per comments above.
- Standard formulas to be used in assessments of value for money.
- Grounds on which admin authorities can refuse applications either in or out.
- Independent verification of whether the 4 criteria have been met.
- Detail of which admin authority should be the relevant authority to take on the consolidation
- What liabilities will transfer over, current only or pensioner and deferred benefits also

Q14. Do you have any other comments or consideration on the removal of the requirement to seek SoS consent for standard order applications?

Whilst it might be more convenient for employers to consolidate into one admin authority, it has implications for the ceding and receiving Funds in terms of liabilities and funding, as well as staffing resources to administer during and post transfer.

Currently, applications for consolidation are fairly rare. If the requirement for SoS approval is removed, applications might increase as the perception will be that the process is easier. Large movements of employers into and out of Funds could impact on Fund values and employer rates in general, possibly affecting long term Fund stability. Consequently, the funds available in terms of investment are likely to be affected and have an impact on the investment pots allocated to individual pools, for example leaving the old pool with less funds and the new one with more. This not only affects the ability of funds to cover their benefit liabilities through investment returns but also the money available to fund the 'local investment projects' that the current government has mandated.

It doesn't seem like a very prudent basis for providing fiscal security on a long- term basis so might negatively impact on Fund stability and forecasting. This in turn could result in erratic fluctuations in employer contribution rates from one valuation period to the next – not something that is at all desirable.

Q15. Do you agree that non-standard applications will continue to require Secretary of State approval?

- Yes, however there should be clear and consistent criteria applied in decision making at SoS level. Merely saying matters will be considered on a case- by- case basis allows room for inconsistency of application.

Q16. What would be the most helpful information to include in the guidance in relation to nonstandard applications that will require Secretary of State approval?

- Which of the 4 criteria have not been met, cite each if more than 1.
- Specific reasons for referral to SoS.
- Information required to be provided to SoS in order for a determination to be made
- Context – why the matter needs to be referred, ie will the transfer adversely affect the financial wellbeing of the Fund, is there a dispute over whether the receiving consolidating admin authority is the right one for example.
- Defined set of grounds on which the ruling will be judged; the determination should be with reference to this.
- Timeframe for the application to be submitted and ruling determination given
- Who will be the relevant person to submit the application to the SoS – is that the party who doesn't want the consolidation to proceed or an independent advisor such as a Fund actuary or legal advisor.
- Who will be responsible for any cost incurred for the referral to the SoS.
- Standard formula for calculation of
- What constitutes 'robust evidence' that the receiving fund can administer the transfer effectively – again there should be a prescribed standard formula for this, both within the guidance and legislation.

Q17. Do you have any further comments regarding the proposal?

- As far as possibly, there should be clearly defined criteria used by the SoS in reaching determinations in order to achieve consistency of application.
- Any extenuating circumstances should be able to be considered but only in relation to reasons given where parties believe any of the 4 criteria have not been met.

- Judgements should be based on only the information given in relation to reasons parties feel any of the 4 criteria have not been met as provided by them.
- Consistency, clarity and fairness of application need to be embedded in the process and be demonstrable/ evidenced in rulings.
- Discretionary, unstructured and desire to meet political imperatives judgements should not be made if authorities are to have faith that rulings are being made fairly in line with criteria applied consistently across the board.
- Standardised formulas for determining whether the conditions have been met should be included within the legislation and guidance and judgements should be made with reference to these and not spurious random references to other things.

Q18. Do you agree that the option to offer broadly comparable schemes should be removed, except in exceptional circumstances, to align with the 2013 Fair Deal guidance?

Yes

Q19. Are you aware of any other broadly comparable schemes that are currently in operation and have active members covered by the 2007 and/or 2012/2022 Directions? If so, please provide details of these.

. No

Q20. Do you agree with the proposals on deemed employer status and the removal of admission body option for service providers who deliver local government contracts?

- No – reasons as follows:
- Whilst it would do away with admission agreements, I see very little difference in terms of administration.
- If there is no admission agreement in place then the terms of the passthrough arrangement would still need to be documented in order to set out the arrangements in place so that the Fund is protected. You are just changing one document for another.
- Technically, you might have less employers but the reality is that you would still need schedule returns from the service providers as they are the bodies paying the salaries and deducting the contributions.
- You would be building in an additional layer of complexity by making the contractor responsible for the payment of the primary

contributions and the Fair Deal employer for payment of the secondary contributions; how would this be achieved, given that the pay information would be generated by the contractor – are you proposing that the contractor sends pay information to the Fair Deal employer who then calculates the secondary rate contributions and sends a duplicate schedule and makes a top up payment to the admin authority each month? If so, then we would effectively get double the number of returns and payments each month. If instead you intend to get the contractor to send the pay information to the Fair Deal employer and they then add the secondary rate contributions this could delay schedule submissions and it would require longer for the process to be undertaken and build in greater potential for queries, ie who hasn't done which bit, what is delaying submission and who does the scheme chase. There is also the added complication of how the corresponding payments are made and by who; does the contractor pay the employee and primary rate employer contributions directly to the Fund and then the Fair Deal employer pays the balance or does the contractor pay their sum due to the Fair Deal employer and the Fair Deal employer then pays the total inclusive of the secondary rate employer contributions to the Fund. From an administrative perspective this would be building in a far greater burden for admin authorities, contractors and proposed Fair Deal employers, it will be staffing resource, time and financially cost heavy and potentially result in greater instances of breaches occurring due to late submissions and payments and I most definitely would not support it. You would be creating a perfect storm.

- There would be a capacity issue for smaller Fund employers such as academies which you appear to be classifying as deemed employers also; it is likely that they would struggle to deal with the responsibilities as above.
- There needs to be some detail around passthrough for academies within MATs. We currently track and allocate individual employer rates to individual schools within MATS. When contracts are let through passthrough arrangements we allocate the rate for the individual academy letting the contract to the contractor. This is helpful from an actuarial and other perspectives, especially when academies change MATs. We would recommend that this is the method used going forward. However, if it were the MAT as an entity that would be the deemed employer, effectively they don't have an employer rate as an entity within the Fund, it is the individual schools within the MAT that are allocated rates. Therefore, there would need to be reference to this within any deemed employer regulations; ie that the individual school employer contribution rate is used for the passthrough rate. This would be another complexity to any new

regulation definitions, potentially creating a distinct class of deemed employer.

- If you failed to include all letting authorities (such as academies) within the deemed employer definition, you would then be creating a second class of employers with different arrangements from the Council as an employer.
- How would you treat contracts let from maintained schools in terms of employer status given they are currently covered by Fair Deal in contrast to other council staff who are covered by the Best Value Direction; would the LA be the deemed employer or would the school continue to come under the old Fair Deal arrangements. This could potentially create a third classification of employer under the regs. Additionally, Maintained Schools are responsible for their own payroll arrangements under devolved responsibility arrangements and often use external payroll providers. Would it be the responsibility of the school to act as a letting authority in terms of schedule and payment submission, therefore effectively acting in the role of a deemed employer. This would impact on their resources, both in time and cost required to administer it.
- From an actuarial valuation perspective, you would still need to document the service providers either as tracking the rate of the letting authority (which could be academies or the LA) or any other arrangements in place such as set rates or tracking letting authority rates plus or minus percentages or tracking only the primary rate etc which would change with the letting authority rates. Again, this isn't saving time, staffing resources or financial cost.
- Any outsourcing on passthrough would still need some sort of scrutiny or authorisation from the Fund Actuary to assess the impact in terms of the letting authority who would be guaranteeing the liabilities. Again, this isn't saving time, staffing resources or financial cost.
- The usual passthrough arrangement which our Fund operates (and which are the Fund's default position within our admission policy) tend to be directly tracking the letting authority rate (ie the same primary and secondary rate; when the letting authority rate changes then the admitted body rate changes to mirror it). We do have some arrangements that set either fixed rate or primary rate only tracking but these are exceptions and are documented within the admission agreements and valuation documentation. The Fund meets with letting authorities before contract tendering to discuss these matters and this enables them to include the arrangements within invitation to tender documentation, thus allowing the contractors to understand the financial cost of the pension liabilities they will be taking on before submitting a bid. This works well and I see no advantage to be

gained from moving to this 'deemed employer' route, only greater potential for problems.

- There is the question of who the deemed employer would be in cases where contracts are sub-let by the contractor or where joint contracts for shared services are let. This potentially could build in yet another layer of administration and body from whom the Fund must obtain schedules and payments. There would need to be specific definitions around these situations.

Q21. Do you agree with the proposed definition of a Fair Deal employer?

- Not as it stands, no. There is no need for it and you would only be further complicating administration.
- Please see previous comments about school and academy classifications.
- How will a further education establishment be defined – some establishments offer both further and higher education. There needs to be clarity around qualifying criteria, ie with reference to registered gov.uk establishment information
- I would strongly disagree with the proposed move to create deemed employers as described in the proposals within the regulations
- I would also suggest that consideration is given to reviewing the current deemed employer position within the regs concerning voluntary aided schools.

Q22. Do you agree with the proposed definition of a protected transferee?

- You would need two categories here. The staff employed by the Fair Deal employer directly before service transfer and new staff employed to work on the contract after outsourcing, you might need separate subcategories as in the current admission bodies categories, ie a and b for example.
- This is an opportunity to sort out the ambiguity around eligibility in terms of the 'wholly or mainly' classification. There is no definition within the regs – the phrase derives from caselaw and is implied within TUPE requirements which has effectively been borrowed by the LGPS as a convenient definition. There are other alternative justifications such as the value of the work undertaken within the guidance. With the nature of some outsourcings now (eg joint authority shared service outsourcings that may evolve to be contracted by individual authorities but undertaken by a single contractor), a member who was eligible for membership could find

themselves still working for 100% of their time in connection to the same outsourced work but if their time is spilt equally between the ex- member authorities, for example 4, then they would only be working for 25% of their time on any one contract and therefore not eligible for LGPS membership in any single admin authority. There needs to be proper reference and definition within the LGPS regs of what constitutes an eligible employee before defining what a protected transferee is and protection should be afforded to members such as these.

Q23. Do you agree with the proposal to allow the Fair Deal employer to provide protected transferee status for all staff working on a contract outsourced by a Fair Deal employer, which would enable Fair Deal employers and relevant contractors to avoid creating a two-tier workforce on outsourced contracts?

- This is effectively just replacing the open and closed scheme options which we already have but open arrangements are used primarily for scheduled bodies. This poses greater potential financial risk to the letting authority or new 'deemed employer'. Don't know how this would sit in terms of funding liabilities. The letting employer is taking on the risk so it may affect their employer rate, which in turn would affect the contractor's rate if it shadows the letting authority rate. In effect I suppose we would be treating them in the same way as a scheduled body. If protected transferees can effectively transfer Broadly Comparable entitlements on a final salary basis this would have further implications for valuations and could possibly affect McCloud protections.
- This would be an opportunity to more specifically define the 'wholly or mainly' description. This is currently not covered by the LGPS regs, it originates with what is implied in the TUPE guidance which itself derives from caselaw. In the light of shared service partnerships etc, consideration should be given to whether this is just a 50% of time definition or whether it can be determined differently. For example, an employee could be working on a 25% basis on 4 separate contracts for different authorities and not qualify for membership under any of them, despite working on LA contracts for 100% of their time. I believe this needs to be broadened to consider other things and should be defined within the LGPS regs. Currently we cite it in admission agreements but with no real basis under the regs, just a convenient definition based on the implied TUPE adoption of the caselaw definition of 50% of time so presumably it is open to challenge legally.

- There does need to be some sort of protection for transferring members, but careful consideration should be given to the potential financial consequences to the Fund and letting authorities – how can you quantify how many potential new staff the contractor may engage post contract award that would then be in scope for LGPS membership. Actuaries would need to use different funding assumptions presumably when assessing employer contribution rates.

Q24. Do you agree with the overall approach on responsibilities for relevant contractors and Fair Deal employers? If you do not, with which proposals do you disagree?

- It is not clear how the fair deal employer will pay the secondary rate. Is this monthly or as part of their assessed overall or secondary rate? We could end up with 2 schedules for every contractor every month if the former applies. I have detailed these issues in previous sections
- I do not agree with the proposals in general but particularly on the decisions on contribution rates and payments of contributions

Q25. Do you agree that Option 1 should be applied to how agreements between protected transferees and relevant contractors should be treated in the case of subsequent outsourcings? Please give the reasons for your answer.

If you are going to provide continuity for AVCs and APCs then option 1 would be the simplest option as it can be detailed in the transferring arrangements, presumably by way of the contract. It is important that this is maintained by subsequent contracts / outsourcings in relation to the protected members for consistency and continuity purposes.

Q26. Do you agree with the approach to allow broadly comparable schemes to continue only in exceptional circumstances?

No. It should be possible to find a way to ensure LGPS membership is available for all transferring staff

Q27. Do you have any views on what the exceptional circumstances, where broadly comparable schemes may need to continue, could be?

They shouldn't

Q28. Do you agree with the proposed approach to inward transfers from broadly comparable schemes?

Yes, in terms of the bulk transfer arrangements however you would need to bring single member transfers into scope to be covered by the bulk transfer arrangement – we do get outsourcings covering only one member on occasions and they should be treated the same as multi-employee transfers.

Q29. Do you agree with the approach of including a mechanism in the draft regulations that allows for staff to become protected transferees where there is an early re-negotiation of a service contract using the new Fair Deal regulations?

Yes, any subsequent contractual negotiations should provide continued protection for transferring staff, but I disagree with the creation of deemed employers.

Q30. Do you agree with the proposal that all staff (including those joining a contract after first outsourcing) would be eligible for protected transferee status, providing all relevant parties agree?

Only if there is proper consideration to the impact of what would effectively be 'open' basis arrangements for contractors, both in terms of contractor and letting authority affordability and consideration for Funding calculations basis by Fund actuaries to ensure the Fund is protected and can cover the additional benefit liabilities placed on it.

Q31. Do you agree with the proposal for the draft regulations to come into force on the date the relevant SI is laid, with a 6-month transitional period during which there is the possibility to decide to not apply the new provisions?

No. the six- month transition period brings ambiguity. It would be better to set an implementation date six months later than the planned date.

Q32. If you are an individual who is currently outsourced from a local authority and part of a final salary scheme, do you agree with the proposed updating of the 2007 and 2022 Directions to deem the LGPS as broadly comparable to or better than final salary schemes? Please give the reasons for your answer.

N/A

Q33. Do you agree with the proposal to develop and publish statutory guidance and Scheme Advisory Board guidance to support with the implementation of the updated Fair Deal proposals?

Yes. If the proposals are to be taken forward, then publication of guidance is essential.

Q34. Are there any additional topics that you would like to be covered?

- Addressing the 'wholly or mainly' issue regarding eligibility for LGPS membership on contract outsourcing
- Amending TUPE to properly include pension requirements on outsourcing of contracts which should be aligned to definitions which should be included in the LGPS Regulations

Q35. What impact do you think these proposals would have on members?

- Removing the Broadly Comparable reference would provide better pension provision for members.
- Introducing a deemed employer designation and abolishing the admission agreement route would be detrimental to member experience and administration and could adversely affect Fund financial wellbeing.

Q36. Do you support the proposal to bring all eligible individuals back into the LGPS, including those in broadly comparable final salary schemes? Please explain your reasons.

- Yes as it protects member pension provision but consideration must be given to actuarial implications, Fund financial wellbeing and employer and letting authority cost implications.

Q37. On balance, do you agree with the proposals in this chapter?

No. The proposed deemed employer creation will create more problems than it solves.

- I do agree with the removal of the Broadly Comparable reference
- You should review the 50% of time on contract arrangements and put more meaningful and flexible definitions within the LGPS regulations.

Q38. Do you consider that there are any particular groups with protected characteristics who would either benefit or be disadvantaged by any of the proposals? If so, please provide relevant data or evidence.

No

Q39. Do you agree to being contacted regarding your response if further engagement is needed?

Yes