

1. Employer admission and associated matters

- 1.1 The following matters were agreed by Nick Buckland Head of Pensions and Treasury under Committee's delegated authority –

2. New employers

Steadfast Cleaning Company Ltd (re contract with St Johns CE Primary School - KCC)

- 2.1 Steadfast Cleaning Company Ltd (Company number:1741651) was awarded a 3-year (plus 2) cleaning contract backdated to 1 April 2023 by St John's CE Primary School (KCC School). This involves the transfer of 1 eligible LGPS member.
- 2.2 A retrospective admission application has been made under Schedule 2 Part 3 (d) of the LGPS Regulations 2013, as amended, and under this regulation the admitted body is required to provide some form of security.
- 2.3 The Fund Actuary has assessed the employer contribution rate as 28.2% for a closed agreement and the Guarantee for the first year as £16,000.
- 2.4 The completed questionnaire and supporting document (i.e. the executed commercial contract) provided by Steadfast Cleaning Company Ltd have been examined by officers to ensure compliance with the LGPS regulations, and Invicta Law has given a favourable opinion.
- 2.5 Security to the Fund in the form of a Guarantee is to be provided by Steadfast Holdings (Maidstone) Ltd, as parent company (Company number 12334448).
- 2.6 Fund officers have completed a credit check on Steadfast Cleaning Company Ltd as admission applicant and Steadfast Holdings (Maidstone) Ltd as guarantor and they do not currently present any identifiable risk.
- 2.7 Nick Buckland; Head of Pensions and Treasury agreed that Steadfast Cleaning Company Ltd be admitted to the Fund from 1 April 2023 and its associated security (a Guarantee) to be legally sealed on behalf of KCC as Administering Authority; as delegated by the Pension Fund Committee at their meeting on 3 December 2024.
- 2.8 This matter was delayed for a number of reasons, including Steadfast Cleaning Company Ltd not providing the information required for the Actuary to prepare the guarantee and contribution report in a timely manner. In addition the questionnaire took numerous attempts to complete as there was in fact no formal commercial contract in place. This was resolved by asking the letting authority (St Johns CE Primary School) to provide a letter to confirm a de facto contract was entered into.

The Contract Dining Company Ltd (re contract with Crest Infants School – Medway Council)

- 2.9 The Contract Dining Company Ltd (Company number 07185364), was awarded a 3-year (plus 1) catering contract from 15 April 2023 by Crest Infants School (Medway LEA) This involves the transfer of 2 eligible LGPS staff.
- 2.10 An admission application has been made under Schedule 2 Part 3 (d) of the LGPS Regulations 2013, as amended, and under this regulation the admitted body is required to provide some form of security.
- 2.11 The Fund Actuary has assessed the employer contribution rate as 23.6% for a closed agreement and the Bond for the first year as £13,000.
- 2.12 The completed questionnaire and supporting document (i.e. the executed commercial contract) provided by The Contract Dining Company Ltd have been examined by officers to ensure compliance with the LGPS regulations, and Invicta Law has given a favourable opinion.
- 2.13 Security to the Fund in the form of a Bond is to be provided by HSBC Bank PLC.
- 2.14 Fund officers have completed a credit check on The Contract Dining Company Ltd as admission applicant and they do not currently present any identifiable risk.
- 2.15 Nick Buckland; Head of Pensions and Treasury agreed that The Contract Dining Company Ltd be admitted to the Fund from 15 April 2023 and its associated security (a Bond) to be legally sealed on behalf of KCC as Administering Authority; as delegated by the Pension Fund Committee at their meeting on 3 December 2024.
- 2.16 The reason this admission was so delayed is because the previous admission to the Fund was incomplete, due to Medway Council not signing the required admission agreement. This had a knock on effect to this admission progressing.

Cucina Restaurants Ltd (re contract with Leigh Academies Trust)

- 2.17 Cucina Restaurants Ltd (Company number: 05655703) was awarded a 3-year (plus 2) catering contract from 1 September 2023 by Leigh Academies Trust. This involves the transfer of 10 eligible LGPS staff.
- 2.18 Whilst the contract was awarded with effect from 1 September 2023, the staff remain with Leigh Academy Trust and will TUPE transfer on 1 March 2026. An admission application has been made under Schedule 2 Part 3 (d) of the LGPS Regulations 2013, as amended, and under this regulation the admitted body is required to provide some form of security.
- 2.19 The Fund Actuary has assessed the employer contribution rate as 23.1% for an

open agreement and the Guarantee for the first year as £123,000.

- 2.20 The completed questionnaire and supporting document (i.e. the executed commercial contract) provided by Cucina Restaurants Ltd have been examined by officers to ensure compliance with the LGPS regulations, and Invicta Law has given a favourable opinion.
- 2.21 Security to the Fund in the form of a Guarantee is to be provided by Leigh Academies Trust as Scheme employer.
- 2.22 Fund officers have completed a credit check on Cucina Restaurants Ltd as admission applicant and they do not currently present any identifiable risk.
- 2.23 Nick Buckland; Head of Pensions and Treasury agreed that Cucina Restaurants Ltd be admitted to the Fund from 1 March 2026 and its associated security (a Guarantee) to be legally sealed on behalf of KCC as Administering Authority; as delegated by the Pension Fund Committee at their meeting on 3 December 2024.

KGB Cleaning South West Ltd (re contract with Dartford Grammar School for Girls)

- 2.24 KGB Cleaning South West Ltd (Company number: 06941723) was awarded a 3-year (plus 2) cleaning contract backdated to 1 September 2023 by Dartford Grammar School for Girls. This involves the transfer of 1 eligible LGPS member.
- 2.25 A retrospective admission application has been made under Schedule 2 Part 3 (d) of the LGPS Regulations 2013, as amended, and under this regulation the admitted body is required to provide some form of security.
- 2.26 The Fund Actuary has assessed the employer contribution rate as 24.9% for a closed agreement and the Guarantee for the first year as £39,000.
- 2.27 The completed questionnaire and supporting document (i.e. the executed commercial contract) provided by KGB Cleaning South West Ltd have been examined by officers to ensure compliance with the LGPS regulations, and Invicta Law has given a favourable opinion.
- 2.28 Security to the Fund is to be provided by The Arete Trust of which Dartford Grammar School for Girls is part.
- 2.29 Fund officers have completed a credit check on KGB Cleaning South West Ltd as admission applicant and they do not currently present any identifiable risk.
- 2.30 Nick Buckland; Head of Pensions and Treasury agreed that KGB Cleaning South West Ltd be admitted to the Fund from 1 September 2023 and its associated security (a Guarantee) to be legally sealed on behalf of KCC as Administering Authority; as delegated by the Pension Fund Committee at their meeting on 3 December 2024.

2.31 The reason this admission is so delayed is firstly because the Fund was not advised that this TUPE transfer of staff had taken place until 6 months after the event. The Fund did not then have sight of the full completed questionnaire and commercial contract until November 2025.

Cater Link Ltd (re contract with Borough Green Primary School - KCC)

2.32 Cater Link Ltd (Company Number: 03732298) was awarded a 3-year catering contract with the possible option of two additional 1 year extensions from 1 September 2025 by Kent County Council re Borough Green Primary School. This involves the transfer of 5 eligible LGPS members.

2.33 A retrospective admission application has been made under Schedule 2 Part 3 (d) of the LGPS Regulations 2013, as amended, and under this regulation the admitted body is required to provide some form of security.

2.34 The Fund Actuary has assessed the employer contribution rate as 27.2% for a closed agreement and the bond for the first year as £48,000.

2.35 The completed questionnaire and supporting document (i.e. the executed commercial contract) provided by Cater Link Ltd have been examined by officers to ensure compliance with the LGPS regulations, and Invicta Law has given a favourable opinion.

2.36 Security to the Fund in the form of a Bond is to be provided by the Royal Bank of Scotland PLC.

2.37 Fund officers have completed a credit check on Cater Link Ltd and they do not currently present any identifiable risk.

2.38 Nick Buckland; Head of Pensions and Treasury agreed that Cater Link Ltd be admitted to the Fund from 1 September 2025 and its associated security (a Bond) to be legally sealed on behalf of KCC as Administering Authority; as delegated by the Pension Fund Committee at their meeting on 3 December 2024.

3. Employer cessations

Amey Community Ltd (re KCC)

3.1 Amey Community Ltd joined the Fund on 1 November 2014 as an admission body and exited on 31 October 2022. Kent County Council was the scheme employer.

3.2 The admission agreement makes Amey Community Ltd responsible for any cessation deficit although is silent on the treatment of any cessation surplus, which is standard for the time the admission agreement was entered into because a cessation surplus return position was not permitted before the LGPS

regulations changed in May 2018, when any exiting employer's surplus had to be retained in the Fund..

- 3.3 The cessation report prepared by the Fund actuary Barnett Waddingham shows a cessation surplus of £620,000.
- 3.4 As per the LGPS regulations, any cessation surplus paid is capped at the total employer contributions received which were more than the above £620,000 surplus.
- 3.5 Representations from Amey Community Ltd and KCC were sought in consideration of the surplus.
- 3.6 Amey Community Ltd confirmed that it would not pursue an exit credit as it was not exposed to underfunding risk during their contractual term.
- 3.7 KCC confirmed that there were mechanisms in the commercial contract that meant KCC was exposed to underfunding risk by a pass-through agreement. The £620,000 surplus was allocated to KCC's notional share of the Fund after being approved by the Head of Pensions and Treasury on 5 December 2025.
- 3.8 This cessation has taken some time to complete due to a lack of clarity in who at KCC is responsible for the commercial contract. This was a Facilities Management contract.

4. Other decisions

Grade One Commercial Cleaning Services Ltd (re: Rainham Mark Educational Trust)

- 4.1 Grade One Commercial Cleaning Services Ltd (Grade One) was awarded a cleaning contract by Rainham Mark Educational Trust (RMET) at its Riverside Primary School location with a commencement date of 01 January 2024. This involved a transfer of 3 staff who were previously in the LGPS.
- 4.2 The Fund engaged with Grade One regarding the process of applying for admitted body status.
- 4.3 After numerous chasers over many months, Grade One responded advising that they did not believe there was a requirement for them to join the Kent Pension Fund because all transferred staff had subsequently left their employment within a short time after TUPE.
- 4.4 A meeting was arranged with RMET and Grade One (10/10/25) to discuss their responsibilities and during which a solution in lieu of Grade One applying to join the Kent Pension Fund was agreed.
- 4.5 The solution is as follows:

- Treat staff as if they had never transferred by seconding the transferred staff back to RMET for the short period they were employed with Grade One.
 - Grade One agreed to return all LGPS employee and employer contributions to RMET.
 - RMET paid said contributions to the Fund (received by Fund 2/12/25).
 - Leaver papers provided by RMET so that deferred benefits could be awarded to the affected members.
- 4.6 Nick Buckland; Head of Pensions and Treasury agreed the proposed solution as a pragmatic approach, to put the affected scheme members back in the position as if they had never TUPE transferred to Grade One and therefore there is no loss to their LGPS membership.

Principal Catering Consultants Ltd (re contract with Turner Schools Trust)

- 4.7 This decision was in relation to a very backdated admission to the Fund (going back to 1 April 2021) which Committee gave agreement to at their meeting on 19 September 2024.
- 4.8 Admission agreements and associated security (Bond or Guarantee) are usually executed using wet ink signatures by both parties to the admission.
- 4.9 Initially the original paper admission agreement and Guarantee for this admission were correctly executed by Principal Catering Consultants Ltd and the wet ink originals were returned to Invicta Law.
- 4.10 Invicta law then forwarded the original to Turner Schools for their execution.
- 4.11 Unfortunately Turner Schools mislaid the originals. Turner Schools managed to recover a scanned copy of the admission agreement and executed the scanned copies of the originals.
- 4.12 Because of the lengthy delay with this matter, Nick Buckland on behalf of the Pension Fund Committee agreed to scanned signature of Principals Catering Consultants Ltd in this instance and subsequently agreeing to KCC to seal these documents with one original signature and one scanned signature on the admission agreement.
- 4.13 Agreement to this arrangement was sought from Principal Catering Consultants Ltd who agreed this pragmatic way forward rather than re-circulating the documents again, causing further delays.
- 4.14 Having sought advice from the Funds Legal Advisors: Invicta Law, they commented the following:

Given Principals' agreement, it is unlikely that Principals would argue (successfully or otherwise) that the signatures are not valid; and as we have the original signatures of Turner it is unlikely that they would challenge the arrangement.

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