

## Appendix 2a

2007 Regulations	
Discretions	Proposed EBC policy
<p>Discretion B12 Whether to augment membership of an active member (by up to 10 years)</p> <p><b>This discretion is removed in the new scheme; benefits are calculated based on the value of each year rather than multiplying the final salary by the membership.</b></p>	<p>EBC has not incorporated this discretion into its policies</p>
<p>Discretion B13: Whether to grant additional pension to a member (by up to £5,000 p.a.)</p> <p><b>This discretion is now covered by Regulation 31 and the maximum amount revised to £6,500.</b></p>	<p>EBC has not incorporated this discretion into its policies</p>
<p>Discretion B18(1) Whether all or some benefits can be paid if an employee reduces their hours or grade after reaching age 55 (flexible retirement)</p> <p><b>This discretion is now covered by Regulation 30(6) in the new scheme.</b></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 <b>least a 30% reduction</b> 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 B18(3) Whether to waive in whole or in part, any actuarial reduction on benefits paid on flexible retirement.</p> <p><b>This discretion is now covered by Regulation 30(8) in the new scheme</b></p>	<p>Agree to adopt this discretion based on compassionate grounds. Definition of compassion: - 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>

<p>Discretion B30(2) Whether to grant application for early payment of benefits on or after age 50/55 and before age 60</p> <p><b>This discretion has been removed as employer consent is no longer required to retire at 55.</b></p>	<p>EBC will not generally exercise this discretion since it works to ensure that employees continue to be valued during the whole of their working lives. The Council will continue with its current practice for early retirements (i.e. use of the discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 and amendments). However, if it is thought to be in the Council's interests, a proposal may be put to Committee for early payment of pension under Regulation 31 – any such proposal to be considered on its own merits. Subject to the merits of any proposal, the Council will consider waiving the early retirement reduction where retirement is due to exceptional and/or compassionate grounds.</p> <p>Definition of compassion:</p> <ul style="list-style-type: none"> <li>- compelling domestic reasons which will affect the ability of the individual to continue with his/her present working arrangements, and/or</li> <li>- ill health which does not meet the criteria for ill-health retirement.</li> </ul>
<p>Discretion B30(5) Whether to waive on compassionate grounds the actuarial reduction on benefits paid early</p> <p>This discretion is now covered by Regulation 30(8) in the new scheme</p>	<p>Agree to adopt this discretion based on compassionate grounds.</p> <p>Definition of compassion:</p> <ul style="list-style-type: none"> <li>- compelling domestic reasons which will affect the ability of the individual to continue with his/her present working arrangements, and/or</li> <li>- ill health which does not meet the criteria for ill-health retirement</li> </ul>