Funding issues update July 2021

Purpose and Scope

This paper has been commissioned by and is addressed to London Borough of Lambeth in its capacity as Administering Authority to the London Borough of Lambeth Pension Fund ("the Fund"). Its purpose is to summarise and update the London Borough of Lambeth Pension Fund Pension Committee on:

A. an introduction to funding and the history of how the funding plan has evolved in the Fund;

B. important funding issues which have arisen since the formal valuation, such as COVID-19, legislative changes, and GAD Section 13 "like for like" analysis of the LGPS; and

C. key funding topics for the Committee to be aware of in the remainder of 2021/22, such as climate risk, the national Cost Management process, and planning for the 2022 valuation.

There is a glossary at the end of this paper which defines technical terms used in this paper and throughout other funding communications.

A. An introduction to pension scheme funding

The Fund is part of the national Local Government Pension Scheme (LGPS). The LGPS was set up by the UK Government to provide retirement and death benefits for employees of local government authorities, and similar or related bodies, across the whole of the UK. London Borough of Lambeth as the Administering Authority runs the London Borough of Lambeth Pension Fund, in effect the LGPS for the London Borough of Lambeth area.

The majority of the Fund relates to the London Borough of Lambeth, but there are a range of different employers who can participate in the Fund, such as: charities, mutual, housing associations, contractors (for the term of their contract) and academy schools.

There are over 20 employers in the Fund.

The Pension Committee is responsible for setting the administration, funding and investment strategies for the Fund. For the purpose of this paper we will only consider the funding strategy which sets out how employer contribution rates are determined.

Employer contribution rates

Employer contributions are set by the Fund Actuary (Steven Law of Hymans Robertson). The Fund has an obligation to ensure each employer meets the cost of the benefits earned by their own employees, and that cross-subsidy is limited.

Each employer has its own asset share within the Fund which grows with contributions paid from the employer and its employees, and the investment returns earned on those assets. Benefits are then paid out to ex-employees (and their dependants) from that asset share.

Each employer will meet the cost of promised benefit payments that are not met by employee contributions (which are set by the LGPS Regulations) and investment returns: this is known as the "balance of the cost". The Actuary calculates how much each employer's contributions need to be to ensure that that employer's asset share is likely to be sufficient to meet the promised benefits. This means that contribution rates can vary greatly between employers, because each is paying its own way, not the way of other employers.

Employer contribution rates are reassessed as part of the actuarial valuation, which is carried out every three years (the last one being as at 31 March 2019, setting contributions for the three years beginning 1 April 2020).

Contribution rates can stay the same, or go up or down, depending how investment markets, the employer's membership and the employer's circumstances have changed.

The Fund is required by LGPS Regulations to have a Funding Strategy Statement ("FSS"). The FSS sets out how contributions are calculated for each of the Fund's employers.

The Fund's current FSS is available on its website here: [funding-strategy-statement-march-2020.pdf (lgpslambeth.org)](). The first two sections of the FSS in particular give an expanded description of the above points.

How the Funding Strategy has evolved

The Fund Actuary carries out a formal valuation every three years where the Funding Strategy is reviewed. Typically, the Funding Strategy will vary for different types of employers. Examples include:

London Borough of Lambeth

As a long-term secure employer, contributions for the Council are set with stability and affordability as key objectives.

For the Council, the Fund has adopted a "stabilisation" mechanism for setting contributions, which means contributions do not change by more than an agreed amount or percentage of pay each year. This approach is tested by considering thousands of future economic scenarios and ensuring that in the majority of scenarios there are sufficient assets to meet benefit payments.

Prior to using the stabilisation mechanism, contributions were set considering a single set of market derived assumptions only. This meant that contributions could vary significantly from one valuation to the next.

General approach for non-Council employers

Contributions for this group are set such that:

- there are projected to be sufficient assets ("the funding target")
- in a set proportion of future scenarios ("the likelihood of success")
- at the end of an appropriate time period ("the time horizon")

The FSS sets out the funding target, likelihood of success and the time horizon for all types of employers. This approach allows contributions to be set which reflect the risk of each employer and their own circumstances.

A brief summary of the approach for groups of employers is set out below:

Academies: these employers are open to new entrants and have a guarantee from Government and are therefore generally considered low risk. Therefore, their funding target and time horizon (17 years) are the same as those used for the Council. However, the Government has reserved a right to pull their guarantee, therefore, academies may be viewed as higher risk than the Council. Therefore, a higher likelihood of success is required for academies when compared to the Council (70% versus 66%).

Charities/mutuals/housing associations etc: these employers a usually closed to new joiners and will therefore leave the Fund in the future. To protect the Fund these employers may have funding targets that are more prudent to that of the Council and academies. In addition, their time horizon is set as the period the employer is expected to still have active members in the Fund, subject to a maximum of 17 years. There is significantly more covenant risk associated with this group as their funding sources may not be guaranteed. Therefore, a higher likelihood of success (75%) is required for these bodies when compared to the Council and academies.

Contractors: Any employer in the Fund that lets a contractor is automatically the guarantor of last resort. If a contractor fails, the employer who let the contract becomes responsible for any future deficits in relation to the contractor's members. Therefore, the funding target used is the same as that for the employer who let the contract, however, the time horizon is limited to the term of the contract subject to a maximum of 17 years. In order to protect the letting employer, a higher likelihood of success (70-75%) is used.

Recent employer funding issues

At the conclusion of the last actuarial valuation (effective 31 March 2019) the Actuary signed a valuation report in March 2020 which included a legally required document called a "Rates & Adjustments Certificate"; this R&A lists all the employers in Fund, and for each of them confirms the employer contribution payable in each of the three years beginning 1 April 2020.

The actuarial valuation report including R&A is available on the Fund's website here: https://lgpslambeth.org/media/5411/valuation-report-2019.pdf.

Since then, some notable employer-specific developments have occurred:

- Hyde Housing and Marcus Lipton have ceased to participate within the Fund;
- Metra Housing and Ethelred TMO have requested Deferred Debt Agreement (details of Deferred Debt Agreement are set out later in this paper);
- one employer has requested a contribution rate review (details of contribution rate reviews are set out later in this paper;
- Harris Academy and a Waste Contract have joined the Fund as new employers; and
- Oasis Academy (Johanna) and Oasis Academy (Southbank) are considering transferring to another LGPS fund as part of an exercise to consolidate their LGPS liabilities into a single host fund.

B. Hot topics in LGPS funding

Impact of Covid-19

In general terms, the COVID-19 pandemic and lockdown has affected funding in three material ways:

- Market fluctuations
- Employer covenant risk
- Potential life expectancy changes

Market fluctuations

Markets across the globe reacted very strongly to the pandemic and consequent lockdowns, reflecting the much-reduced prospect of economic and other activity. In particular, market falls in Spring 2020 were very severe, so that the Fund's own funding level fell from 82% at 31 March 2019 to an estimated 73% towards the end of March 2020.

However, throughout the remainder of 2020 the markets strongly bounced back, so that at 31 March 2021 the funding level had recovered to approximately 95%. The progression of the Fund's funding level is shown in the chart below:

Therefore, whilst market uncertainty is still clearly present, and funding levels will understandably continue to be as volatile as before 2020, it does appear that Spring 2020 did not represent a "re-setting" of markets at a reduced level.

Employer covenant risk

The Fund relies on its employers to continue making contributions to their asset shares to provide the funding for members' future benefits. It is possible that an employer's business is so severely harmed by the impact of the pandemic and lockdown that it may struggle to afford its contributions or even that its continued operation is in doubt.

The Fund's experience of this to date is cautiously positive, namely we have not been notified of any employers in distress as a direct consequence of the pandemic. However, Fund officers and the Actuary will continue to monitor employers as the country emerges from lockdown measures, the furlough scheme is wound down, and the spread of the virus is contained or mutates.

Potential life expectancy changes

As we are all too sadly aware, the COVID-19 pandemic has resulted in a significant rise in mortality during 2020.

At the next formal valuation, we will be able to assess the impact on the Fund of its pensioner (and other beneficiaries) deaths being greater than expected. A presentation from Club VITA (covering a longevity update for the Fund) was given in March 2021.

There is also a potential impact on future life expectancy and this won't be known for some time. There are two potential future directions:

(a) the impact of COVID-19 causes a long-term decrease in life expectancy as a result of the virus continuing to circulate and other long-term health impacts (for example, long COVID or delayed hospital treatment).

(b) life expectancy will improve as a result of, for example, improved hygiene measures or the health benefits from more flexible working patterns.

Realistically it is likely that both will apply to some extent, and it is a matter of whether one outweighs the other (or they broadly balance out).

The Fund's own longevity assumptions are derived by the Actuary on the basis of analysis carried out by Club Vita. The Actuary will work with Club Vita in the approach to the next actuarial valuation and will agree appropriate life expectancy assumptions which bear in mind the impact of COVID-19 nationally and for your Fund.

Recent legislation on employer flexibilities and exit credits

When an employer leaves the Fund, typically a “cessation valuation” is carried out to determine the employer’s position in the Fund. The employer’s asset share is compared to the value of the benefits promised to employees and ex-employees (“the liabilities”). Any shortfall is known as the “deficit” and any excess is known as the “surplus.”

Exit credits

Prior to 2018, any employer leaving with a surplus had no entitlement to have this paid back to them. Legislation changed in May 2018 so that the Fund had to pay employers any surplus when they leave the Fund. The surplus payment is known as an “exit credit”.

In England & Wales, further legislation was added in 2020 to clarify that size of any exit credit payment was at the Fund’s discretion, and it had to consider a number of factors in making its determination including the size of the surplus, how much of the surplus was attributable to contributions paid by the exiting employer, any representations made by the exiting employer and any other employer providing a guarantee. The Fund’s FSS has been amended to address these circumstances.

Employer flexibilities

If an employer has a deficit on exit, the Fund will normally request payment in a single lump sum. For some exiting employers, this lump sum payment is unaffordable.

Legislation was brought in on 23 September 2020, to allow Funds to treat employers flexibly where they considered it appropriate. The following two options are now permitted:

1. The Fund can permit the employer to pay the deficit in instalments; or
2. The employer can exit the Fund without having to pay any deficit immediately, by entering into a Deferred Debt Agreement (DDA). A DDA is where the employer remains in the Fund and pays contributions towards their deficit, but no further benefits are earned by the employees. The important point to note is that the employer retains the benefit (or otherwise) of investment returns on the assets.

These two changes clarify arrangements that were already widely used in the LGPS. The Fund has two employers who are effectively on a Deferred Debt Agreement, namely Ethelred and Metra Housing.

The same update to the Regulations also allows for employers or the Fund to request an update to an employer’s contribution rate between formal actuarial valuations in limited circumstances including:

- If they have a large change in membership (i.e. a bulk transfer into the Fund or out);
- Their circumstances change (i.e. if an employer decides to no longer allow new entrants into the scheme);
- If they will exit the Fund in the near future (this was an existing provision prior to the change in Regulations);
- If their covenant changes materially; and
- If the employer requests a review.

To date, the Fund has had one request for a contribution rate review.

Statutory guidance issued by MHCLG and other guidance issued by the Scheme Advisory Board have set out that the Fund’s approach to Employer flexibilities must be set out in the Fund’s FSS or an accompanying policy. The required amendments to the FSS are being considered at Committee.

Early retirement factors

If a member retires early with a full pension, this means there is a “strain” on the funding costs for his/her employer, because the pension is being paid for more years than anticipated. The cost of the early provision of this pension is calculated using early retirement factors calculated by the Actuary.

The £95,000 cap

In November 2020 the UK Government brought in legislation to limit the size of exit package for people leaving the public sector by capping these at £95,000. The package was defined to include any early retirement strain cost in the LGPS.

This situation gave rise to a clash of regulations, if a member’s strain cost brought their package value above £95,000: the new legislation required the benefits to be restricted, but the existing LGPS Regulations required the benefit to be paid in full.

In February 2021 the UK Government revoked this new legislation, so that in effect the £95,000 cap is treated as if it had never been brought into place. However, a Judicial Review is underway, and we expect to hear later in 2021 whether and how the cap will apply in future.

GAD Section 13 “like for like” analysis of LGPS Funds

After each formal valuation, the Government Actuary’s Department (GAD) carries out an analysis of all English & Welsh LGPS Funds, to help comparison of their actuarial valuation results. This is known as the “Section 13” valuation.

This GAD analysis presents metrics on a “like-for-like” fashion, so that reasonable comparisons can be made between LGPS funds. Their analysis for the 2019 actuarial valuations was recently shared with the Actuary, albeit the final figures are not yet public and have not been fully verified. However, we understand that GAD have no concerns on the Fund’s funding plans based on their most recent analysis.

C. Looking forward: Key funding issues to watch out for in 2021/22

Considering climate change risk as part of setting the funding strategy

Setting the contributions or investment strategy for the Fund involves looking to the future and considering risks. The Fund, taking advice from its Actuary, needs to decide what to do today, based on what could happen to life expectancy, inflation and investment returns in years to come.

No one would argue that funds should ignore a material risk, and it is broadly accepted that climate change falls into that category. With climate risk disclosures expected to be mandatory in the LGPS by 2023 there will soon be a regulatory requirement too.

Within the past couple of years Hymans Robertson has carried out basic climate risk analysis for several LGPS funds, illustrating what the high-level funding impact could be under different future climate scenarios.

Building on that experience, climate risk is now becoming an integral part of the Actuary’s advice. This is clearly important in the LGPS where open-ended time horizons mean that the potential impact of climate change is more significant than for a closed private sector scheme. Starting later this year, the Actuary will be “stress testing” modelling results under climate scenarios and (crucially) building the results into decision-making. Full details will be presented throughout the formal valuation of the Fund in 2022.

The national Cost Management process

Benefits earned by members of the LGPS are set in LGPS Regulations. Other public sector pension schemes, such as NHS and Teachers, have their benefits set in their own regulations. All public sector benefit structures are subject to periodic review by the Government on the basis of analysis carried out by the Government Actuary's Department (GAD): this is known as the Cost Management process.

The intention of the process is that:

- should member benefits **increase** in value due to certain factors (e.g. members living longer than previously expected), then future benefits should reduce and/or member contributions increase;
- should member benefits **decrease** in value due to certain factors (e.g. members not living as long as previously expected), then future benefits should increase and/or member contributions reduce.

The principle is that the benefit structure should be managed so that the overall cost to the public purse remains broadly consistent over time.

In brief, GAD have carried out their analysis in the latest Cost Management process, but details are not yet available: when these are published, they will result in one of the following scenarios:

a) the cost is deemed to have materially risen, so member benefits will reduce and/or employee contributions increase, which (all other things being equal) will cause a decrease in employer contributions;

b) the cost is deemed to have remained broadly unchanged, so there will be no change to the benefit structure or contributions by employees or employers;

c) the cost is deemed to have materially fallen, so member benefits will increase and/or employee contributions reduce, which (all other things being equal) will cause an increase in employer contributions.

We will advise when further details are available, and the results will be factored into the next actuarial valuation and setting of employer contributions.

Planning for the 2022 actuarial valuation

The next formal valuation will take place as at 31 March 2022, with employer contributions being set for the period 1 April 2023 to 31 March 2026.

An actuarial valuation has many aspects, and therefore advance planning and work in this financial year will help spread the burden on officers and the Committee. Areas of work leading up to the valuation date may include:

- **climate risk modelling** as mentioned earlier, the Actuary will discuss this in further detail with Fund officers including how this risk is integrated into the funding strategy of the Fund;
- **individual member data cleansing**: accurate data is the bedrock of the Actuary's calculations, so it is crucial that the Fund is comfortable with this before the Actuary begins their work. In line with previous valuations, a data cleansing exercise is generally carried out in advance of the actuarial valuations. This would us membership data as at 31 March 2021;
- **cashflow data cleansing and early submission**: knowing how the Fund's cash receipts and payments are divided among the various employers is essential to establishing each employer's correct asset share. In line with previous valuations, a data cleansing exercise is generally carried out in advance of actuarial valuations. This would include data for 2019/20 and 2020/21. This also means two less years of data will need to be provided as part of the actuarial valuation when Officer time and resource are stretched.

- **employer database**: one of the key outputs of the actuarial valuation is the setting of employer contribution rates for the following three years. With c.20 employers in the Fund, and employers starting and ceasing on a regular basis, it is important to have an accurate record of each employer's status in the Fund. The Actuary maintains a record of the Fund's employers, however, it is beneficial for this to be reviewed with Fund officers to ensure it is fully up to date and reflects any changes in employer circumstances; and

- **training for Committee Members** to ensure they are equipped with the knowledge and skills to appreciate the papers being brought to them and decisions which they will need to make. We will liaise with Fund officers to develop a training plan covering the various steps and decisions required as part of the 2022 actuarial valuations.

Reliances and limitations

This paper has been prepared for the Fund for the purpose described at the start. It has not been prepared for use for any other purpose and should not be so used. We accept no liability where the paper is used for any other purpose.

The paper is not addressed to any third party. We accept no liability where the paper is used by a third party unless we have expressly accepted such liability in writing.

This paper complies with Technical Actuarial Standard TAS 100 (Principles for Technical Actuarial Work) to a proportionate and relevant degree.

Prepared by:-

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For and on behalf of Hymans Robertson LLP, Actuary to the London Borough of Lambeth Pension Fund

Glossary

Actuarial Valuation	A risk management exercise to review the **Primary** and **Secondary contribution rates**, and other statutory information. This is carried out for the whole Fund, and for each individual **Employer** too.
Administering Authority	The council with statutory responsibility for running the Fund, in effect the Fund's "trustees".
Admission Bodies	Employers where there is an Admission Agreement setting out the employer's obligations. These can be Community Admission Bodies (such as charities or housing associations) or Transferee Admission Bodies (i.e. contractors where a **Letting Employer** outsources some services).
Covenant	The assessed financial strength of the employer. A strong covenant indicates a greater ability (and willingness) to pay for pension obligations in the long run. A weaker covenant means that it appears that the employer may have difficulties meeting its pension obligations in full over the longer term.
Designating Employer	Employers that are able to participate in the LGPS via resolution. These employers can designate which of their employees are eligible to join the Fund.
Employer	An individual participating body in the Fund, which employs (or used to employ) **members** of the Fund. Normally the assets and **funding target** values for each employer are individually tracked, together with its **Primary rate** at each **valuation**.
Funding basis	The combined set of assumptions made by the actuary, regarding the future, to calculate the value of the funding target at the end of the employer's time horizon. The main assumptions will relate to the level of future investment returns, salary growth, pension increases and longevity. More prudent assumptions will give a higher funding target, whereas more optimistic assumptions will give a lower funding target.
Guarantee / guarantor	A formal promise by a third party (the guarantor) that it will meet any pension obligations not met by a specified employer. The presence of a guarantor will mean, for instance, that the Fund can consider the employer's **covenant** to be as strong as its guarantor's.
Letting Employer	An employer which outsources or transfers a part of its services and workforce to another employer (usually a contractor). The contractor will pay towards the LGPS benefits accrued by the transferring members, but ultimately the obligation to pay for these benefits will revert to the letting employer. A letting employer will usually be a local authority but can sometimes be another type of employer such as an Academy.
LGPS	The Local Government Pension Scheme, a public sector pension arrangement put in place via Government Regulations, for workers in local government. These Regulations also dictate eligibility (particularly for Scheduled Bodies), members' contribution rates, benefit calculations and certain governance requirements. The LGPS is divided into 100 Funds which map the UK. Each LGPS Fund is

	autonomous to the extent not dictated by Regulations, e.g. regarding investment strategy, employer contributions and choice of advisers.
Maturity	A general term to describe a Fund (or an employer's position within a Fund) where the members are closer to retirement (or more of them already retired) and the investment time horizon is shorter. This has implications for investment strategy and, consequently, funding strategy.
Members	The individuals who have built up (and may still be building up) entitlement in the Fund. They are divided into actives (current employee members), deferreds (ex-employees who have not yet retired) and pensioners (ex-employees who have now retired, and dependants of deceased ex-employees).
Primary contribution rate	The employer contribution rate required to pay for ongoing accrual of active members' benefits (including an allowance for administrative expenses).
Profile	The profile of an employer's membership or liability reflects various measurements of that employer's **members**, ie current and former employees. This includes: the proportions which are active, deferred or pensioner; the average ages of each category; the varying salary or pension levels; the lengths of service of active members vs their salary levels, etc. A membership (or liability) profile might be measured for its **maturity** also.
Rates and Adjustments Certificate	A formal document required by the LGPS Regulations, which must be updated at the conclusion of the formal **valuation**. This is completed by the actuary and confirms the contributions to be paid by each employer (or pool of employers) in the Fund for the period until the next valuation is completed.
Scheduled Bodies	Types of employer explicitly defined in the LGPS Regulations, whose employees must be offered membership of their local LGPS Fund. These include Councils, colleges, universities, academies, police and fire authorities etc, other than employees who have entitlement to a different public sector pension scheme (e.g. teachers, police and fire officers, university lecturers).
Secondary contribution rate	The difference between the employer's actual and **Primary contribution rates**.
Stabilisation	Any method used to smooth out changes in employer contributions from one year to the next. This is very broadly required by the LGPS Regulations, but in practice is particularly employed for large stable employers in the Fund.