

APPENDIX A

Employer Discretions – Agree by Executive Committee 15/07/2008

A = Administration Regulations B = Benefit Regulations

2007 REGS	A or B	1997 REGS	DISCRETION	DESCRIPTION	AGREED COUNCIL POLICY
			Discretions on which Employers must make Policies		
30	B	31	Early payment of pension benefits at the request of a member	An employee can request that the Council grant them early retirement between 55 and 60 (50 for protected members). Employees aged over 60 do not need their employer's consent. Early payment may be subject to a capital cost	Each case to be judged equally and fairly on its own merits having fully considered the case details and financial implications
30	B	31(2)	Formers members request for early payment of benefits	From age 55 (50 for protected members) former members with deferred benefits have the right to apply for early payment of their retirement benefits. Early payment is subject to employers consent and any resulting costs	Cases that have no financial consequences (cost neutral) to be approved automatically. Other cases to be considered equally and fairly on its own merits having fully considered the case details and financial implications

18	B	35	Flexible retirement	<p>An employee over age 55 (50 for protected members) can request immediate payment of their pension benefits if permission is granted for them to reduce their hours or grade. Employer's consent is needed if before age 60. Early payment may be subject to a capital costs</p> <p>When considering any request, the Council's primary consideration must be its business needs. Any alterations to contracts must be substantial (in terms of hours or grade) and must not just be cosmetic. Employees have no automatic right for flexible retirement.</p>	All cases to be reviewed individually taking all case details into account including service delivery and financial costs.
25(3)	A	67	The establishment of Shared Cost AVC scheme	This discretion allows the council to contribute to an employee's AVC scheme.	The council have not adopted this discretion
80(5)	A	41(2)	Requirement for any strain on Fund costs to be paid "up front" by an employing authority.	This discretion allows the Administering Authority to require employing authorities to pay any strain costs up front following redundancy, flexible retirement or the waiver of any actuarial reductions.	The council have adopted this discretion and all costs incurred must be paid "up front"
12	B	52	Increase membership of an active member up to 10 years	The Council have the discretion to award to an active member, an additional period of scheme membership (maximum 10 years) through augmentation.	The council have adopted this discretion which may be allowed in exceptional circumstances only. Each specific case will be judged equally and fairly on its own merits having fully considered financial costs

13	B		Award of additional pension up to £5000 per annum	The Council have the discretion to award to an active member, additional pension of up to £5000 per annum.	The council have adopted this discretion which may be allowed in exceptional circumstances only. Each specific case will be judged equally and fairly on its own merits having fully considered financial costs
83	A	121	Power to allow transfer values to be accepted after 12 months membership	This discretion allows the extension of the 12 month time limited transfer of pension rights from previous schemes to be extended.	To allow this discretion in limited circumstances only. Each case will be judged equally and fairly on its own merits
			Please note cost of providing additional membership and/or pension under Regulations 12 & 13 are to be calculated by factors supplied by the Government Actuary Department.		
70	A	109	Statement of policy concerning abatement of retirement policies in new employment	Abatement is the automatic reduction or suspension of pension to ensure that staff who retire and are re-employed in Local Government or similar bodies cannot earn in excess of their pre retirement final salary.	The Council have adopted a policy to abate pensions upon re-employment only on cases where a capital cost was incurred or if the individual retired on ill health grounds. All age or actuarially reduced pensions will not be abated