

RYE TOWN COUNCIL

Local Government Pension Scheme – East Sussex Pension Fund

Pension Fund Discretions Policy

Date Policy Statement adopted 22 October 2012

Date for Review 22 October 2013

Employing Authority Discretions Under:

The Local Government Pension Scheme (Administration) Regulations 2008 (as amended)
(Prefix A below)

The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2009 (as amended) (Prefix B below)

(*) in the table following beside a regulation denotes the discretions where the employer is **required** to have a policy statement under the Regulations

Pursuant to Regulation 66(5) of the Local Government Pension Scheme (Administration) Regulations in preparing, or reviewing and making revisions to, this statement the Employer has had and will have regard to the extent to which the exercise of any of the functions in accordance with its policy could lead to a serious loss of confidence in the public service.

Regulation	Discretion	Employer's Policy on the exercise of this discretion
B12*	Whether to augment membership of an active member (by up to 10 years)	Rye Town Council will not have a general policy to augment membership of an active member by up to 10 years but may decide to do so where a sound business case can be made for exercising this discretion. Each case will be considered on its individual merits.
B13*	Whether to grant additional pension to a member (by up to £5000 pa)	Rye Town Council will not have a general policy to grant additional pension to a member (by up to £5000 pa) but may consider doing so where a sound business case can be made for exercising this discretion. Each case will be considered on its individual merits.
B18(1)*	Whether all or some benefits can be paid if an employee reduces their hours or grade after reaching age 55 (flexible retirement) Notes: (a) Member must take all of accrued pre-2008 benefits (b) Member could elect to take part of post-2008 benefits	Rye Town Council will not have a general policy of exercising this discretion but may exercise this discretion where a sound business case can be made for granting flexible retirement with immediate access to all or part of the member's benefits. Rye Town Council will consider requests on a case by case basis.

B18(3)*	Whether to waive, in whole or in part, any actuarial reduction on benefits paid on flexible retirement	Rye Town Council will not waive, in whole or in part, the actuarial reduction on the benefits paid on flexible retirement.
B30(2)*	Whether to grant application for early payment of benefits on or after age 55 and before age 60	Rye Town Council will not have a general policy of granting early payment of benefits on or after age 55 and before age 60 but will consider requests on a case by case basis. Rye Town Council may exercise this discretion where a sound business case can be made for doing so or where other exceptional circumstances arise that make payment of those benefits justifiable.
B30(5)*	Whether to waive, on compassionate grounds, the actuarial reduction on benefits paid early	Rye Town Council will not generally waive the actuarial reduction applied to benefits paid early under regulation B30(2) above. Rye Town Council may consider waiving the actuarial reduction where exercising that discretion can be justified in terms of the sound businesses case made for initially paying those benefits or where other exceptional circumstances arise that make payment of those benefits justifiable. Each case will be considered on its individual merits.
A16(4)(b)(ii)	Whether to extend the 12-month option period for aggregation of deferred benefits	Rye Town Council will not generally extend the 12-month option period for aggregation of deferred benefits.
A22(2)	Whether to allow a late application by member to pay optional contributions for a period of unpaid child-related leave, strike, or unpaid leave of absence beyond 30 days	Rye Town Council will not generally allow late applications to pay optional contributions for a period of unpaid child-related leave, strike, or unpaid leave of absence beyond 30 days
A83(8)	Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS	Rye Town Council will not generally extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS.
A25(3) & B15(3)	Whether, how much, and in what circumstances to contribute to a shared cost Additional Voluntary Contribution (AVS) scheme	Rye Town Council will, generally, not contribute to a shared cost Additional Voluntary Contribution (AVS) scheme
A47(2)	No right to return of contributions due to offence of a fraudulent character or grave misconduct unless employer directs a total or partial refund is to be made	In the event of a relevant conviction for an offence of a fraudulent character, or proven grave misconduct, Rye Town Council would apply this Regulation
A72 (1) & (6)	Whether to apply to the Secretary of State for a forfeiture certificate (where member is convicted of a relevant offence)	In the event a conviction for a relevant offence Rye Town Council would apply this Regulation
A72 (3)	Where forfeiture certificate is issued, whether to direct that benefits be forfeited	In the event a conviction for a relevant offence Rye Town Council would consider apply this Regulation
A73 (1) & (2)	Where forfeiture certificate is issued, whether to direct	In the event a conviction for a relevant offence Rye Town Council would apply this

	interim payments out of the Pension Fund until decision is taken to either apply the certificate or to pay benefits	Regulation
A74 (2)	Whether to recover from Fund any monetary obligation or, if less, the value of the member's benefits (other than CETVs in or AVCs/SCAVCs) 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	In the event of an obligation being incurred as a result of a criminal, negligent or fraudulent act or omission in connection with the member's employment, Rye Town Council would apply this Regulation.
A76 (2) & (3)	To recover from Fund any financial loss caused by fraudulent offence or grave misconduct of employee (who has left because of that) or amount of refund if less	In the event of a relevant conviction for an offence of a fraudulent character, or proven grave misconduct, Rye Town Council would apply this Regulation

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Injury Allowances Provided Outside of the East Sussex Pension Fund

Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

RESOLVED That such allowances shall not be provided by Rye Town Council.

Date of resolution: 22 October 2012

RYE TOWN COUNCIL

Local Government Pension Scheme – East Sussex Pension Fund

Membership Eligibility

Regulation 4(3) of the Local Government Pension Scheme (Administration) Regulations 2008

RESOLVED That all members of staff employed by Rye Town Council shall be eligible to join the Local Government Pension Scheme.

Date of resolution: 22 October 2012