



Pension Discretion Policy

Date approved: 21st November 2024

Approved by: Finance and Partnership Committee

Next Review date: November 2027 (Subject to changes in legislation)

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(As amended)

1. Introduction

If by virtue of their contract of employment with Emersons Green Town Council, an employee is entitled to be a pensionable employee, the employee will be entitled to join Avon Pension Fund.

Emersons Green Town Council adopts the standard pension policy as outlined in the Employers Guide (see Appendix A) operated by the Avon Pension Fund.

Emersons Green Town Council resolves to exercise the following discretions on an individual basis as circumstances dictate;

2. Regulation 12

This regulation allows an employer to resolve to increase the total membership of a member who is currently paying contributions to the Scheme. The member's increase in membership under this regulation (including additional membership in respect of different employments) must not exceed 10 years.

3. Regulation 13

This regulation allows an employer to resolve to award a member additional pension of not more than £5,000 a year payable from the same date as his/her pension payable under any other provisions of the Benefit Regulations.

Additional pension may be awarded in addition to any increase in total membership resolved under Benefits Regulation 12.

4. Regulation 18

A member who has attained the age of 55 and with his/her employer's consent, reduces the hours he/she works, or the grade in which he/she is employed, may make a request in writing to the Avon Pension Fund to receive all or part of his/her benefits under the Benefits Regulations.

However, payment of the benefits cannot be made without the employer's consent.

If the benefits are reduced in accordance with guidance issued by the Government Actuary, the employer may agree to waive, in whole or in part, any such reduction.

The minimum retirement age is 55 for new scheme members from 1st April 2008 and 1st April 2010 for those who are members of the scheme on 31st March 2008.

Therefore, from 1st April 2008 to 31st March 2010 the minimum retirement age will be 50 for those who are members of the scheme on 31st March 2008.

5. Regulation 30

When a member leaves an employment before he/she is entitled to the immediate payment of retirement benefits, once he/she has attained the age of 55 he/she may choose to receive payment of them immediately.

A choice made by a member less than 60 is ineffective without the consent of his/her employer or former employer

If the benefits are reduced in accordance with guidance issued by the Government Actuary, the employer may agree to waive, in whole or in part, any such reduction.

The minimum retirement age is 55 for new scheme members from 1st April 2008 and 1st April 2010 for those who are members of the scheme on 31st March 2008.

Therefore, from 1st April 2008 to 31st March 2010 the minimum retirement age will be 50 for those who are members of the scheme on 31st March 2008.

6. LGPS (Benefits, Membership & Contributions) Regulations 2012 (as amended)

30A Choice of payment of pension: pensioner member with deferred benefits.

Emersons Green Town Council has noted the discretionary powers which we have under Regulation 30A. Namely:

- To Grant an application for reinstatement of a suspended Tier 3 ill health retirement pension on or after age 55 and before 60
- To waive, on compassionate grounds, any actuarial reduction that would otherwise be applied to benefits paid early

We confirm that we will make such a decision as and when necessary, at an appropriate Full Council meeting after we have considered an application upon its merits.