

CYNGOR SIR POWYS COUNTY COUNCIL.

**Pensions and Investment Committee
7th February 2013**

REPORT BY: Strategic Director of Finance & Infrastructure

SUBJECT: Supported Living Service Transfers

REPORT FOR: Information

- 1 As Committee may be aware, Council staff employed in the Supported Living Service (the “Brecon Bungalows”) are to be transferred under TUPE arrangements to Mirus-Wales Ltd, following a tender exercise. At the time of writing, the anticipated transfer date is 1st February 2013.
- 2 In accordance with the Welsh Authorities Staff Transfers (Pensions) Direction 2012 the pension rights of transferring Council staff must be protected. In this case, this will be fulfilled by enabling staff to remain subject to the LGPS via an admission agreement between the Pension Fund and the contractor.
- 3 The contractor is eligible to participate in the LGPS as a transferee admission body by virtue of Regulation 6 (2)(a)(i) of the Local Government Pension Scheme (Administration) Regulations 2008 [SI No. 2008/239], being a body providing a service in connection with the exercise of a function of a Scheme employer (Powys County Council) as a result of the transfer of the service by means of a contract.
- 4 As required by Regulation 7 of the above mentioned regulations, an appropriate admission agreement has been drafted by the Pension Fund’s legal advisers. In addition, the Fund actuary has estimated the employer contribution rate to be paid and the level of indemnity or bond required to be purchased and maintained, in order to indemnify the Pension Fund against the risk of the contractor ceasing to trade.
- 5 On completion of the admission arrangements, (finalised pay details are awaited in respect of the staff concerned), Mirus-Wales Ltd will be admitted to the Powys Pension Fund.
- 6 Committee are asked to note the contents of this report.

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| Recommendation: | Reason for Recommendation: |
| To note the contents of the report. | As per report |

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| Person(s) To Action Decision: | | | |
| Date By When Decision To Be Actioned: | | | |
| Relevant Policy (ies): | N/A | | |
| Within Policy: | N/A | Within Budget: | N/A |
| Contact Officer Name: | Tel: | Fax: | Email: |
| Joe Rollin | 08708 510264 | 01597 826290 | joe.rollin@powys.gov.uk |

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| Relevant Portfolio Member(s): | Councillor Dai Davies |
| Relevant Local Member(s): | |