

LGPS: Employer Discretions

LGPS Regulations 2013 (R) & LGPS (Transitional Provisions and Savings) Regulations 2014 (TP)	
Discretions	Proposed EBC policy
<p>Discretion 1: R16(2) (e) Where APCs are to be paid by regular contributions, whether to fund in whole or in part a members additional pension contribution. The maximum additional pension which can be purchased from 1 April 2014 is £6,500.</p>	<p>Not to adopt this discretion</p> <p>See para 2.2 of covering report.</p>
<p>Discretion 2: R16(4) (d) Where APCs are to be paid by a lump sum contribution, whether to fund in whole or in part members additional pension contribution. The maximum additional pension which can be purchase from 1 April 2014 is £6,500.</p>	<p>Not to adopt this discretion</p> <p>See para 2.2 of covering report.</p>
<p>Discretion 3: R30(6) Whether to allow an active member, who has attained the age of 55 or over, who reduces their working hours or grade, to receive immediate payment of all or part of their retirement pension to which the member is entitled to in respect of that employment, subject to an actuarial reduction (flexible retirement).</p>	<p>EBC has a flexible retirement policy that is reliant upon a sound business case being made for the granting of flexible retirement with immediate access to all or part of the member's benefits. EBC will consider requests on a case by case basis. The following criteria will apply:- There must be at least a 30% reduction in pay or hours as a result there will be a reduction to the pension where employees retire before the age of 65 with insufficient service to qualify for a full pension.</p>
<p>Discretion 4: TPSch 2, para 2(2) 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>Discretion 5a R30(8) Whether to waive, in whole or in part, any reduction in a members pension benefits as a result of a member who has not attained normal pension age but who has attained the age of 55 or over and has elected to receive immediate payment of a retirement pension.</p> <p>Discretion 5b TPSch 2, para 2(3) Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits from pre 01 April 2014 membership where the employer has "switched on" the 85 Year Rule for a member voluntarily drawing benefits on or</p>	<p>Agree to adopt this discretion. Agreement to be reliant upon a sound business case, requests to be considered on a case by case basis.</p> <p>Agree to adopt these discretions based on compassionate and/or exceptional grounds. Definition of compassion:</p> <ul style="list-style-type: none"> - compelling domestic reasons which will affect the ability of the individual to continue with his/her present working arrangements, and/or - ill health which does not meet the criteria for ill-health retirement.

<p>after age 55 and before age 60.</p>	
<p>Discretion 6: 31 Whether to award additional pension up to a maximum of £6,500 to an active member or a member who was an active member who was dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency within 6 months of the date the member's employment ended.</p>	<p>Not to adopt this discretion</p>
<p>Note R30(2) of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 Whether to grant application for early payment of deferred benefits on or after age 55 and before age 60</p>	<p>Although this discretion relates to the old scheme and will therefore be governed by these regulations it will still apply for members who left the scheme on or before 31 March 2014.</p>