

BURNTWOOD TOWN COUNCIL
LOCAL GOVERNMENT PENSION SCHEME – EMPLOYER DISCRETIONS POLICY

1. LGPS Regulations - Regulation 31: Power of employer to award additional pension to an active member or ceasing within 6 months to be an active member by reason of redundancy or business efficiency

Where an employee of Burntwood Town Council is dismissed on the grounds of redundancy and qualifies for a statutory redundancy payment, it will award lump sum compensation under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.

At this time, Burntwood Town Council will not award any additional pension to the member.

2. LGPS Regulations 2013 - Regulation 16(2)(e) and 16(4)(d) : Funding of additional pension contributions (APC) shared cost

Burntwood Town Council has not adopted this discretion.

3. LGPS Regulations 2013 - Regulation 30 (6): Flexible Retirement

Burntwood Town Council has agreed to release pension where there is no cost and not to waive any reduction to the member's benefits.

Burntwood Town Council will consider each case individually on its merits, but subject to the following criteria:

- Any employee wishing to work reduced hours or at a lower grade must first put their request in writing to the Town Clerk who will consider the business case for the request
- Requests will only be considered if an employee is reducing the hours of their current job by at least 40% (or are transferring to another job which has either 40% fewer hours or is at a lower grade).
- Employees who have flexibly retired may not subsequently apply for positions that would result in either an increase in hours or being paid at a higher grade

4. LGPS Regulations 2013 - Regulation (paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): Switching on rule of 85

Burntwood Town Council will not apply this discretion.

5. LGPS Regulations 2013 – Regulation 30 (8): Waiving of actuarial reduction

Burntwood Town Council will not waive any actuarial reduction.

6. LGPS Regulations 2013 – Regulation 17 - Shared Cost Additional Voluntary Contribution Facility

Burntwood Town Council has not adopted this discretion.

7. LGPS Regulations 2013 - Regulation 100 (6) – election to transfer within 12 months

Burntwood Town Council will not normally allow an extension of the 12 month limit if it incurs any additional costs to the Council but, after discussion with the administering authority, may allow members to opt to transfer pension rights beyond the 12 month time period if there is evidence of administrative shortcomings.

8. LGPS Regulations 2013 - Regulation 22 (7) and (8) – election to aggregate within 12 months of commencement

Burntwood Town Council will not normally extend this 12 month time limit.

Extenuating circumstances may apply and this would include

- Where evidence exists that an election was made within 12 months but this was not received by the administering authority
- Where evidence exists that the member was not aware of the 12 month limit due to maladministration

9. LGPS Regulations 2013 - Regulation 9 – allocation of contribution band

Burntwood Town Council will re-band on all contractual changes (but not ad hoc hours changes) and re-band upon a pay award.

The Council reserves the right to amend any of the above policies if in its opinion this would be appropriate given the special circumstances of an individual case.

This policy document will be reviewed at least every five years.