

Report to Pension Fund Committee

Title: Appointment of Adjudicators for LGPS Disputes

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Local members affected: N/A

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Summary

The Council must have an Adjudicator to determine certain disputes under the Local Government Pension Scheme Regulations.

Recommendation

The Committee is recommended to:

- a) **Appoint Ms Jessica Farmer of HB Public Law as Adjudicator in accordance with Regulation 74 of The Local Government Pension Scheme Regulations 2013, the appointment to take effect immediately, and**
- b) **Confirm the further appointment of Mr David Hodge as a standing substitute when Ms Farmer is unable to consider cases.**

Supporting information to include the following if a decision is being requested:

The Council must appoint an Adjudicator to deal with disputes raised under the Local Government Pensions Scheme Regulations 2013 ("the Regulations"). The Adjudicator was previously Ms Linda Forsyth who has since retired and is accordingly no longer with the Council.

The Regulations set out a procedure whereby any member of the Local Government Pension Scheme ("LGPS") can make an application to an Adjudicator to decide a dispute relating to the application of the Regulations. Applications can be initiated by any person whose rights or

liabilities under the Pension Scheme are affected by a decision or any other act or omission by a Scheme employer or administering authority.

The dispute resolution procedure requires the appointment of a 'local referee' or Adjudicator to consider the dispute. The Adjudicator must act independently and cannot consider a dispute if he/she has had any involvement in the original decision. The Adjudicator should normally make a determination within 2 months. The second stage of the procedure allows for reconsideration of the dispute by the appropriate administering authority.

Ms Farmer has agreed, subject to the Committee's approval, to assume the role of Adjudicator. Ms Farmer is a practising solicitor with experience in pension law. Mr Hodge has agreed to assume the role of Adjudicator when Ms Farmer is not able to consider cases. Mr Hodge is also a practicing solicitor with pension law experience.

The Committee is asked to confirm the proposed appointments with immediate effect.

Resource implications

The costs associated with dealing with disputes will be charged to the Pension Fund.

Legal implications

As set out in the report.

Other implications/issues

None

Feedback from consultation, Local Area Forums and Local Member views (if relevant)

N/A

Background Papers

Local Government Pension Scheme Regulations 2013
