



STATEMENT OF POLICY ON:-

The Local Government Pension Scheme 2014
Discretions

by

Policy effective from

Statement of Policy on :-

- The Local Government Pension Scheme Regulations 2013 [R]
- The Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014 [TP]
- The Local Government Pension Scheme (Administration) Regulations 2008 [A]
- The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) [B]
- The Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [T]
- The Local Government Pension Scheme Regulations 1997 (as amended) [L]
- The Local Government Pension Scheme (Miscellaneous Regulations) 2012 [E]

The Employing Body which is

has resolved that the following Discretions available in the Statutory Instrument, should be implemented in compliance with the Local Government Pension Scheme Regulations as set out below:-

PART A - where formulation of policy is compulsory

Regulation	Policy Decision
<p>Regulation 16 [R]</p> <p><u>Power of employing authority to contribute to a shared cost APC scheme</u></p> <p>Whether, how much, and in what circumstances to contribute to a shared cost APC scheme.</p>	

Regulation	Policy Decision
<p>Sch 2, para 2 (2) & (3) [TP]</p> <p><u>Power of employing authority to apply 85 Year Rule before age 60</u></p> <p>Whether to "switch on" the 85 Year Rule for a member voluntarily drawing benefits on or after age 55 and before age 60.</p> <p>Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits from pre 01/04/2014 membership where the employer has "switched on" the 85 Year Rule for a member voluntarily drawing benefits on or after age 55 and before age 60.</p>	



Regulation	Policy Decision
<p>Regulation 30 (6) & (8) [R] and 11 (2) [TP]</p> <p><u>Flexible retirement</u></p> <p>Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement).</p> <p>Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement.</p>	

Regulation	Policy Decision
<p>Regulation 30 (8) [R]</p> <p><u>Power of employing authority to waive actuarial reduction</u></p> <p>Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age.</p>	

Regulation	Policy Decision
<p>Regulation 31 [R]</p> <p><u>Power of employing authority to grant additional pension</u></p> <p>Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £6,500 p.a.).</p>	



Regulation	Policy Decision
<p>Regulation 12 [B]</p> <p><u>Power of employing authority to grant additional pension</u></p> <p>Whether, for a member leaving on the grounds of redundancy or business efficiency on or before 31 March 2014, to augment membership (by up to 10 years). The resolution to do so would have to be made within 6 months of the date of leaving.</p> <p>DISCRETION SPENT ENTIRELY AFTER 30 SEPTEMBER 2014.</p>	

Regulation	Policy Decision
<p>Regulation 30 (2) & (5) [B]</p> <p><u>Power of employing authority to grant early payment of deferred benefits</u></p> <p>Regulation 30 (2) Whether to grant application for early payment of deferred benefits on or after age 55 and before age 60.</p> <p>Regulation 30 (5) Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under Regulation 30(2) [B].</p>	

Regulation	Policy Decision
<p>Regulation 30A (3) & (5) [B]</p> <p><u>Power of employing authority to grant early payment of suspended tier 3 ill health pension</u></p> <p>Regulation 30A (3) Whether to grant application for early payment of a suspended tier 3 ill health pension on or after age 55 and before age 60.</p> <p>Regulation 30A (5) Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under Regulation 30A [B].</p>	

Regulation	Policy Decision
<p>Regulation 31 (2) & (5) [L]</p> <p><u>Power of employing authority to grant early payment of deferred pension</u></p> <p>Regulation 31 (2) Grant application from a post 31.03.98 / pre 01.04.08 leaver or from a councillor for early payment of benefits on or after age 50 / 55 and before age 60.</p> <p>Regulation 31 (5) Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under Regulation 31 (2).</p>	

Regulation	Policy Decision
<p>Regulation 31 (7A) [L]</p> <p><u>Power of employing authority to grant early payment of deferred pension for pre 01.04.08 employee optants out and councillors.</u></p> <p>Councillor optant outs and pre 01.04.08 employee optants out only to get benefits paid from NRD if employer agrees.</p>	

PART B - where formulation of a written policy is **not** compulsory

Regulation	Policy Decision
<p data-bbox="71 331 400 365">Regulation 9 (1) & (3) [R]</p> <p data-bbox="71 409 639 443"><u>Contributions payable by active members</u></p> <p data-bbox="71 488 722 786">Employers determine the contributions payable by members by attributing each member to one of the contribution bands set out in Regulation 9 (2) [R]. Employers have the capacity to re-attribute the specific payband (upwards or downwards) where there is a material change in a member's contractual terms.</p>	

Regulation	Policy Decision
<p data-bbox="71 1263 536 1296">Regulation 22 (7) (b) and (8) (b) [R]</p> <p data-bbox="71 1346 707 1458"><u>Facility to extend time limits for active members to not aggregate deferred periods of LGPS membership</u></p> <p data-bbox="71 1503 715 1704">Whether to extend the 12 month option period for a member to elect that deferred benefits should not be aggregated with a new employment or ongoing concurrent employment.</p>	

Regulation	Policy Decision
<p>Regulation 100 (6) [R]</p> <p><u>Facility to extend time limits for active members to request a transfer of previous pension rights into the LGPS</u></p> <p>Where an active member requests to transfer previous pension rights into the LGPS, the member must make a request within 12 months of becoming an active member. Employers, with agreement of Administering Authority, may allow a longer period than 12 months.</p> <p>JOINT DISCRETION WITH ADMINISTERING AUTHORITY</p>	

Other non-compulsory discretions are available for

to consider, and cases where these may arise in the future will be considered on an individual basis; the merits of each case being fully investigated.

The in exercising the discretionary powers available under the above Regulations has acted with due prudence and propriety and considered the financial impact of applying the discretions.

These policies may be subject to review from time to time. Any subsequent change in this Policy Statement will be notified to affected employees.

Signed on behalf of:

Signature:

Date:

Please PRINT name of person signing:

The LGPC Secretariat's understanding of the discretions which exist within the LGPS regulatory framework and the parties responsible for exercising those discretions can be found at the website below. In particular, it details their understanding of the new discretions applicable from April 2014.

Also on this webpage is a discretions policies document, setting out in more detail the LGPC Secretariat's understanding of the discretions that employers should have a policy on. This will be of use while compiling your policy.

www.lgpsregs.org/index.php/guides/administration-guides-to-the-2014-scheme