

Worcestershire Pension Fund's policies dated April 2023

We publish the following governance documents on our website:

[Annual report and financial statements](#)

[Climate Change Risk Strategy](#)

[Climate Related Financial Disclosures](#)

[Funding Strategy Statement](#)

[Governance Policy Statement](#)

[Investment Strategy Statement](#)

[Pension Administration Strategy](#)

[Policy Statement on Comms](#)

[UK Stewardship Code 2020 Application for retaining Signatory Status](#)

In accordance with the LGPS regulations we have the discretion to set policy in many areas and the tables that follow detail how we will exercise our discretions. The references to regulations in column B use the following key:

[A] LGPS (Administration) Regulations 2008 [SI 2008/239]

[B] LGPS (Benefits, Membership and Contributions) Regulations 2007 (as amended) [SI 2007/1166]

[L] LGPS Regulations 1997 (as amended) [SI 1997/1612]

[R] LGPS Regulations 2013 [SI 2013/2356]

[T] LGPS (Transitional Provisions) Regulations 2008 [SI 2008/238]

[TL] The Local Government Pension Scheme (Transitional Provisions) Regulations 1997 [SI 1997/1613]

[TP] LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525]

We also have policies on the following:

Life certificates: we ask pensioners annually for a life certificate if they are overseas pensioners or pensioners for whom a power of attorney is in place or pensioners for whom a third party is their contact or pensioners that we wish to monitor more closely.

Overpayments: we will not chase these if the amount owing is less than £100.

Transfer values: we will provide one per record p.a.

Section 1: Discretionary policies from 1 April 2014 in relation to post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members)

Section 1 Discretion	Regulation	Exercised by
Whether to agree to an admission agreement with a Care Trust, NHS Scheme employing authority or CareQuality Commission.	R4(2)(b)	Admin. Authority allows this subject to a risk assessment
Whether to agree to an admission agreement with a body applying to be an admission body.	R3(1A), R3(5) & RSch 2, Part 3, para 1	Admin. Authority allows this subject to a risk assessment
Whether to agree that an admission agreement may take effect on a date before the date on which it is executed.	RSch2, Part 3, para14	Admin. Authority allows this subject to a risk assessment
Whether to terminate an admission agreement in the event of: insolvency, winding up or liquidation of the body. breach by that body of its obligations under the admission agreement. failure by that body to pay over sums due to the Fund within a reasonable period of being requested to do so.	RSch 2, Part 3, para9(d)	Admin. Authority allows this subject to a risk assessment
Define what is meant by “employed in connection with”.	RSch 2, Part 3, para12(a)	Admin. Authority defines this as meaning 100% of the post must be connected to delivering the service in question
Whether to turn down a request to pay an APC/SCAPC over a period of time where it would be impractical to allow such a request (e.g. where the sum being paid is very small and could be paid as a single payment).	R16(1)	Admin. Authority has set a min regular payment of £10 per month and requires all payments totalling less than £100 to be lump sum

Section 1 Discretion	Regulation	Exercised by
Whether to require a satisfactory medical before agreeing to an application to pay an APC / SCAPC.	R16(10)	Admin. Authority requires a medical for extra pensions of greater than £1,000
Whether to turn down an application to pay an APC / SCAPC if not satisfied that the member is in reasonably good health.	R16(10)	Admin. Authority requires a medical for extra pensions of greater than £1,000
Decide to whom any AVC/SCAVC monies (including life assurance monies) are to be paid on death of the member.	R17(12)	Admin. Authority exercises its discretion to make such decisions
Pension account may be kept in such form as is considered appropriate.	R22(3)(c)	Admin. Authority uses its procured pension admin system to apply the regs
Pension account may be kept in such form as is considered appropriate.	R22(3)(c)	Admin. Authority uses its procured pension admin system to apply the regs
Where there are multiple ongoing employments, in the absence of an election from the member within 12 months of ceasing a concurrent employment, decide to which record the benefits from the ceased concurrent employment should be aggregated.	TP10(9)	Admin. Authority exercises its discretion to aggregate
Mandatory written policy: Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement.	R30(8)	Employer (or Admin. Authority where Employer has become defunct) does not waive such reductions
Mandatory written policy: Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member only has post 31 March 2014 membership).	R30(8)	Employer (or Admin. Authority where Employer has become defunct) does not waive such reductions

Section 1 Discretion	Regulation	Exercised by
<p>Whether to require any strain on Fund costs to be paid “up front” by employing authority following payment of benefits under R30(6) (flexible retirement), R30(7) (redundancy / business efficiency), or the waiver (in whole or in part) under R30(8) of any actuarial reduction that would otherwise have been applied to benefits which a member voluntarily draws before normal pension age or to benefits drawn on flexible retirement.</p>	<p>R68(2)</p>	<p>Admin. Authority will allow costs to be spread over 3 years subject to interest being charged</p>
<p>Mandatory written policy Whether to “switch on” the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60 (other than on the grounds of flexible retirement).</p>	<p>TPSch 2, para 1(2) & 1(1)(c)</p>	<p>Employer (or Admin. Authority where Employer has become defunct) does not switch on the 85-year rule</p>
<p>Mandatory written policy Whether to waive any actuarial reduction for a member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1 April 2014 and post 31 March 2014 membership): a) on compassionate grounds (pre 1 April 2014 membership) and / or, in whole or in part on any grounds (post 31 March 2014 membership) if the member was not in the Scheme before 1 October 2006, b) on compassionate grounds (pre 1 April 2014 membership) and / or, in whole or in part on any grounds (post 31 March 2014 membership) if the member was</p>	<p>TP3(1), TPSch 2, para 2(1), B30(5) & B30A(5)</p>	<p>Employer (or Admin. Authority where Employer has become defunct) does not waive such reductions</p>

Section 1 Discretion	Regulation	Exercised by
<p>in the Scheme before 1 October 2006, will not be 60 by 31 March 2016 and will not attain 60 between 1 April 2016 and 31 March 2020 inclusive,</p> <p>c) on compassionate grounds (pre 1 April 2016 membership) and / or, in whole or in part on any grounds (post 31 March 2016 membership) if the member was in the Scheme before 1 October 2006 and will be 60 by 31 March 2016,</p> <p>d) on compassionate grounds (pre 1 April 2020 membership) and / or, in whole or in part on any grounds (post 31 March 2020 membership) if the member was in the Scheme before 1 October 2006, will not be 60 by 31 March 2016 and will attain 60 between 1 April 2016 and 31 March 2020 inclusive.</p>		
<p>Whether to require any strain on Fund costs to be paid “up front” by employing authority if the employing authority “switches on” the 85 year rule for a member voluntarily retiring (other than flexible retirement) prior to age 60, or waives an actuarial reduction on compassionate grounds under TPSch 2, para 2(1).</p>	<p>TPSch 2, para 2(3)</p>	<p>Admin. Authority will allow costs to be spread over 3 years subject to interest being charged</p>

Section 1 Discretion	Regulation	Exercised by
Whether to extend the time limits within which a member must give notice of the wish to draw benefits before normal pension age or upon flexible retirement.	R32(7)	Admin. Authority extends the limits
Decide whether to trivially commute a member's pension under section 166 of the Finance Act 2004 (includes pension credit members where the effective date of the Pension Sharing Order is after 31 March 2014 and the debited member had some post 31 March 2014 membership of the 2014 Scheme).	R34(1)(a)	Admin. Authority allows the member to decide
Decide whether to trivially commute a lump sum death benefit under section 168 of the Finance Act 2004.	R34(1)(b)	Admin. Authority allows the member to decide
Decide whether to pay a commutation payment under regulations 6 (payment after relevant accretion), 11 (de minimis rule for pension schemes) or 12 (payments by larger pension schemes) of the Registered Pension Schemes (Authorised Payments) Regulations 2009 (excludes survivor pensions and includes pension credit members where the effective date of the Pension Sharing Order is after 31 March 2014 and the debited member had some post 31 March 2014 membership of the 2014 Scheme).	R34(1)(c)	Admin. Authority allows the member to decide
Approve medical advisors used by employers (for ill health benefits).	R36(3)	Admin. Authority allows employers to decide who to use
Whether to use a certificate produced by an IRMP under the 2008 Scheme for the purposes of making an ill health determination under the 2014 Scheme.	TP12(6)	Employer (or Admin. Authority where Employer has become defunct) uses such certificates but will accept a letter from a doctor stating that anticipated life expectancy is less than a year in exceptional

Section 1 Discretion	Regulation	Exercised by
		circumstances

Section 1 Discretion	Regulation	Exercised by
Decide whether deferred beneficiary meets criteria of being permanently incapable of former job because of ill health and is unlikely to be capable of undertaking gainful employment before normal pension age or for at least three years, whichever is the sooner.	R38(3)	Employer (or Admin.Authority where Employer has become defunct) decides taking account of medical evidence and comparable job descriptions
Decide whether a suspended ill health tier 3 member is unlikely to be capable of undertaking gainful employment before normal pension age because of ill health.	R38(6)	Employer (or Admin.Authority where Employer has become defunct) decides taking account of medical evidence
Decide to whom death grant is paid.	TP17(5) to (8), R40(2), R43(2) & R46(2)	Admin. Authority <u>decides</u> after gathering evidence from potential beneficiaries
Decide, in the absence of an election from the member, which benefit is to be paid where the member would be entitled to a benefit under 2 or more regulations in respect of the same period of Scheme membership.	R49(1)(c)	Admin. Authority so decides
Whether to set up a separate admission agreement fund.	R54(1)	Admin. Authority has just a main fund

Section 1 Discretion	Regulation	Exercised by
<p>Mandatory written policy Governance Compliance Statement must state whether the admin authority delegates their function or part of their function in relation to maintaining a pension fund to a committee, a sub-committee, or an officer of the admin authority and, if they do so delegate, state:</p> <ul style="list-style-type: none"> - the frequency of any committee or sub-committee meetings, - the terms, structure and operational procedures appertaining to the delegation, and - whether representatives of employing authorities or members are included and, if so, whether they have voting rights. <p>The policy must also state:</p> <ul style="list-style-type: none"> - the extent to which a delegation, or the absence of a delegation, complies with Sec of State guidance and, to the extent it does not so comply, state the reasons for not complying, and - the terms, structure and operational procedures appertaining to the local Pensions Board. 	R55	Admin. Authority details its approach in its <u>Governance Policy Statement</u>
<p>Mandatory written policy Decide on Funding Strategy for inclusion in funding strategy statement.</p>	R58	Admin. Authority details its approach in its <u>FSS</u>
<p>Whether to have a written pensions administration strategy and, if so, the matters it should include.</p>	R59(1) & (2)	Admin. Authority has a <u>PAS</u>

Section 1 Discretion	Regulation	Exercised by
Mandatory written policy Communication policy must set out the policy on provision of information and publicity to, and communicating with, members, representatives of members, prospective members and Scheme employers; the format, frequency, and method of communications; and the promotion of the Scheme to prospective members and their employers.	R61	Admin. Authority has a <u>Policy on Comms</u>
Determine the amount of an exit payment, having regard to the facts in Reg64(2ZC).	R64(2ZAB)	Admin. Authority allows this in line with its <u>FSS</u> that includes its termination policy
Whether to agree to extend the period beyond 6 months from the date an Employer ceases to be a Scheme Employer, by which to pay an exit credit.	R64(2ZAB)	Admin. Authority (with agreement of Employer) allows this in line with its <u>FSS</u> that includes its termination policy
Whether to suspend (by way of issuing a suspension notice), for up to 3 years, an employer's obligation to pay an exit payment where the employer is again likely to have active members within the specified period of suspension.	R64(2A)	Admin. Authority allows this in line with its <u>FSS</u> that includes its termination policy
Where a suspension notice is served and not withdrawn, decide what contributions are required from the employer in respect of benefits in respect of the employer's current and former employees.	R64(2C)	Admin. Authority will do this in line with its <u>FSS</u> that includes its termination policy
If it is not possible to obtain all or part of the exit payment and a further revision of rates is required, determine the value of the alternative assets, and decide the period of time over which assets equivalent to the exit payment should be provided to the Fund.	R64(3)	Admin. Authority will do this in line with its <u>FSS</u> that includes its termination policy
Whether there are circumstances which make it likely a Scheme employer will become an exiting employer and, if so, whether to obtain an actuarial certificate specifying revised employer's	R64(4)	Admin. Authority will do this in line with its <u>FSS</u>

Section 1 Discretion	Regulation	Exercised by
contribution rates, and if so, the period of time over which this should be paid.		
Whether to enter into a deferred debt agreement with an employer.	R64(7A) and R64(7B)	Admin. Authority allows this in line with its <u>FSS</u> that includes its termination policy
Decide whether a take-over, amalgamation or winding up of a deferred employer would not be likely to significantly weaken the deferred employer's ability to meet contributions payable under a deferred debt arrangement in the next 12 months.	R 64(7F)	Admin. Authority will do this in line with its <u>FSS</u> that includes its termination policy
Decide whether to obtain a revision of the rates and adjustments certificate to amend contributions between valuations	R64A(1)	Admin. Authority will do this in line with its <u>FSS</u> that includes its termination policy
Decide whether to allow spreading of exit payments, and if so, over what period of time.	R64B(1)	Admin. Authority will do this in line with its <u>FSS</u> that includes its termination policy
Decide frequency of payments to be made over to Fund by employers and whether to make an admin charge.	R69(1)	Admin. Authority requires monthly payments that can be pre-paid and does not charge
Decide form and frequency of information to accompany payments to the Fund.	R69(4)	Admin. Authority requires a <u>CARE posting spreadsheet</u> and a <u>PCF1 contribution remittance spreadsheet</u> monthly
Whether to issue employer with notice to recover additional costs incurred as a result of the employer's level of performance.	R70 & TP22(2)	Admin. Authority has a <u>PAS</u> that details its approach on charging interest and passing on additional costs

Section 1 Discretion	Regulation	Exercised by
Whether to charge interest on payments by employers which are overdue.	R71(1)	Admin. Authority has a <u>PAS</u> that details its approach on charging interest and passing on additional costs
Whether to extend six-month period to lodge a stage one IDR appeal.	R74(4)	Adjudicator making stage one IDR decision allows extension where the Fund / employer is at fault for reducing the time available to appeal
Decide procedure to be followed by adjudicator when exercising stage one IDR functions and decide the manner in which those functions are to be exercised.	R74(6)	Adjudicator making stage one IDR decision will be a Fund officer
Decide procedure to be followed by admin authority when exercising its stage two IDR functions and decide the manner in which those functions are to be exercised.	R76(4)	Admin. Authority will be a Fund officer unless the appeal is against something the Fund has done when Worcs CC's Monitoring Officer or another LGPS fund will adjudicate
Whether administering authority should appeal against employer decision (or lack of a decision).	R79(2)	Admin. Authority will so do if it detects unfairness or is inappropriately exposed financially
Specify information to be supplied by employers to enable administering authority to discharge its functions.	R80(1)(b) & TP22(1)	Admin. Authority has a <u>PAS</u> that details its requirements

Section 1 Discretion	Regulation	Exercised by
Whether to pay the whole or part of the amount that is due to the personnel representatives (including anything due to the deceased member at the date of death) to: the personal representatives, or anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965.	R82(2)	Admin. Authority allows this

Section 1 Discretion	Regulation	Exercised by
Whether, where a person is incapable of managing their affairs, to pay the whole or part of that person's pension benefits to another person for their benefit.	R83	Admin. Authority allows this
Agree to bulk transfer payment.	R98(1)(b)	Employer / Admin. Authority / trustees of new scheme allows this
Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS.	R100(6)	Employer and Admin. Authority allows this if employer so allows
Allow transfer of pension rights into the Fund.	R100(7)	Admin. Authority allows this
Where member to whom B10 applies (use of average of 3 years pay for final pay purposes) dies before making an election, whether to make that election on behalf of the deceased member.	TP3(6), TP4(6)(c), TP8(4), TP10(2)(a), TP17(2)(b) & B10(2)	Admin. Authority does this
Make election on behalf of deceased member with a certificate of protection of pension benefits i.e. determine best pay figure to use in the benefit calculations (pay cuts / restrictions occurring pre 1 April 2008).	TP3(6), TP4(6)(c), TP8(4), TP10(2)(a), TP17(2)(b) & TSch 1 & L23(9)	Admin. authority does this

Section 1 Discretion	Regulation	Exercised by
Decide to treat child (who has not reached the age of 23) as being in continuous full-time education or vocational training despite a break.	RSch 1 & TP17(9)(a)	Admin. Authority does this
Decide evidence required to determine financial dependence of cohabiting partner on scheme member or financial interdependence of cohabiting partner and scheme member.	RSch 1 & TP17(9)(b)	Admin. Authority does this and uses a standard form
Mandatory written policy Decide policy on abatement of pre 1 April 2014 element of pensions in payment following re-employment.	TP3(13) & A70(1) & A71(4)(c)	Admin. Authority does not abate

Section 1 Discretion	Regulation	Exercised by
Extend time period for capitalisation of added years contract.	TP15(1)(c) & TSch1 & L83(5)	Admin. Authority allows this
Decide whether to delegate any administering authority functions under the Regulations.	R105(2)	Admin. Authority details its approach in its <u>Governance Policy Statement</u>
Decide whether to establish a joint local pension board (if approval has been granted by the Secretary of State).	R106(3)	Admin. Authority details its approach in its <u>Governance Policy Statement</u>
Decide procedures applicable to the local pension board.	R106(6)	Admin. Authority details its approach in its <u>Governance Policy Statement</u>
Decide appointment procedures, terms of appointment and membership of local pension board.	R107(1)	Admin. Authority details its approach in its <u>Governance Policy Statement</u>
Extend time period for capitalisation of added years contract where the member leaves his employment by reason of redundancy.	TR15(1)(c) & TSch1 & L83(5)	Admin. Authority allows this
Outstanding employee contributions can be recovered as a simple debt or by deduction from benefits.	A45(3)	Admin. Authority allows both

Section 1 Discretion	Regulation	Exercised by
<p>Whether to pay the whole or part of the amount that is due to the personnel representatives (including anything due to the deceased member at the date of death) to: personal representatives, or anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965.</p>	A52(2)	Admin. Authority allows this
<p>Approve medical advisors used by employers (for early payment, on grounds of ill health, of a deferred benefit or a suspended Tier 3 ill health pension).</p>	A56(2)	Admin. Authority does not exercise this discretion
<p>Whether to extend six-month period to lodge a stage one IDRPs appeal.</p>	TP23 & R74(4)	Adjudicator making stage one IDRPs decision allows extension where the Fund / employer is at fault for reducing the time available to appeal
<p>Decide procedure to be followed by adjudicator when exercising stage one IDRPs functions and decide the manner in which those functions are to be exercised.</p>	TP23 & R74(6)	Adjudicator making stage one IDRPs decision will be a Fund officer

Section 2: Discretionary policies in relation to scheme members (excluding councillor members) who ceased active membership on or after 1 April 2008 and before 1 April 2014

Section 2 Discretion	Regulation	Exercised by
Decide procedure to be followed by administering authority when exercising its stage two IDRPs functions and decide the manner in which those functions are to be exercised.	TP23 & R76(4)	Admin. Authority will be a Fund officer unless the appeal is against something the Fund has done when Worcs CC's Monitoring Officer or another LGPS fund will adjudicate
Whether administering authority should appeal against employer decision (or lack of a decision).	TP23 & R79(2)	Admin. Authority will so do if it detects unfairness or is inappropriately exposed financially
Specify information to be supplied by employers to enable administering authority to discharge its functions.	TP23, TP22(1) & R80(1)(b)	Admin. Authority has a <u>PAS</u> that details its requirements
Mandatory written policy Decide policy on abatement of pensions following re-employment.	TP3(13), A70(1) & A71(4)(c)	Admin. Authority does not abate
Where member to whom B10 applies (use of average of 3 years pay within the period of 13 years ending with the last day of active membership for final pay purposes) dies before making an election, whether to make that election on behalf of the deceased member.	B10(2)	Admin. Authority does this
Whether to pay the whole or part of a child's pension to another person for the benefit of that child.	B27(5)	Admin. Authority does this
Whether, where a person (other than an eligible child) is incapable of managing their affairs, to pay the whole or part of that person's pension benefits to another person for their benefit.	A52A	Admin. Authority does this

Section 2 Discretion	Regulation	Exercised by
Mandatory written policy 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, para 1(2) & 1(1)(c)	Employer (or Admin. Authority where Employer has become defunct) does not switch on

Section 2 Discretion	Regulation	Exercised by
Mandatory written policy Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30 (member).	B30(5), TPSch 2, para 2(1)	Employer (or Admin.Authority where Employer has become defunct) does not waive
Mandatory written policy Whether to “switch on” the 85-year rule for a pensioner member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60.	TPSch 2, para 1(2) & 1(1)(c)	Employer (or Admin.Authority where Employer has become defunct) does not switch on
Mandatory written policy Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30A (pensioner member with deferred benefits).	B30A(5), TPSch 2, para 2(1)	Employer (or Admin.Authority where Employer has become defunct) does not waive
Whether to require any strain on Fund costs to be paid “up front” by employing authority if the employing authority “switches on” the 85-year rule for a member voluntarily retiring prior to age 60, or waives an actuarial reduction on compassionate grounds under TPSch 2, para 2(1).	TPSch 2, para 2(3)	Admin. Authority will allow costs to be spread over 3 years subject to interest being charged
Decide whether deferred beneficiary meets permanent ill health and reduced likelihood of gainful employment criteria.	B31(4)	Employer (or Admin. Authority where Employer has become defunct) decides taking account of medical evidence and comparable job descriptions

Section 2 Discretion	Regulation	Exercised by
Decide whether a suspended ill health tier 3 member is permanentlyincapable of undertaking any gainful employment.	B31(7)	Employer (or Admin. Authority where Employer has become defunct) decides taking account of medical evidence and comparable job descriptions
Decide to whom death grant is paid.	B23(2), B32(2), B35(2), TSch1 & L155(4)	Admin. Auth <u>decides</u> after gathering evidence from potential beneficiaries

Section 2 Discretion	Regulation	Exercised by
Decide evidence required to determine financial dependence of cohabiting partner on scheme member or financial interdependence of cohabiting partner and scheme member.	RSch1 & TP17(9)(b)	Admin. Authority does this and uses a standard form
Decide to treat child (who has not reached the age of 23) as being in continuous education or vocational training despite a break.	RSch 1 & TP17(9)(a)	Admin. Authority does this
Decide whether to trivially commute a member's pension under section 166 of the Finance Act 2004.	B39(1)(a) & T14(3)	Admin. Authority does this
Decide whether to trivially commute a lump sum death benefit under section 168 of the Finance Act 2004.	R39(1)(b)	Admin. Authority does this
Decide whether to pay a commutation payment under regulations 6 (payment after relevant accretion), 11 (de minimis rule for pension schemes) or 12 (payments by larger pension schemes) of the Registered Pension Schemes (Authorised Payments) Regulations 2009 (excludes survivor pensions and pension credit members).	R39(1)(c)	Admin. Authority does this
Decide, in the absence of an election from the member, which benefit is to be paid where the member would be entitled to a benefit under 2 or more regulations in respect of the same period of Scheme membership.	B42(1)(c)	Admin. Authority does this
Make election on behalf of deceased member with a certificate of protection of pension benefits i.e. determine best pay figure to use in the benefit calculations (pay cuts / restrictions occurring pre 1 April 2008).	TSch 1 & L23(9)	Admin. authority does this

Section 3: Discretionary policies in relation to active welsh councillor members, councillor members who ceased active membership on or after 1 April 1998 and any other scheme members who ceased active membership on or after 1 April 2008.

NB references are to the LGPS Regulations 1997 [SI 1997/1612]

Section 3 Discretion	Regulation	Exercised by
Frequency of payment of councillors' contributions.	12(5)	Admin. Authority has no active councillor members
Extend normal 12-month period following end of relevant reserve forces leave for a "Cancelling notice" to be submitted by a councillor member requesting that the service should not be treated as relevant reserve forces service.	17(4),(7),(8), 89(4) & Sch 1	Admin. Authority has no active councillor members
Mandatory written policy Whether to "switch on" the 85 year rule for a member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60. Note: TPSch 2, para 2(2) does not reference para 1(1)(f) so strictly speaking there is no requirement to publish a policy under this regulation or R60. However, we understand that this is simply a regulatory omission and the appropriate party should publish a policy accordingly.	TPSch 2, para 1(2) & 1(1)(f) & R60	Employer (or Admin. Authority where Employer has become defunct) does not switch on

Section 3 Discretion	Regulation	Exercised by
Mandatory written policy Waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early.	31(5) & TPSch 2, para 2(1)	Employer (or Admin. Authority where Employer has become defunct) does not waive
Decide to whom death grant is paid.	38(1) & 155(4)	Admin. Authority <u>decides</u> after gathering evidence from potential beneficiaries
Decide to treat child (who has not reached the age of 23) as being in continuous education or vocational training despite a break.	TP17(9)(a) & RSch 1	Admin. Authority does this
Apportionment of children's pension amongst eligible children.	47(1)	Admin. Authority does this
Pay child's pension to another person for the benefit of the child.	47(2)	Admin. Authority does this
Decide whether to trivially commute a member's pension under section 166 of the Finance Act 2004 (includes pre 1 April 2008 leavers or Pension Credit members where the effective date of the Pension Sharing Order was pre 1 April 2014 or where the effective date of the Pension Sharing Order is after 31 March 2014 but the debited member had no post 31 March 2014 membership of the 2014 Scheme).	49(1) & T14(3)	Admin. Authority does this
Decide whether to trivially commute alump sum death benefit under section 168 of the Finance Act 2004.	49(1)	Admin. Authority does this
Decide whether to commute benefits due to exceptional ill-health (including Pension Credit members where the effective date of the Pension Sharing Order was pre 1 April 2014 or where the effective date of the Pension Sharing Order is after 31 March 2014 but the debited member had no post 31 March 2014 membership of the 2014 Scheme).	50 and 157	Admin. Authority does this
Whether acceptance of AVC election is subject to a minimum payment (councillors only).	60(5)	Admin. Authority has no active councillor members
Whether to require any strain on Fund costs to be paid "up front" by employing authority following early voluntary retirement of a councillor, or early payment of a deferred	80(5)	Admin. Authority will allow costs to be spread over 3 years subject to interest being charged

Section 3 Discretion	Regulation	Exercised by
benefit on health grounds or from age 50 and prior to age 55 with employer consent.		

Section 3 Discretion	Regulation	Exercised by
Whether to require any strain on Fund costs to be paid “up front” by employing authority if the employing authority “switches on” the 85 year rule for a member voluntarily retiring on or after age 55 and prior to age 60, or waives an actuarial reduction on compassionate grounds under TPSch 2, para 2(1).	TPSch 2, para 2(3)	Admin. Authority will allow costs to be spread over 3 years subject to interest being charged
Frequency of employer’s payments to the fund (in respect of councillor members).	81(1)	Admin. Authority has no active councillor members
Form and frequency of information to accompany payments to the Fund (in respect of councillor members).	81(5)	Admin. Authority has no active councillor members
Whether to charge interest on payments by employers overdue by more than 1 month (in respect of councillor members).	82(1)	Admin. Authority has no active councillor members
Outstanding employee contributions can be recovered as a simple debt or by deduction from benefits.	89(3)	Admin. Authority allows both
Timing of pension increase payments by employers to fund.	91(6)	Admin. Authority recharges employers annually after increases have been given to members or asks for a balancing payment from those employers who prepay
Whether to pay the whole or part of the amount that is due to the personnel representatives (including anything due to the deceased member at the date of death) to: personal representatives, or anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965.	95	Admin. Authority does this

Section 3 Discretion	Regulation	Exercised by
Approve medical advisors used by employers.	97(10)	Admin. Authority does not exercise this discretion
Whether to extend six-month period to lodge a stage one IDRPs appeal.	TP23 & R74(4)	Adjudicator making stage one IDRPs decision allows extension where the Fund / employer is at fault for reducing the time available to appeal
Decide procedure to be followed by adjudicator when exercising stage one IDRPs functions and decide the manner in which those functions are to be exercised.	TP23 & R74(6)	Adjudicator making stage one IDRPs decision will be a Fund officer
Decide procedure to be followed by admin authority when exercising its stage two IDRPs functions and decide the manner in which those functions are to be exercised	TP23 & R76(4)	Admin. Authority will be a Fund officer unless the appeal is against something the Fund has done when Worcs CC's Monitoring Officer or another LGPS fund will adjudicate
Whether administering authority should appeal against employer decision (or lack of a decision)	TP23 & R79(2)	Admin. Authority will so do if it detects unfairness or is inappropriately exposed financially
Specify information to be supplied by employers to enable administering authority to discharge its functions.	TP23 & TP22(1) & R80(1)(b)	Admin. Authority has a <u>PAS</u> that details its requirements
Date to which benefits shown on annual deferred benefit statement are calculated.	106A(5)	Admin. Authority uses normal pension age(s)
Mandatory written policy Abatement of pensions following re-employment.	TP3(13), A70(1) & A71(4)(c)	Admin. Authority does not abate
Retention of Contributions Equivalent Premium (CEP) where member transfers out.	118	Admin. Authority will apply the regulations
Discharge Pension Credit liability.	147	Admin. Authority will apply the regulations

Section 4: Discretionary policies in relation to scheme members who ceased active membership before 1 April 1998 NB references are to the LGPS Regulation 1995 [SI 1995/1019]

Section 4 Discretion	Regulation	Exercised by
<p>Mandatory written policy Grant application for early payment of deferred benefits on or after age 50 on compassionate grounds. Although the common provisions of the 1997 Transitional provisions regulations do not specify regulation D11(2)(c), there intention was that it should apply to this regulation.</p>	<p>TP3(5A)(vi), TL4, L106(1)& D11(2)(c)</p>	<p>Employer (or Admin. Authority where Employer has become defunct) does not grant</p>
<p>Decide to whom death grant is paid.</p>	<p>E8</p>	<p>Admin. Authority <u>decides</u> after gathering evidence from potential beneficiaries</p>
<p>Whether to pay spouse's pensions for life (rather than ceasing during any period of remarriage or co-habitation).</p>	<p>F7</p>	<p>Admin. Authority will pay for life</p>

Section 4 Discretion	Regulation	Exercised by
Decide to treat child (who has not yet reached the age of 23) as being in continuous education or vocational training despite a break.	TP17(9)(a) & RSch 1	Admin. Authority does this
Apportionment of children's pension amongst eligible children.	G11(1)	Admin. Authority does this
Pay child's pension to another person for the benefit of the child.	G11(2)	Admin. Authority does this
Mandatory written policy Abatement of pensions following re-employment.	TP3(13), A70(1) & A71(4)(c)	Admin. Authority does not abate
Whether to extend six-month period to lodge a stage one IDR appeal.	TP23 & R74(4)	Adjudicator making stage one IDR decision allows extension where the Fund / employer is at fault for reducing the time available to appeal
Decide procedure to be followed by adjudicator when exercising stage one IDR functions and decide the manner in which those functions are to be exercised.	TP23 & R74(6)	Adjudicator making stage one IDR decision will be a Fund officer
Decide procedure to be followed by admin authority when exercising its stage two IDR functions and decide the manner in which those functions are to be exercised	TP23 & R76(4)	Admin. Authority will be a Fund officer unless the appeal is against something the Fund has done when Worcs CC's Monitoring Officer or another LGPS fund will adjudicate
Whether administering authority should appeal against employer decision (or lack of a decision)	TP23 & R79(2)	Admin. Authority will so do if it detects unfairness or is

Section 4 Discretion	Regulation	Exercised by
		inappropriately exposed financially
Specify information to be supplied by employers to enable administering authority to discharge its functions.	TP23, TP22(1) & R80(1)(b)	Admin. Authority has a <u>PAS</u> that details its requirements

Section 5: Discretionary policies in relation to former employees of an employing authority that is a body that is a scheduled body, a designate body, or a body that is deemed to be a scheduled body under the LGPS Regulations 2013 and equivalent predecessor regulations (excluding admitted bodies). NB references are to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended) [SI 2000/1410]

Section 5 Discretion	Regulation	Exercised by
Agree to pay annual compensation on behalf of employer and recharge payments to employer.	31(2)	Admin. Authority allows this

Section 6: Discretionary policy to be maintained by the administering authority referring to the Registered Pension Schemes (Modification of Scheme Rules) Regulations 2011 [SI 2011/1791]

Section 6 Discretion	Regulation	Exercised by
To decide whether it is legally able to offer voluntary scheme pays (to determine legality see paragraph 223 onwards of the Annual Allowance guide published under the ' <u>Guides and sample documents</u> ' page of www.lgpsregs.org); and, if so, to decide the circumstances (if any) upon which it would do so.	2	Administering Authority allows this in line with the regs

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