

LOCAL GOVERNMENT PENSION SCHEME - ADDITIONAL DISCRETIONARY RULES

1. Introduction

1.1 This document outlines the discretionary rules that are in place to operate the Local Government Pension Scheme (LGPS) fairly and consistently and is applicable to all staff although most aspects are only relevant to staff that are current members of the scheme.

1.2 These discretionary rules are in addition to those contained in the LGPS Employer Discretions Statement that we are obliged to publish and make available to all scheme members.

2. Contribution Rate

2.1 The contributions that members pay are based on actual pensionable pay which includes non-contractual overtime.

2.2 Each April, we are required to decide on the contribution rate by matching pensionable pay to the appropriate band in the member contribution table. The bands increase every year by the CPI. A separate rate is determined for each job if an employee has more than one job.

2.3 If an employee's pay changes during the year, we have the right to decide to review the contribution rate. If this results in a change, we should let the member know. The member has the right to appeal against the contribution rate that is set.

2.4 It is our policy to review the contribution rates each month based on any change in salary or earnings, including non-contractual overtime. We notify members of any changes by including the percentage rate alongside the pension deductions on the payslip

3. Ill-Health Retirement

3.1 If an employee is permanently unable to do their job because of ill health and not immediately capable of taking on other work, then they may qualify for ill health retirement benefits. The amount of pension benefits paid, and whether or not they are paid for the rest of the member's life, depends on whether we decide that they will be capable of taking on other work at some point in the future.

3.2 Applications for ill health retirement are considered by an approved independent occupational health physician. It is our policy to always award benefits within the recommended tier based on medical advice.

4. Transfers

4.1 A new scheme member has a year to decide whether to transfer previous pension rights to their current period of membership. This includes LGPS service from a previous employer that was administered by the West Yorkshire Pension Fund (WYPF), LGPS transfers from another administering body, transfers from other public sector schemes and transfers from private schemes.

4.2 Under the LGPS Regulations Employing Authority approval is required for the transfer to proceed where the request is made after the member has been in the scheme for more than one year. This is because any additional service or pension could increase retirement costs if the member retires early.

4.3 It is our policy not to allow any transfers after more than a year other than in exceptional circumstances. The transfer will only normally be approved if the member is able to provide evidence that they were not made aware of the option to transfer previous pension rights within a year of first joining the scheme and so were unable to meet this requirement.

5. Appeals Process

5.1 The WYPF have their own complaints and appeals processes for decisions relating to scheme membership. Employees also have the right to use our grievance procedure to raise concerns about the way in which pension matters have been dealt with. The first stage of the internal dispute procedure for decisions relating to the LGPS is normally the employer and members have the right to appeal the following:

- a decision made in accordance with our Employer Discretions Statement;
- a decision made to award or not award ill health retirement benefits;
- the contribution rate on which deductions are made;
- a decision in relation to transfers;
- any other decision in relation to membership of the LGPS and associated benefits.

5.2 Where an employee wishes to appeal against a decision, the employee should write to the Director of Human Resources setting out the grounds for the appeal.

5.3 The appeal will then be considered by an appropriate adjudicator which will normally be the Director of Finance and Resources or nominee. Where possible, the decision will be communicated to the member within one month of the appeal being submitted.

5.4 If the employee is still not satisfied with the outcome, they should follow the Internal Dispute Resolution Procedure of the West Yorkshire Pension Fund, which is available to view on their website.

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