

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

Bridlington Town Council

Statement of Policy on :-

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

The Employing Body which is Bridlington Town Council has resolved that the following Discretions available in the above Statutory Instrument, should be implemented in compliance with Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008 as set out below:-

PART A --- where Formulation of Policy is Compulsory

REGULATION 12	POLICY DECISION
<p><u>Power of employing authority to increase total membership of active members</u></p> <p>An employer may resolve to increase the total membership of an active member. The maximum award (including additional membership in respect of different employments) must not exceed 10 years.</p> <p>An employer may also resolve 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.</p>	<p><i>This discretion will not be exercised.</i></p>
REGULATION 13	POLICY DECISION
<p><u>Power of employing authority to award additional pension</u></p> <p>An employer may resolve to award a member additional pension of not more than £5,000 a year payable from the same date as his LGPS pension. This award may be paid in addition to any increase of total membership awarded to that member under Regulation 12 above.</p>	<p><i>This discretion will not be exercised.</i></p>

REGULATION 18	POLICY DECISION
<p><u>Flexible retirement</u></p> <p>Employers may allow a member from age 55 onwards (or age 50 onwards if the member was a member on 31 March 2008 and makes a request before 31 March 2010) to draw all or part of the pension benefits they have already built up whilst 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.</p> <p>In such cases, pension benefits will be reduced in accordance with actuarial tables unless the employer waives the reduction either fully or in part or a member has protected rights.</p>	<p><i>This discretion will not be exercised.</i></p>

REGULATION 30	POLICY DECISION
<p><u>Choice of early payment of pension</u></p> <p>Employers can allow voluntary early retirement to members of the LGPS between the ages of 55 and 59 (or age 50 and 59 if the member was a member on 31 March 2008 and makes a request before 31 March 2010). 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.</p> <p>Employers can also allow the early payment of deferred benefits to former members of the LGPS between the ages of 55 and 59 (or age 50 and 59 if the member was a member on 31 March 2008 and makes a request before 31 March 2010). 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.</p>	<p>This discretion will not be exercised.</p>

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

PART B --- where Formulation of Policy is not Compulsory

The following Discretions are available in the Local Government Pension Scheme as set out below

REGULATION 3	POLICY DECISION
<p>(LGPS (Benefits etc) Regs 2007) <u>Contributions payable by active members</u></p> <p>Employers determine the contributions payable by members by attributing each member to one of the contribution bands set out in Regulation 3. Employers have the capacity to re-attribute the specific payband (upwards or downwards) where there is a material change in a member's contractual terms.</p>	<p>This discretion will not be exercised.</p>

REGULATION 16 (4)(b)(ii)	POLICY DECISION
<p>(LGPS (Admin) Regs 2008) <u>Facility to extend time limits for active members to aggregate deferred periods of LGPS membership</u></p> <p>Where a deferred member becomes an active member, then the member can elect to aggregate his deferred membership with his active membership. The election to aggregate must be made by the member within 12 months of becoming an active member and the member must be active at the date of election. Employers may allow a longer period than 12 months.</p>	<p>This discretion will be considered on application by an eligible employee, and the costs fully investigated, including the impact on the employer's contribution rate, and benefits to the Bridlington Town Council be demonstrated.</p>

REGULATION 83 (8)	POLICY DECISION
<p>(LGPS (Admin) Regs 2008) <u>Facility to extend time limits for active members to request a transfer of previous pension rights into the LGPS</u></p> <p>Where an active member requests to transfer previous pension rights into the LGPS, the member must make a request within 12 months of becoming an active member. Employers may allow a longer period than 12 months.</p>	<p>This discretion will be considered on application by an eligible employee, and the costs fully investigated, including the impact on the employer's contribution rate, and benefits to the Bridlington Town Council be demonstrated.</p>

**PART C --- where Formulation is undertaken by the
East Riding Pension Fund as administering authority**

REGULATION 70	POLICY DECISION
<p><u>Establishment of policy statement concerning the abatement of pension following re-employment</u></p> <p>Where a scheme member retires and seeks re-employment, if they choose to remain outside the local government sphere, their pension continues. If they return to an employer who participates in the local government pension scheme, their pension is reduced or stopped</p> <p>The administering authority is able to decide to change the current practice and determine how it wishes to treat re-employed scheme members who retire after 31st March 1998</p>	<p>Where the re-employment starts before 1 April 2007, then the policy approved is:</p> <ul style="list-style-type: none"> (a) That any ill health pension should cease in the event of re-employment subject to the protection afforded to members who were subject to the 1995 Regulations; (b) That with regard to other retirement pension no abatement be applied where the statutory pension in payment is £5,000 per annum or less, this amount to be increased in line with the annual index linking from April 1999 and thereafter; and (c) That where an annual statutory pension exceeds £5,000 per annum then the statutory pension in excess of this amount be abated subject to the protection afforded to members who were subject to the 1995 Regulations. <p>Where the re-employment starts after 31 March 2007, there will be no abatement of the retirement pension.</p>

Other non-compulsory discretions are available for Bridlington Town Council to consider, and cases where these may arise in the future will be considered on an individual basis; the merits of each case being fully investigated.

The Bridlington Town Council in exercising the discretionary powers available under the above Regulation has acted with due prudence and propriety and considered the financial impact of applying the discretions.

These policies may be subject to review from time to time. Any subsequent change in this Policy Statement will be notified to affected employees.