

Policy Statement of Employer Discretions – Local Government Pension Scheme Regulations 1997  
(as amended) in relation to pre 1 April 2008 leavers

**A written policy statement is required concerning the following:-**

<b>Discretion</b>	<b>Regulation</b>	<b>Employer Policy</b>
Grant application from a post 31 <sup>st</sup> March 1998 / pre 1 <sup>st</sup> April 2008 leaver for early payment of benefits on or after age 50/55 and before age 60. <b>See note below.</b>	31(2)	N/A
Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early for a post 31 <sup>st</sup> March 1998 / pre 1 <sup>st</sup> April 2008. Leaver.	31(5)	N/A

\* Only applicable if employer allows councillors to be members of the LGPS.

**Note regarding 1997 discretionary regulation 31(2)**

Benefits paid on or after age 50 and before age 55 are subject to an unauthorised payments charge and, where applicable, an unauthorised payments surcharge under the Finance Act 2006. Also, any part of the benefits which had accrued after 5<sup>th</sup> April 2006 would generate a scheme sanction charge.

Policy Statement of Employer Discretions - Local Government Pension Scheme (Administration)  
Regulations 2008

**A written policy statement is required concerning the following:-**

<b>Discretion</b>	<b>Regulation</b>	<b>Employer Policy</b>
Whether to grant application for early payment of benefits on or after age 55 and before age 60.	B30(2)	BTC <b>will not</b> consider granting application for early payment of benefits on or after age 55 and before age 60 unless there are compelling business reasons which warrant such consideration.
Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30.	B30(5)	BTC <b>will not</b> consider waiving, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30 unless there are compelling business reasons which warrant such consideration.
Whether to grant an application for early payment of a suspended tier 3 ill health pension on or after age 55 and before age 60.	B30A(3)	BTC <b>will not</b> consider granting an application for early payment of a suspended tier 3 ill health pension on or after age 55 and before age 60 unless there are compelling business reasons which warrant such consideration
Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30(A)	B30A(5)	BTC <b>will not</b> consider waiving, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30(A) unless there are compelling business reasons which warrant such consideration.
Whether, for a member leaving on the grounds of redundancy or business efficiency on or before 31 <sup>st</sup> 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. Hence this discretion is spent entirely after 30 <sup>th</sup> September 2014.	B12	BTC <b>will not</b> consider augmenting membership on the grounds of redundancy or business efficiency for a member leaving on or before 31st March 2014.

## Policy Statement of Employer Discretions - Local Government Pension Scheme Regulations 2013

### A written policy statement is required concerning the following:-

Discretion	Regulation	Employer Policy
Whether, how much, and in what circumstances to contribute to a shared cost APC scheme.	R16(2)(e) & R16(4)(d)	BTC <b>will not</b> consider contributing to a shared cost APC scheme.
Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement).	R30(6) & TP11(2)	BTC <b>will</b> consent to the payment of benefits on flexible retirement if a member is over the age of 55, permanently reduces his or her hours by at least 25% or permanently reduces his grade by at least one grade provided there is no cost to the employer and a business case to be approved in each individual case.
Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement.	R30(8)	BTC <b>will not</b> waive actuarial reductions on a flexible retirement.
Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age.	R30(8)	BTC <b>will not</b> waive, in whole or part, the actuarial reduction on benefits where a member voluntarily elects to draw his or her benefits before normal pension age.
Whether to "switch on" the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.	TPSch 2, paras 1(2) and 2(2)	BTC <b>will not</b> switch on the 85 year rule for a member voluntarily electing to draw benefits on or after age 55 but before age 60.
Whether to waive, any actuarial reduction on pre and/or post April 2014 benefits	TP3(1), TPSch 2, paras 2(1) and 2(2), B30(5) and B30A(5)	BTC <b>will not</b> waive actuarial reductions on pre and or post April 2014 benefits.
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 £6,500.00 p. a.).	R31	BTC <b>will not</b> award additional pension to any member.

# **POLICY STATEMENT**

## **Discretions under LGPS Regulations**

Policy Statement  
By (Employer)

**Billerica Town Council**

Under the LGPS Regulations 2013 effective from 1 April 2014, all employers participating in the LGPS are required to prepare and publish a written statement on how it will exercise the various discretions provided by LGPS 2014, LGPS 2008, LGPS 1997, Compensation and Injury Allowances Regulations

This document includes discretionary policies for LGPS Regulations 2013 as required by regulation 60, LGPS (Administration) Regulations 2008 as required by regulation 66 and 1997 LGPS Regulations as required by regulation 106 (for pre 1 April 2008 leavers and/or councillor members as applicable).

Such policy decisions are to be kept under review.

Print Name

J. R. BUCHANAN

Signed

JRBuchanan

Position

CHAIRMAN

Date

25/9/14