

Scheme Employer Appeals Policy

Hertfordshire Pension Fund
Local Government Pension Scheme

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1. Purpose

This policy outlines the process by which scheme employers of the Hertfordshire Pension Fund may appeal to the Administering Authority (the Fund) following a decision made by the Fund, or the exercise of a discretion by the Fund, which affects the employer, whether financially or otherwise.

2. Scope

This policy principally relates to matters such as:

- Interpretation or application of the Funding Strategy Statement, e.g. in relation to contribution rates and adjustments (Regulation 64A); exit payment calculations and deficit spreading (Regulation 64B); deferred debt agreements (Regulation 64) or decisions on exit credits (Regulation 22AB)
- Interpretation or application of the Investment Strategy Statement, e.g. in relation to the actual or assumed investment strategy applied to the assets which are notionally allocated to meet the employer's liabilities in the Fund
- Interpretation or application of the Administration Strategy, e.g. in relation to the determination of charging being applied for poor employer performance
- The Fund's response to an employer requesting the transfer of its membership (whether to another fund or into the Fund) under Schedule 3 of the Regulations
- The Fund's interpretation of an admission agreement or other legal document, such as a guarantee agreement

However, it may be applied in relation to other issues where an employer is of the view that the Fund has not followed its own procedures or policies in any area, or has incorrectly applied the Regulations, other legislation or statutory guidance, to the detriment of the employer.

This policy is not intended to be used for any issues arising during ongoing employer consultations by the Fund.

This policy does not apply to any issues which fall to be considered through the IDRP process.

3. Principles

In order for the Fund to consider a case under this policy, the employer must be able to demonstrate that the decision made by the Fund has been to its detriment. Any appeal must be based on evidence and reasoned arguments. Where an appeal is deemed by the Fund to fall within this policy, the Fund will:

- consider the appeal in accordance with the LGPS Regulations and relevant guidance issued by the Scheme Advisory Board (SAB) or other body, and the Fund policies/strategies,
- apply principles of fairness, proportionality, and cost-efficiency,
- consider the risk (financial or otherwise) to the Fund, and
- where relevant, consider the financial impact on other employers and the potential effect on future employer contributions.

4. Appeal Process

Step 1 – Informal Engagement

Before submitting an appeal, employers should first engage with the Fund informally to resolve any issues.

You can do this by contacting HertsFundEmployers@hertfordshire.gov.uk and:

- Requesting clarification on, or reconsideration of, the decision
- Providing additional relevant information where you believe a decision has been made without the Fund being in full possession of all relevant information
- Providing an explanation of why you believe the Fund has incorrectly applied its policies or strategies or misinterpreted application of legislation or guidance

Employers should be aware that they will be asked to meet the costs of any additional actuarial work or other professional (including legal) advice required by the Fund.

If this informal engagement does not provide a satisfactory outcome, then employers should submit a formal appeal.

Step 2 – Formal Appeal Submission

If informal resolution is unsuccessful, the employer may submit a formal appeal to the Fund's Head of Pensions. The appeal should include:

- The decision being appealed
- Grounds for appeal
- Desired outcome or alternative proposal
- Supporting documentation

Appeals must be submitted within 6 months of the Step 1 decision being made. When making a submission employers should indicate that they are requesting a formal review. Steps 3 to 6 below will then be invoked.

Employers should use the guide appended to this policy below to formulate their appeal submission.

Step 3 – Formal Appeal - Fund Review process

The Fund will:

- Acknowledge receipt of the employer's request within 10 working days
- Review the appeal internally, involving the Fund actuary and other professional advisers, if necessary
- Consider the appeal in light of the Principles outlined above
- Issue a written response within 2 months, or notify the employer if more time is needed, including if additional information is needed from the employer or other parties

It is expected that employers will provide any additional requested information in a timely fashion. The Fund reserves the right to consider an appeal to have been withdrawn by the employer if it does not respond to a request for further information within 3 months.

The Fund is committed to developing constructive and effective relationships with all its employers and the expectation is that most cases will be resolved at this point. However, if the employer is not satisfied with the Fund's response, it may escalate the matter further.

Step 4 – Escalation by the scheme employer

If, following Step 3, the employer is not satisfied with the Fund's response, it may:

- Request a further review by the Fund's Pension Committee, where the matter falls within the Committee's jurisdiction.
- Refer the matter to the SAB for informal resolution (if applicable)
- Seek independent determination via the Pensions Ombudsman, where appropriate and the complaint falls within the Ombudsman's remit. Please note that the Ombudsman expects employers to have exhausted the Fund's internal appeal processes before it will investigate a decision.

If an employer is not clear on which of the above options is most suitable for its complaint the Fund will provide guidance to assist.

5. Considerations

The Fund will consider an employer's appeal (informal or formal) by reference to:

- The Principles outlined above
- The circumstances of the employer and the evidence provided to the Fund in its appeal
- The Fund's actuarial, legal or other professional advice, where required
- The efficient and effective management of the Fund
- Precedent and consistency with other appeals

6. Record Keeping

All appeals and decisions made under this process will be fully documented and retained for a minimum of 6 years after the employer exits the scheme.

7. Approval and Review

This policy was approved by the Fund's Head of Pensions on 08 December 2025. It will be reviewed annually or where changes to LGPS Regulations or guidance would suggest a review is required.

Effective date of policy	08 December 2025
Date approved	08 December 2025
Last reviewed	08 December 2025
Next review	December 2026

Scheme Employer Appeal Guide

Appeals must be submitted to HertsFundEmployers@hertfordshire.gov.uk

Set out who you are, what the appeal is regarding and the date you were informed of the decision you are appealing.

Include:

1. Desired Outcome or Alternative Proposal

Set out what you are seeking from the Fund, for example, you might request the Fund:

- Reviews the decision in light of the new evidence provided
- Considers [insert specific request – e.g., a revised contribution rate / extended payment period / alternative funding approach]
- Engages with us to explore a mutually acceptable resolution

2. Grounds for Appeal

You should include your grounds for appeal, for example:

- Incorrect application of a Fund policy: state why you believe the Fund has incorrectly applied a policy
- Misinterpretation of legislative requirements: state why you believe the Fund has incorrectly interpreted the law or related statutory guidance
- Financial or other impact: you must state how and why your organisation has been adversely affected by the Fund's decision
- New information: where circumstances have changed or new information is available that was not considered by the Fund, e.g. evidence of a risk sharing arrangement which affects how any exit valuation should be carried out, an improvement in financial position/resilience which changes how the Fund would approach a contribution review etc.
- Alternative Proposal: if you believe there is an alternative approach, which is not inconsistent with the Fund's policies or legal requirements please set this out

3. Supporting Documentation

- Legal agreements or evidence of formal or informal agreements with the Fund/other employers which are pertinent
- Actuarial or legal advice which suggests the Fund has not adhered to its policies or legislative requirements
- Audited financial statements
- Any other relevant correspondence