

PROPOSED ADDITIONAL REGULATIONS TO THE LOCAL GOVERNMENT PENSION SCHEME (ADMINISTRATION) (SCOTLAND) REGULATIONS 2008

PART 4

PENSION FUNDS AND EMPLOYERS PAYMENTS

Additional costs arising from employing authority's level of performance

1.—(1) This regulation applies where, in the opinion of the appropriate administering authority, it has incurred additional costs which should be recovered from an employing authority because of that employing authority's level of performance in carrying out its functions under these Regulations or the Benefits Regulations.

- (2) The administering authority may give written notice to the employing authority stating—
- (a) the administering authority's reasons for forming the opinion mentioned in paragraph (1);
 - (b) the authority's opinion that the employing authority's contribution under regulation [**tba Pension administration strategy – part 7**] should include an amount specified in the notice in respect of the additional costs attributable to that authority's level of performance;
 - (c) the basis on which the specified amount is calculated; and
 - (d) where the administering authority has prepared a pension administration strategy under regulation [**tba Pension administration strategy – part 7**], the provisions of the strategy which are relevant to the decision to give the notice and to the matters in sub-paragraph (a), (b) or (c).

PART 7

POLICY STATEMENTS AND INFORMATION

Pension administration strategy

2.—(1) An administering authority may prepare a written statement of the authority's policies in relation to such of the matters mentioned in paragraph (2) as it considers appropriate ("its pension administration strategy") and, where it does so, paragraphs (3) to (7) apply.

- (2) The matters are—
- (a) procedures for liaison and communication with employing authorities in relation to which it is the administering authority ("its employing authorities");
 - (b) the establishment of levels of performance which the administering authority and its employing authorities are expected to achieve in carrying out their Scheme functions by—
 - (i) the setting of performance targets,
 - (ii) the making of agreements about levels of performance and associated matters, or
 - (iii) such other means as the administering authority considers appropriate;

- (c) procedures which aim to secure that the administering authority and its employing authorities comply with statutory requirements in respect of those functions and with any agreement about levels of performance;
 - (d) procedures for improving the communication by the administering authority and its employing authorities to each other of information relating to those functions;
 - (e) the circumstances in which the administering authority may consider giving written notice to any of its employing authorities under regulation [tba **Additional costs arising from employing authority's level of performance – part 4**] on account of that authority's unsatisfactory performance in carrying out its Scheme functions when measured against levels of performance established under sub-paragraph (b);
 - (f) the publication by the administering authority of annual reports dealing with—
 - (i) the extent to which that authority and its employing authorities have achieved the levels of performance established under sub-paragraph (b), and
 - (ii) such other matters arising from its pension administration strategy as it considers appropriate; and
 - (g) such other matters as appear to the administering authority, after consulting its employing authorities and such other persons as it considers appropriate, to be suitable for inclusion in that strategy.
- (3) An administering authority must—
- (a) keep its pension administration strategy under review; and
 - (b) make such revisions as are appropriate following a material change in its policies in relation to any of the matters contained in the strategy.
- (4) In preparing or reviewing and making revisions to its pension administration strategy, an administering authority must consult its employing authorities and such other persons as it considers appropriate.
- (5) An administering authority must publish—
- (a) its pension administration strategy; and
 - (b) where revisions are made to it, the strategy as revised.
- (6) When an administering authority publishes its pension administration strategy, or that strategy as revised, it must send a copy of it to each of its employing authorities and to the Secretary of State.
- (7) An administering authority and its employing authorities must have regard to the current version of any pension administration strategy when carrying out their Scheme functions.
- (8) In this regulation references to the functions of an administering authority include, where applicable, its functions as an employing authority.