



# LGPS Access and Fairness consultation: Worcestershire Pension Fund response

## Approach to responding to the questions

As an administering authority we have provided a response to the questions posed within the consultation document. In formulating a response, we have collaborated and taken on board opinions from peers across the LGPS to ensure a rounded approach to the response, in the first instance.

The response has been shared with members of the Local Pension Board and Pension Committee to ensure a collective approach to the response from all involved in managing the scheme.

## Questions and responses

### **Q1 – Do you agree with the government’s proposed amendment of survivor benefits rules?**

Yes, we agree with the proposed amendments put forward.

### **Q2 – Do you have any comments on the intended approach to equalising survivor benefits?**

The proposals are fair and in principle we agree with the approach put forward, there are some concerns around the practicality in processing the benefits. We believe that the administrative work to review and potentially request historic data will put a strain on the administration team. More guidance on how to process cases would be welcomed.

### **Q3 – Do you have any comments on the administrative impact, particularly in identifying cases where calculations of past benefits would need to be revisited?**

As above we will rely on previously received data, whilst also requesting historic data which may not be readily available or accessible. There will also be the sensitive nature of such requests when contacting ‘members’. The potential issue is that experienced staff will be required to complete remedial work, and this will have a potential impact on business-as-usual work. Following McCloud work a fair and agreeable timeline to complete the work would be welcomed.

### **Q4 – Do you have any further comments on the proposed changes?**

Just to reiterate the impact it will have on administration staff in completing potential work.

### **Q5 – Do you agree with the government’s proposals to formalise the removal of the nomination requirement?**

Yes, we agree with the proposal



**Q6 - Do you have any comments on the government's proposals to formalise the removal of the nomination requirement?**

No, we agree with the proposal

**Q7 – Do you have any comments on the proposed approach to backdating?**

To backdate and retrospectively calculate benefits this will need a lot of work from the administration team. We will need to review past cases and identify where there are gaps in information and try to rectify this with potentially limited or missing information in some circumstances.

**Q8 – Do you agree with the proposed amendments to death grants?**

Yes, we agree with the proposal

**Q9 - Do you have any comments on the government's proposals to remove the age 75 cut-off from the LGPS Regulations?**

No

**Q10 – Do you have any comments on the proposed approach to backdating?**

No, we agree to the proposal

**Q11 – Do you have any comments on the administrative impact, particularly in identifying historic cases where death grants that were not paid would now be paid?**

We should, using system functionality, be able to identify cases however we may need additional support from our system provider. There may be a requirement that Funds have guidance supplied for certain scenarios such as what to do when we are unable to trace a beneficiary etc.

**Q12 – Do you agree with the proposal to remove the two-year limit?**

Yes, we agree with the proposal

**Q13 – Do you have any comments on the government's proposal to remove the two-year limit?**

No

**Q14 – Do you agree that the LGPS Regulations should be updated so that any unpaid leave under 31 days is pensionable as a way to address the gender pension gap?**

Yes, it should/could also remove future unpaid periods on pension records.

**Q15 – Do you agree the government should use the actual lost pay option when calculating contributions, or do you think APP should be the chosen option? Please explain the reasons for your view.**

We agree with lost pay being used when calculating contributions. It should make the administration easier to complete than using APP for both the Fund and the employer.



**Q16 – Do you agree with the proposal to align the cost of buying back unpaid leave over 30 days with standard member contribution rates?**

Yes, we agree with the proposal

**Q17 – Do you agree with the proposal to change the time-limit for buying back unpaid leave pension absences from 30 days to 1 year?**

Not completely, 1 year may be too long possibly looking up to 3 months maximum, may be more effective. For this to be efficient and effective there will be an increased onus on employers to provide information quickly.

**Q18 – Do you agree with removing the three year limit on employer contributions in Regulation 15(6)?**

Yes, we agree with the proposal

**Q19 – Do you agree with updating the definition of child-related leave to include all periods of additional maternity, adoption and shared parental leave without pay?**

Yes, we agree with the proposal

**Q20 – Do you agree that gender pension gap reporting should be mandatory in the LGPS?**

Yes, as it should help raise awareness especially for female members who are most likely impacted.

**Q21 – Do you agree that the 2025 valuation (and associated fund annual reports) is preferable?**

Yes, although trying to include this in the 2025 valuation results may be difficult to achieve however this could be discussed with our actuary.

**Q22 – Do you agree with the threshold of 100 employees for defining which employers must report on their gender pension gap?**

Potentially yes, with a definition as 'active scheme members' would be preferable. There may need some clarification as to why 100 is chosen as the number to begin reporting on.

**Q23 – Do you agree with the gender pension gap definition being 'the percentage difference in the pension income for men and women over a typical working life'?**

Yes, we agree with the proposal

**Q24 – Do you agree with the gender pension savings gap being 'the percentage difference in the pension savings accrued over one year for men and women'?**

Yes, we agree with the proposal.

**Q25 – Do you agree that the annual report is the best method of reporting data on those who choose to opt-out of the scheme?**

Yes, we agree with the annual report being used to report on opt outs

**Q26 – Do you foresee any issues with administering authorities' ability to gather data on opt-outs?**



There may be issues with employers providing accurate reporting of members who had chosen to opt out. We would be concerned that if this information requires collating, then the Fund may end up doing a bit of chasing and reviewing of this from our employers.

**Q27 – When updating the annual report guidance to reflect opt-out data collection, what information would be most useful to include?**

Number of opt outs annually would be a good place to start. Understanding and reporting as to reasons why the opt outs have occurred may be useful, which we need to be captured by the employer from the member and shared with the fund. Not sure where this stands with GDPR though as necessary information.

**Q28 – Do you agree with the proposal to collect additional data about those opting out of the scheme?**

Yes, but see above to the potential challenges

**Q29 – Are you an employer, part of an administering authority or member of a pensions board?**

Administering Authority

**Q30 – Do you have any comments on the collection of additional information?**

Not specifically outside of what mentioned already

**Q31 – Do you agree that the government should amend regulations 91 and 93 of the 2013 Regulations to remove the requirement that the member must have left employment because of the offence in order for an LGPS employer to be able to make an application for a forfeiture certificate or to recover against a monetary obligation?**

Yes, we agree with the proposal

**Q32 – Do you agree that the three month time limit for an LGPS employer to make an application for a forfeiture certificate should be removed?**

Yes, we agree with the proposal

**Q33 – Do you agree that Regulation 92 of the 2013 Regulations should be revoked?**

Yes, we agree with the proposal

**Q34 – Do you agree that in order to give full effect to the proposed amendments equivalent modifications should apply to earlier schemes?**

Yes, we agree with the proposal

**Q35 – Do you agree that there should be forfeiture guidance to assist employers in making applications?**

Yes, we agree, it will also ensure a consistent approach being taken.

**Q36 – Do you agree with the government's proposal for pension debits and credits?**



Yes, we agree with the proposal

**Q37 – Do you agree with the government’s proposal to cover deaths on 30 September 2023?**

Yes, we agree with the proposal

**Q38 – Do you agree with the government’s proposal to clarify if interest applies on Club Transfers?**

Yes, we agree with the proposal.

**Q39 – Do you agree with the government’s proposal to include part 4 tax losses in the 2023 regulations?**

Yes, we agree with the proposal.

**Q40 – Do you agree with the government’s proposal for transfers from other public service schemes for members over 65 years old?**

Yes, we agree with the proposal.

**Q41 – Do you agree with the proposal to omit Regulation 50 and the equivalents to it (to the extent that they have been preserved) in the 1997 and 2008 Regulations?**

Yes, we agree with the proposal.

**Q42 – Do you agree with the proposal to withdraw the actuarial guidance linked to Regulation 50?**

Yes, we agree with the proposal.

**Q43 – Do you agree with the proposal to amend the definition of BCE in the 2013 Regulations?**

Yes, we agree with the proposal

**Q44 – Do you agree with the proposed approach to PCELSs?**

Yes, we agree with the proposal and will add much welcomed clarity around processing.

**Q45 – Do you agree with the proposed approach to issue updated actuarial guidance on the treatment of PCELSs?**

Yes, we agree with the proposal.

**Q46 – Do you agree with the proposed amendments to the Regulations?**

Yes, we agree with the proposal.

**Q47 – Do you have any comments on the proposals in this chapter?**

Yes, specifically we welcome the changes to the 5-year refund and the removal of the expiry period. This will assist the administration of cases.

**Q48 – Do you have any comments about the impact the combined proposals in this document will have on administration?**



Although we agree with the proposals and the reasoning behind the prospective changes, there will be a significant impact on administration. Like McCloud, the work will have to be completed by experienced staff and therefore will increase their already busy workload. A well communicated lead in time, will support the funds in attempting to upskill and build resilience for when these changes come into practice. If statutory deadlines are imposed for remedial work, there needs to be consideration of other existing deadlines to ensure funds can meet the multiple challenges.

**Q49 – Are there any areas where you believe the proposals are significantly more complex and would benefit from a later implementation date?**

We believe more information, and clarity, on reporting for both opt out and gender pension gap is still required to support administrators. As mentioned previously, locating missing information to process retrospective benefit calculations will also pose some difficulties for the administration team.

**Q50 – Do you have any comments on the proposed approach to cost?**

The impact on the administration team will create a further burden to an already stretched team. This may mean that additional resource to cover this alongside Pensions Dashboard and McCloud will be required.

**Q51 – Do you consider that there are any particular groups with protected characteristics who would either benefit or be disadvantaged by any of the proposals? If so, please provide relevant data or evidence.**

Based on the information in the consultation document we do not believe any group with protected characteristics will benefit or be disadvantaged.

**Q52 – Do you agree to be contacted regarding your response if further engagement is needed?**

Yes

## Office use only

Date	Action	Officer
28/07/2025	Initial draft completed	Richard Sultana – Head of Pensions Administration
31/07/2025	Draft issued to members	Emily Stanfield – Governance & Engagement Manager
07/08/2025	Final version submitted to MCHLG	Richard Sultana – Head of Pensions Administration