

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

Local Government Pension Scheme Regulations 2013

Regulation	Employing Authority Discretion	WDC Proposed Policy
9.	Determine rate of employees' contributions	<p>The Council's existing policy is:</p> <p>For existing members the contribution band is determined on pay in April each year. The banding will not normally be reassessed unless in exceptional circumstances the members pay is substantially reduced.</p> <p>Under the new scheme for new employees / scheme members the band is assessed on the salary and additional payments on the date of commencement. This includes existing employees / scheme members who move to a new employment during the year.</p> <p>Casual employees' contribution rate will be based on the estimated pro-rata pay for the year as determined by the relevant Head of Service.</p> <p>The employee will be notified on each occasion we change their contribution rate.</p>
16*.	<p>Whether, how much, and in what circumstances to contribute to a shared cost Additional Pension Contribution (APC) scheme.</p> <p>a) A scheme member can choose to buy extra annual</p>	<p>The Council's existing policy is on granting additional membership under the 2008 scheme is:</p> <p>No additional pension to be awarded to</p>

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

Local Government Pension Scheme Regulations 2013

	<p>pension up to a maximum of £6,500 using an APC. The employee can choose to make regular contributions or a one off payment. An employer can choose to fund the APC in whole or in part.</p> <p>b) To buy 'lost' pension for authorised leave of absence (including any period of unpaid additional maternity, paternity or adoption leave). Where an employee elects to pay an APC to purchase any or all of the amount of pension 'lost' during the period of absence and makes the election within 30 days of returning to work the employer shall pay 2/3rds of the cost of the APC (a shared cost APC).</p>	<p>active members.</p> <p>Therefore, under the new scheme, the proposed policy in a) is for the District Council not to fund the APC in whole or in part.</p> <p>In circumstances a), the council will not fund APC, either in whole or part.</p> <p>In respect of b), there is no option, and the Council must fund the 2/3rds of the cost of the APC.</p>
17.	Whether, how much, and in what circumstances to contribute to shared cost AVC arrangements entered into on or after 1 April 2014.	<p>The Council's existing policy on establishing a shared cost AVC is:</p> <p>No Shared Cost AVC to be established.</p> <p>This is not proposed to be changed for LGPS 2014.</p>
20.	Specify in an employee's contract what other payments or benefits, other than specified in Reg20(1)(a) and not otherwise precluded by Reg20(2), are to be pensionable.	Payments will be stated as either pensionable or non-pensionable in the employee's employment contract or contract variations.
22(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.	To allow in exceptional circumstances where it is clear there has been an administrative delay by the employer or the scheme administrator.
22(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.	To allow in exceptional circumstances where it is clear there has been an administrative delay by the employer or the scheme

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

Local Government Pension Scheme Regulations 2013

		administrator.
30(6)* and Transitional Regs 11(2)	Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement)	<p>The Council's current policy is for Employment Committee to agree all flexible retirements.</p> <p>It is proposed that, the Chief Executive, Deputy Chief Executive and Heads of Service are granted discretionary power to grant flexible retirement and thus immediate release of all or part of pension benefits where there is no additional cost to the Council.</p>
30(8)*	Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement.	The Council will generally not waive the actuarial reduction. The Council may choose to waive the actuarial reduction in exceptional circumstances depending on each individual case, this being subject to funding being agreed by the Executive.
30(8)*	Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age.	The Council will generally not waive the actuarial reduction. The Council may choose to waive the actuarial reduction in exceptional circumstances depending on each individual case, this being subject to funding being agreed by the Executive.
Trans Regs Sch2 para2(2)*	The rule of 85 applies to some members who originally joined the LGPS before 2006. It allows members who meet the rule to retire earlier than the normal pension age, taking their pension benefits in full. However, under the LGPS2014 Regulations certain members would lose some of the rule of 85 protections if they wished to draw their pension benefits between 55 and	Under the current regulations, a member who benefits under the protections afforded under the rule of 85 cannot retire without the agreement of their employer. If the employer agrees to their retirement because there is no actuarial reduction (or a partial reduction depending on the member's age)

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

Local Government Pension Scheme Regulations 2013

	<p>59. Hence this discretion allows the protections to be re-instated by the employer; this will have cost implications</p>	<p>and therefore the employer incurs a cost for allowing retirement between age 55 and 59.</p> <p>LGPS2014 allows a member protected by the rule of 85 to retire early and suffer a reduction of benefits previously protected.</p> <p>This discretion allows the employer to turn-on the 85 year rule and effectively have in place the protections currently afforded to these members.</p> <p>To “switch on” the rule of 85 protections thereby retaining the pre 1 April 2014 position but to “switch off” the protection if a member wishes to retire early and suffer the actuarial reduction to their benefit entitlement.</p> <p>The ‘85 year rule’ will only be ‘switched on’ in exceptional circumstances. Each case considered individually.</p>
Trans Regs Sch2 para2(3)*	<p>Whether to waive on compassionate grounds, the actuarial reduction applied to benefits from pre 1 April 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>	<p>Consideration will be given to waive the actuarial reduction to the benefits where the member had to give up work for exceptional circumstances to be agreed by the Employment Committee and to Executive if there is a cost to the Council.</p>
31*.	<p>Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by</p>	<p>This replaces the current provision to allow the employer to “augment” service on</p>

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

Local Government Pension Scheme Regulations 2013

	reason of redundancy or business efficiency (by up to £6,500 per annum)	<p>retirement. The current Council policy on augmentation is:</p> <p>That augmentation of pensionable service should only be applied in exceptional cases where this is necessary to address a situation where there would otherwise be a significant risk of harm to the Council's services or objectives.</p> <p>It is proposed that the award of additional pension should only be applied in exceptional circumstances where this is necessary to address a situation where there would otherwise be a significant risk of harm to the Council's services or objectives.</p> <p>The award of additional pension should only be applied in exceptional circumstances where this is necessary to address a situation where there would otherwise be a significant risk of harm to the Council's services or objectives.</p>
100(6).	Extend normal time limit for acceptance of a transfer value beyond twelve months from joining the LGPS.	<p>The Council's current policy is:</p> <p>To allow in exceptional circumstances where it is clear there has been an administrative delay by the employer or the scheme administrator.</p> <p>This is now a joint policy with the</p>

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

Local Government Pension Scheme Regulations 2013

		<p>Administering Authority to prevent scheme employers from accepting late applications without good reason.</p> <p>To allow in exceptional circumstances where it is clear there has been an administrative delay by the employer or the scheme administrator</p>
--	--	--

***These are matters about which the regulations require there must be a written policy.**