

FINANCE COMMITTEE - 15 OCTOBER 2001

**REPORT ON: THE SCOTTISH COMMISSION FOR THE REGULATION OF CARE
- ADMISSION TO LOCAL GOVERNMENT PENSION SCHEME**

REPORT BY: DIRECTOR OF FINANCE

REPORT NO: 664-2001

1 PURPOSE OF THE REPORT

Following on Report No 131/96 to the Finance Committee on 10 June 1996, which laid down the conditions to apply before a body could be considered for admission into the Local Government Pension Scheme administered by Dundee City Council, The Scottish Commission for the Regulation of Care has applied for membership and the Committee is requested to consider their application.

2 RECOMMENDATION

It is recommended that the Committee agree to The Scottish Commission for the Regulation of Care being admitted into the Local Government Pension Scheme administered by Dundee City Council providing the Scottish Executive confirms that they will act as guarantor for any unfunded liability should the body cease to exist.

3 FINANCIAL IMPLICATIONS

As the Scottish Executive will be acting as guarantor there will be no financial liability on Dundee City Council.

4 LOCAL AGENDA 21 IMPLICATIONS

None

5 EQUAL OPPORTUNITIES IMPLICATIONS

None

6 BACKGROUND

6.1 Under the Local Government Pension Scheme (Scotland) Regulations 1998, the administering authority has the right to admit other bodies into the Local Government Scheme providing they meet the requirements of Regulation 4(8) of these Regulations. Any body admitted then has the same rights and liabilities as the local authorities in the scheme.

6.2 The Scottish Commission for the Regulation of Care qualifies under Regulation 4(8)(a) "A body which provides a public service in the United Kingdom otherwise than for the purposes of gain".

6.3 The Finance Committee at its meeting on 10 June 1996 agreed detailed criteria of which one must be met if the body's application for admission to the Local Government Pension Scheme was to be submitted to the Finance Committee. These criteria were as follows:

- i Bodies with long term funding (in excess of 20 years);
- ii Bodies who have been in existence for at least 10 years and who have a foreseeable long term future in existence;
- iii Bodies with short term funding where another substantive body is prepared to act as guarantor;
- iv Bodies where the employees were formerly local government staff.

7 CONCLUSIONS

In view of the fact that the Scottish Executive will act as guarantor, it would be appropriate for The Scottish Commission for the Regulation of Care to be admitted into the Local Government Pension Scheme as administered by Dundee City Council.

**DAVID K DORWARD
DIRECTOR OF FINANCE**

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.