

Appendix B
CENTRAL BEDFORDSHIRE COUNCIL

POLICY STATEMENT ON EMPLOYING AUTHORITY DISCRETIONS (WITH 2014 AMENDMENTS).

This document should be read in conjunction with the LGPS 2014 – Employer Policy Statement

Local Government Pension Scheme 2008

Local Government Pension Scheme (Administration) Regulations 2008	Prefix A
Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations 2007 (as amended)	Prefix B
Local Government Pension Scheme (Transitional Provisions) Regulations 2008	Prefix T
Local Government Pension Scheme Regulations 1997	Prefix L

Discretion and Regulation	Central Bedfordshire Council Policy
<p>To extend the 12 month option for aggregation of deferred benefits</p> <p>A 16</p>	<p>Central Bedfordshire Council will not extend the 12 month option period for aggregation of deferred benefits.</p> <p>2014 Amendment: None required.</p>
<p>To allow a late application by a member to pay option contributions for a period of unpaid child related leave , strike , or unpaid leave of absence beyond 30 days.</p> <p>A22</p>	<p>Central Bedfordshire Council will not permit an extended period of time. The period will be 12 months from the last day of leave or industrial action.</p> <p>This permits the council sufficient time to action any requests.</p> <p>2014 Amendment: Updated. See Regulation R16(2)(e) & R16(4)(d) in LGPS 2014 – Employer Policy Statement</p>
<p>Specify in an employee's contract what other payment or benefits, other than those specified in B4 (1) (a) ie salary are not otherwise precluded by B4(2) or (3) are to be pensionable</p> <p>B4(1)(b)</p>	<p>All payments and benefits that are pensionable will be specified in the contract of employment.</p> <p>2014 Amendment: None required.</p>
<p>To augment membership of an active member (by up to 10 years)</p> <p>B12</p>	<p>Central Bedfordshire Council will not exercise the employer's discretion due to the cost.</p> <p>2014 Amendment: None required.</p>

Discretion and Regulation	Proposed Central Bedfordshire Council Policy
<p>To grant additional pension to a member (by up to £5,000 pa)</p> <p>B13</p>	<p>Central Bedfordshire Council will not exercise the employer's discretion due to the cost.</p> <p>2014 Amendment: Updated. See Regulation R16(2)(e) & R16(4)(d) in LGPS 2014 – Employer Policy Statement</p>
<p>Shared cost of Additional Voluntary Contributions (AVCs)</p> <p>An employer may contribute towards a Shared Cost AVC Scheme ie an AVC scheme into which the employer pays contributions as well as the member</p> <p>A25 & B13</p>	<p>Central Bedfordshire Council will not exercise the employer's discretion to contribute towards a Shared Cost AVC Scheme</p> <p>2014 Amendment: None required.</p>
<p>Allow a late application to convert scheme AVCs into membership credit ie allow an application more than 30 days after cessation of active membership</p> <p>TSch1 & L66(8) & former L66 (9) (b)</p>	<p>Central Bedfordshire Council will not exercise the employer's discretion as it will affect the employee's tax benefit</p> <p>2014 Amendment: None required.</p>
<p>The employer may deduct contributions payable from an employee's pay or reserve forces pay</p> <p>A45 (1) & (2)</p>	<p>Central Bedfordshire Council will reserve the right to deduct contributions payable from an employee's pay or reserve forces pay as set out in the Council's Reservists' Policy.</p> <p>2014 Amendment: Updated. See Council's Reservists Policy</p>
<p>Whether to apply to the Secretary of State for a forfeiture certificate (where the member is convicted of a relevant offence ie in connection with employment because of which has left employment)</p> <p>A72</p>	<p>Central Bedfordshire Council will apply to the Secretary of State for a forfeiture certificate.</p> <p>2014 Amendment: None required.</p>
<p>Where a forfeiture certificate is issued, whether to direct interim payments out of the Pension Fund until a decision is to take to apply the forfeiture certificate or to pay the benefits</p> <p>A73</p>	<p>Central Bedfordshire Council will reserve the right to apply the discretion and this will be dealt with on a case by case basis.</p> <p>2014 Amendment: None required.</p>

Discretion and Regulation	Proposed Central Bedfordshire Council Policy
<p>Whether to recover from the Pension Fund any monetary obligation, or if less, the value of the member's benefits (other than transferred in pension rights or AVCs/SAVCs) where the obligation was incurred as a result of a criminal negligent or fraudulent act or omission in connection with the employment and as a result of which the person has left employment.</p> <p>A74</p>	<p>Central Bedfordshire Council will generally seek recompense from the pension fund. This will be dealt with on a case by case basis.</p> <p>2014 Amendment: None required.</p>
<p>Whether to recover from the Pension Fund any financial loss, caused by a fraudulent offence or grave misconduct of employee (who has left because that conduct) or amount of refund if less</p> <p>A76 (2) & (3)</p>	<p>Central Bedfordshire Council will generally seek recompense from the pension fund. This will be dealt with on a case by case basis.</p> <p>2014 Amendment: None required.</p>
<p>Extend the normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS</p> <p>A83(8)</p>	<p>Central Bedfordshire Council will not extend the period of acceptance of a transfer value beyond the 12 months from joining the LGPS</p> <p>2014 Amendment: None required, but see R100(6) –Transfers of Pension Rights into the LGPS</p>
<p>Whether to allow a member to select the final pay period for fees to be any 3 consecutive years ending 31st March in the 10 years prior to leaving</p> <p>B11(2)</p>	<p>Central Bedfordshire Council will allow a member to select the final pay period for fees to be any 3 consecutive years ending 31st March in the 10 year prior to leaving.</p> <p>2014 Amendment: None required.</p>
<p>Decide which ill health tier a leaver falls into</p> <p>B20</p>	<p>Central Bedfordshire Council will consider and determine the appropriate ill health tier by a joint decision involving the relevant senior manager from SMG, Occupational Health and HR.</p> <p>2014 Amendment: None required.</p>

Discretion and Regulation	Proposed Central Bedfordshire Council Policy
<p>Whether to grant an application for early payment of benefits on or after age 55 and before age 60.</p> <p>B30 (5)</p>	<p>Central Bedfordshire Council will not exercise the employer's discretion due to cost.</p> <p>2014 Amendment: None required, but see B30(2) –Transfers of Pension Rights into the LGPS</p>
<p>Whether to waive, on compassionate grounds, the actual reduction applied to benefits paid early.</p> <p>B30 (5)</p>	<p>Central Bedfordshire Council will not waive on compassionate grounds the actuarial reduction to be applied to benefits paid early.</p> <p>2014 Amendment: None required, but see B30(5) –Transfers of Pension Rights into the LGPS</p>
<p>Decide whether a deferred beneficiary meets permanent ill health criteria</p> <p>B31</p>	<p>Central Bedfordshire Council will consider any such application by a panel comprising Occupational Health, HR and the Pensions Authority.</p> <p>2014 Amendment: None required.</p>
<p>To base redundancy payments on an actual weeks pay where this exceeds the statutory weeks pay limit This discretion is under the Local Government (Early Termination of Employment) Discretionary Compensation) Regulations 2006 (as amended)</p>	<p>Central Bedfordshire Council will base redundancy payments on an actual weeks pay where this exceeds the statutory week's pay limit.</p> <p>This policy was agreed at the Shadow Executive meeting dated 16 December 2008 and has been applied to all redundancy payments under Central Bedfordshire Council since 1 April 2009</p> <p>2014 Amendment: None required, but see Regulation 5 –Transfers of Pension Rights into the LGPS</p>
<p>To award lump sum compensation of up to 104 weeks pay in cases of redundancy, termination of employment on efficiency grounds of cessation of a joint appointment</p>	<p>Central Bedfordshire Council's policy (as agreed on 16 December 2008), is that only in exceptional circumstances will it consider enhancing any such payments by 1.5 times. The standard approach since 1 April 2009 is that the payment is based on the statutory number of weeks.</p> <p>2014 Amendment: None required, but see Regulation 6 –Transfers of Pension Rights into the LGPS</p>

Discretion and Regulation	Proposed Central Bedfordshire Council Policy
<p>To award compensatory added years to a person aged 55 or over with 5 or more years membership (or notional membership) of the LGPS in cases of redundancy, termination of employment on efficiency grounds, or cessation of a joint appointment which occurred after 30th September 2006 and before 1st April 2007 (but only if employment had commenced pre 1 October 2006).</p>	<p>Central Bedfordshire Council's policy (as agreed on 16 December 2008) is not to operate this discretion.</p> <p>2014 Amendment: None required.</p>
<p>Admission Bodies – which employees can be considered to be nominated for membership</p> <p>A7(1) & A12 (6)</p>	<p>For all admitted bodies, employees who can be considered for membership will be as designated in the admission agreement and in accordance with the Local Government Pension Scheme Regulations.</p> <p>2014 Amendment: None required.</p>