

## Clwyd Pension Fund Scheme of Delegation

The Clwyd Pension Fund has certain functions which are delegated to the Chairman, Vice-Chairman and/or Officers of the Fund by the Pension Fund Committee. This paper outlines the decision made, the powers under which it is made, when the decision was taken, and by whom.

<b>Delegated powers being used (extracted from agreed PFC delegations):</b>	<b>Delegation:</b>	Making decisions relating to employers joining and leaving the Fund. This includes which employers are entitled to join the Fund, any requirements relating to their entry, ongoing monitoring and the basis for leaving the Fund.
	<b>Delegated Officer(s):</b>	HCPF and either the CFM or CMPOD after taking appropriate advice from the FA.
	<b>Communication and Monitoring of Use of Delegation</b>	Ongoing reporting to PFC for noting.

<b>Subject matter</b>	Application for admission body status for Flintshire Libraries and Leisure Ltd
<b>Recommendation</b>	To allow Flintshire Libraries and Leisure Ltd admission body status as part of the CPF with effect from 01/11/2024

<b>Background:</b>
Flintshire Libraries and Leisure Ltd is a Local Authority Trading Company (LATC) providing library and leisure services within Flintshire. Flintshire Libraries and Leisure Ltd are applying to become an admission body under the provision of Schedule 2 of the Local Government Pension Scheme Regulations 2013 (their specific circumstance is crossed below):

1. The following bodies are admission bodies with whom an administering authority may make an admission agreement-

- (a) a body which provides a public service in the United Kingdom which operates otherwise than for the purposes of gain and has sufficient links with a Scheme employer for the body and the Scheme employer to be regarded as having a community of interest (whether because the operations of the body are dependent on the operations of the Scheme employer or otherwise);
- (b) a body, to the funds of which a Scheme employer contributes;
- (c) a body representative of-
  - (i) any Scheme employers, or
  - (ii) local authorities or officers of local authorities;
- (d) a body that is providing or will provide a service or assets in connection with the exercise of a function of a Scheme employer as a result of-
  - (i) the transfer of the service or assets by means of a contract or other arrangement, X
  - (ii) a direction made under section 15 of the Local Government Act 1999(115) (Secretary of State's powers),
  - (iii) directions made under section 497A of the Education Act 1996(116) ;
- (e) a body which provides a public service in the United Kingdom and is approved in writing by the Secretary of State for the purpose of admission to the Scheme.

The effective date of the contract was 1 November 2024 an admission agreement is being prepared and will require all parties to sign. An admission agreement may take effect on a date before the date on which it is executed as per Part 3 of Schedule 2.

As the body is providing a service for Flintshire County Council, Flintshire County Council will also be party to the admission agreement and will act as guarantor.

The agreement is a Closed agreement (i.e. restricted to just the transferring employees) with approximately 106 existing Clwyd Pension Fund scheme members transferring from Aura Leisure and Libraries to Flintshire Libraries and Leisure Ltd. All contributions will be paid on the formal admission to the Fund.

It has been considered and agreed by the Actuary that the contribution rate from the new employer would commence at the same level as Aura Leisure and Libraries, given that the majority of members are transferring to the new admission agreement, and it is expected that all assets and liabilities will be novated to the new arrangement. The contributions will therefore be as set out in the Actuary's 2022 valuation report. The required contributions will be reviewed as part of the 2025 actuarial valuation in line with all employers and will be effect from 1 April 2026.