



## DISCRETIONS POLICY

### The Local Government Pension Scheme Regulations 2013 and The Local Government Pension Scheme (Transitional Provisions & Savings) Regulations 2014

Discretions from 1<sup>st</sup> April 2014 in relation to post 31<sup>st</sup> March 2014 active members and post 31<sup>st</sup> March 2014 leavers.

<b>Regulation R16(2)(e) &amp; R16(4)(d)</b>	<b>Policy decision</b>
<b>Shared Cost Additional Pension Scheme</b>  An employer can choose to pay for or contribute towards a member's Additional Pension Contract via a Shared Cost Additional Pension Contract (SCAPC)	Credition Town Council will not fund any employee's Additional Pension Contributions either in whole or in part.
<b>Regulation R17(1) &amp; TP15(1)(d) &amp; A25(3)</b>	<b>Policy decision</b>
<b>Shared Cost Additional Voluntary Contribution Arrangement</b>  An employer can choose to pay for or contribute towards a member's Additional Voluntary Contribution arrangement entered into on or after 1st April 2014 via a shared cost AVC.  An employer can choose to pay for or contribute towards a member's Additional Voluntary Contribution arrangement entered into before 1st April 2014 via a shared cost AVC	Credition Town Council will not contribute to any Shared Cost Additional Voluntary Contribution scheme.  Not applicable: Credition Town Council had not entered into any shared cost AVC arrangements before 1 April 2014.



## Regulation R30(6) & TP11(2)

### Flexible Retirement

Employers may allow a member from age 55 onwards to draw all or part of the pension benefits they have already built up while still continuing in employment. This is provided the employer agrees to the member either reducing their hours or moving to a position on a lower grade.

In such cases, pension benefits will be reduced in accordance with actuarial tables unless the employer waives reduction on compassionate grounds or a member has protected rights.

## Policy decision

Credition Town Council does not give blanket consent for staff in the Local Government Pension Scheme aged 55 or over to flexibly retire and draw immediate payment of pension benefits. Requests will be referred to Credition Town Council and assessed on their merits, taking into account such factors as cost and service delivery.

## Regulation R30(8)

### Waiving of actuarial reduction

Employers have the power to waive, on compassionate grounds, the actuarial reduction (in whole or part) applied to members benefits paid on the grounds of flexible retirement.

Employers may also waive, on compassionate grounds, the actuarial reduction (in whole or part) applied to member's benefits for deferred members and suspended tier 3 ill health pensioners who elect to draw benefits on or after age 60 and before normal pension age.

Employers also have the power to waive, in whole or in part, the actuarial reduction applied to active members benefits when a member chooses to voluntarily draw benefits on or after age 55 and before age 60.

## Policy decision

A decision to waive any actuarial reduction on compassionate grounds will be considered by Credition Town Council on a case by case basis

A decision to waive any actuarial reduction will be considered by Credition Town Council in exceptional circumstances, on compassionate grounds or in circumstances where there will be a financial or other benefit to Credition Town Council.



## Regulation TPSch 2, para 2(2) & 2(3)

### Power of employing authority to 'switch on' the 85 Year Rule

An employer can choose whether to "switch on" 85 year rule for members who voluntarily retire on or after age 55 and before age 60.

An employer can also choose to waive, on compassionate grounds, the actuarial reduction applied to benefits for a member voluntarily drawing benefits on or after age 55 and before age 60.

## Policy decision

The decision to 'switch on' the 85 year rule will be considered by Credition Town Council on a case by case basis, taking into account factors including the financial cost to Credition Town Council.

Requests will be referred to Credition Town Council. A decision to waive any actuarial reduction will be considered in exceptional circumstances on compassionate grounds.

## Regulation R31

### Power of employing authority to grant additional pension

An employer can choose 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\* per annum) (\* the figure of £6,500 will be increased each April under Pensions Increase orders)

## Policy decision

Any request to award additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency will be considered by Credition Town Council on a case by case basis.



## R9(1) and R9(3)

Employers have discretion to determine how frequently employees' contributions are reviewed and on what basis.

## Policy decision

Credition Town Council will reassess employees' pension contributions each April, based on contractual payments only.

## R22(8)(b)

Whether to extend the 12 month option period for a member to elect that deferred benefits should not be aggregated with a new employment.

## Policy decision

Credition Town Council does not give blanket consent for this. Requests will be referred to Credition Town Council and assessed on their merits, taking into account factors such as potential cost.

## R22(7)(b)

Whether to extend the 12 month option period for a member to elect that deferred benefits should not be aggregated with an ongoing concurrent employment.

## Policy decision

Credition Town Council does not give blanket consent for this. Requests will be referred to Credition Town Council and assessed on their merits, taking into account factors such as potential cost.



R100(68)	Policy decision
Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the Local Government Pension Scheme.	Crediton Town Council will not give consent to extend the normal time limit for acceptance of a transfer value beyond 12 months from joining the Local Government Pension Scheme.

## The Local Government Pension Scheme Regulations 2008 (Benefits, Membership and Contributions)

Discretions in relation to scheme members who ceased active membership on or after 1<sup>st</sup> April 2008 and before 1<sup>st</sup> April 2014.

Regulation B12	Policy decision
<p><b>Power of employing authority to increase total membership of active members</b></p> <p>An employer may agree to increase the total membership of an active member who is leaving on grounds of redundancy / efficiency on or before 31st March 2014. The maximum award (including additional membership in respect of different employments) must not exceed 10 years.</p> <p>An employer may also agree to award augmented service to a member up to 6 months after they have left employment provided that their termination of employment was on redundancy/efficiency grounds and date of leaving was before 1st April 2014.</p> <p><b>NB</b> This is a time limit discretion which expires on 30th September 2014 for those whose employment is terminated on 31st March 2014.</p>	Not applicable.



## Regulation B30

### Choice of early payment of pension

**B30(2)** Employers can also allow the early payment of deferred benefits to former members of the LGPS between the ages of 55 and 59.

**Please note where a deferred member left the LGPS before 1 April 2008 the employer policy under the 1997 Regulations will apply.**

**B30A(3)** Employers may also grant an application for reinstatement of a suspended tier 3 ill health pension on or after age 55 and before age 60.

**B30(5) & B30A(5)** In such cases, pension benefits will be reduced in accordance with actuarial tables unless the employer waives reduction on compassionate grounds or a member has protected rights.

## Policy decision

Requests will be referred to Credition Town Council. These will be considered on a case by case basis, taking into account factors including cost.

Credition Town Council does not give blanket consent for suspended tier 3 pensions to be reinstated at or after age 55. Requests will be referred to Credition Town Council and assessed on their merits, taking into account such factors as cost .

This may be exercised by Credition Town Council in individual cases on compassionate grounds.



## The Local Government Pension Scheme Regulations 1997

Discretions under the Local Government Pension Scheme Regulations 1997 (as amended) in relation to scheme members who ceased active membership on or after 1 April 1998 and before 1 April 2008

<b>R31(2)</b>	<b>Policy decision</b>
The employer has discretion to grant application from a post 31.3.98 / pre 1.4.08 leaver or from a councillor for early payment of benefits on or after age 50/55 and before age 60.	Credition Town Council does not give blanket consent for this. Requests will be referred to Credition Town Council and assessed on their merits taking into account such factors as cost.
<b>R31(5)</b>	<b>Policy decision</b>
Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early for a post 31.3.98 / pre 1.4.08 leaver or a councillor leaver.	This may be exercised by Credition Town Council in individual cases on compassionate grounds
<b>R31(7a)</b>	<b>Policy decision</b>
Councillor optants out and pre 1.4.08 employee optants out only to get benefits paid from NRD if employer agrees.	Credition Town Council does not give blanket consent for this. Requests will be referred to Credition Town Council and assessed on their merits, taking into account factors such as potential cost.



## The Local Government Pension Scheme Regulations 1995

**Discretions under the Local Government Pension Scheme Regulations 1995 (as amended) in relation to scheme members who ceased active membership before 1 April 1998.**

### **D11 (2)(c)**

Grant application from a pre-1.4.98 leaver for early payment of deferred benefits on or after age 50 on compassionate grounds.

### **Policy decision**

Credition Town Council does not give blanket consent for this. Requests will be referred to Credition Town Council and assessed on their merits, taking into account factors such as potential cost.