| **Regulation** | **Employing Authority Discretion** | **Warwick District Council Policy** |
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| **9.** | Determine rate of employees’ contributions | The Council’s policy is:For existing members the contribution band is determined in April of each year together with any temporary pensionable items from the previous financial year. \*\*For new employees / scheme members the band is initially assessed on the salary and additional payments on the date of commencement. This includes existing employees / scheme members who move to a new employment during the year.Casual employees’ contribution rate will be based on the estimated pro-rata pay for the year as determined by the relevant Head of Service.The employee will be notified on each occasion we change their contribution rate |
| **16\*.** | Whether, how much, and in what circumstances to contribute to a shared cost Additional Pension Contribution (APC) scheme.1. A scheme member can choose to buy extra annual pension up to a maximum of £6,500 using an APC. The employee can choose to make regular contributions or a one off payment. An employer can choose to fund the APC in whole or in part.
2. To buy ‘lost’ pension for authorised leave of absence (including any period of unpaid additional maternity, paternity or adoption leave). Where an employee elects to pay an APC to purchase any or all of the amount of pension ‘lost’ during the period of absence and makes the election within 30 days of returning to work the employer shall pay 2/3rds of the cost of the APC (a shared cost APC).
 | The policy in a) is for the District Council not to fund the APC in whole or in part.In respect of b), there is no option, and the Council must fund the 2/3rds of the cost of the APC. |
| **17.** | Whether, how much, and in what circumstances to contribute to shared cost AVC arrangements entered into on or after 1 April 2014. | The Council’s policy is that no Shared Cost AVC will be established.  |
| **20.** | Specify in an employee’s contract what other payments or benefits, other than specified in Reg20(1)(a) and not otherwise precluded by Reg20(2), are to be pensionable. | Payments will be stated as either pensionable or non-pensionable in the employee’s employment contract or contract variations.  |
| **22(7)(b).** | Whether to extend the 12 month option period for a member to elect that deferred benefits should not be aggregated with an ongoing concurrent employment. | An extension will be allowed in exceptional circumstances where it is clear there has been an administrative delay by the employer or the scheme administrator. |
| **22(8)(b).** | Whether to extend the 12 month option period for a member to elect that deferred benefits should not be aggregated with a new employment. | An extension will be allowed in exceptional circumstances where it is clear there has been an administrative delay by the employer or the scheme administrator. |
| **30(6)\* and Transitional Regs 11(2)** | Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement) | The Chief Executive, Deputy Chief Executive and Heads of Service have discretionary power to grant flexible retirement and thus immediate release of all or part of pension benefits where there is no additional cost to the Council. |
| **30(8)\*** | Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement. | The Council may choose to waive this reduction in exceptional circumstances e.g. where the employee has had to amend their working arrangements to care for a chronically ill partner. Ill-health which does not meet the ill-health retirement criteria for an enhanced pension where the reduction in hours is supported by an Independent Occupational Health Adviser.This being subject to funding being agreed by the Executive. |
| **30(8)\*** | Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age. | The Council will generally not waive the actuarial reduction. The Council may choose to waive the actuarial reduction in exceptional circumstances depending on each individual case, this being subject to funding being agreed by the Executive. |
| **Trans Regs Sch2 para2(2)\*** | The rule of 85 applies to some members who originally joined the LGPS before 2006. It allows members who meet the rule to retire earlier than the normal pension age, taking their pension benefits in full.  However, under the LGPS2014 Regulations certain members would lose some of the rule of 85 protections if they wished to draw their pension benefits between 55 and 59. Hence this discretion allows the protections to be re-instated by the employer; this will have cost implications | The ‘85 year rule’ will only be ‘switched on’ in exceptional circumstances. Each case will be considered individually by the Executive.  |
| **Trans Regs Sch2 para2(3)\*** | Whether to waive on compassionate grounds, the actuarial reduction applied to benefits from pre 1 April 2014 membership where the employer has “switched on” the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60. | Consideration will be given to waive the actuarial reduction to the benefits where the member had to give up work for exceptional circumstances to be agreed by the Employment Committee and to Executive if there is a cost to the Council. |
| **31\*.** | Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £6,500 per annum) | The award of additional pension should only be applied in exceptional circumstances where this is necessary to address a situation where there would otherwise be a significant risk of harm to the Council’s services or objectives. |
| **100(6).** | Extend normal time limit for acceptance of a transfer value beyond twelve months from joining the LGPS. | To allow in exceptional circumstances where it is clear there has been an administrative delay by the employer or the scheme administrator |

**\*These are matters about which the regulations require there must be a written policy.**

**\*\* Updated April 2021**