

LOCAL GOVERNMENT PENSION SCHEME

Employer's Pension Policy Statement

This document sets out the policies that the **South Holland Internal Drainage Board (SHIDB)** is required to make and publish under the Local Government Pension Scheme (Administration) Regulations 2013 and the Local Government Pension Scheme Transitional Regulations 2014.

To be approved by the SHIDB at its Board Meeting on 10 May 2022.
It has been published and has been registered with the Lincolnshire Pension Fund.

Members may obtain a copy on request from the Chief Executive.

Any reference to agreement by the SHIDB means a resolution passed by its Board Members.

Any policy decision not covered by this document that may from time to time be required of the SHIDB should be referred in the first instance to its Chief Executive, who may in turn refer it to the Board Members, or delegate it to a specified officer of the SHIDB.

Compulsory Regulations

1. Shared Cost Additional Pension Contribution (SCAPC)- Regulation 16 (2)(e) and 16 (4)(d)

SHIDB does not consider contributions towards additional pension contributions to be an essential part of its employment strategy. However, **SHIDB** will consider applications made under these specific provisions having regard to **SHIDB's** general policy from time to time, on the employee pay strategy and the particular circumstances surrounding each case.

It is likely that decisions will be made on the merits of each case having particular regard to factors such as:

- **SHIDB's** ability to meet the cost of granting such a request; and/or
- the member's personal circumstances.

2. Awarding Additional Pension - Regulation 31

SHIDB will consider applications made under this *Regulation* having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to the following:

- the member's personal circumstances;
- the interests of **SHIDB**;
- the additional contributions due to the Fund by **SHIDB** in respect of the exercise of this discretion;
- any potential benefits or savings to **SHIDB** arising from the exercise of this discretion;
- other options that are, from time to time, available under **SHIDB's** severance arrangements;

- the funding position of **SHIDB** within the Fund;
- the ability of **SHIDB** to meet the cost of granting such an award.

3. **Flexible Retirement - Regulation 30(6)**

SHIDB will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:

- the operating requirements of the employing department
- **SHIDB's** ability to meet the cost of granting such a request
- whether any demonstrable cost saving in excess of potential savings available under any severance arrangements in place from time to time can be made
- the member's personal circumstances.
- whether to permit the member to choose to draw all, part or none of the pension benefits they have built up after 1 April 2008. Your flexible retirement policy should set out your position on this matter.

4. **Waiving actuarial reductions - Regulation 30(8)**

SHIDB will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:

- **SHIDB's** ability to meet the cost of granting such a request
- whether any demonstrable cost saving in excess of potential savings available under any severance arrangements in place from time to time can be made
- the member's personal circumstances

Applications for the payment of unreduced benefits for service before 1 April 2014 on the grounds of compassion will be granted if:

- in **SHIDB's** sole opinion, the special extenuating circumstances surrounding the application, along with the supporting evidence provided justify approval; and
- **SHIDB** can meet the cost of granting such a request.

5. **Switching on the 85 rule – Schedule 2 - 1(1)(c) of the LGPS Transitional Regulations 2014**

SHIDB, will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:

- **SHIDB's** ability to meet the cost of granting such a request;
- whether any demonstrable cost saving in excess of potential savings available under any severance arrangements in place from time to time can be made;
- the member's personal circumstances.

Further discretions under the LGPS Regulations 1997 and the LGPS Benefits Regulations 2007

1. Early Payment of Deferred Pensions for members who left before 1st April 2014 – Regulation 2 of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, Regulation 30(2) and 30(5) of the LGPS Benefits Regulations 2007 & Regulation 31(2) and Regulation 31(5) of the LGPS Regulations 1997

SHIDB will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:

- **SHIDB's** ability to meet the cost of granting such a request
- the member's personal circumstances

Applications for the payment of unreduced benefits on the grounds of compassion will be granted if:

- in **SHIDB's** sole opinion, the special extenuating circumstances surrounding the application, along with the supporting evidence provided justify approval and
- **SHIDB** can meet the cost of granting such a request.

N.B. Deferred members who left the Scheme before 1 April 2008 can still make application for the early payment of their deferred benefits after age 50 under LGPS rules. However, under HMRC rules such payments would be classed as 'unauthorised' and would be subject to a punitive tax charge.

2. Early Payment of Deferred Pensions for members who left before 1st April 2014 and have ceased to be entitled to a tier 3 ill health benefit - Regulation 2 of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, Regulation 30A(3) and 30A(5) of the LGPS Benefits Regulations 2007.

SHIDB will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:

- **SHIDB's** ability to meet the cost of granting such a request
- the member's personal circumstances

Applications for the payment of unreduced benefits on the grounds of compassion will be granted if:

- in **SHIDB's** sole opinion, the special extenuating circumstances surrounding the application, along with the supporting evidence provided justify approval and
- **SHIDB** can meet the cost of granting such a request.

Non-Compulsory Regulations

1. Extending the 12-month time limit for transfer of pension rights – Regulation 100 (6) LGPS Regulations 2013

SHIDB, will only consider applications made under this Regulation in the most exceptional circumstances and if:

- evidence indicates that the Fund had not informed the member about the transfer within the 12-month time limit, or
- verifiable evidence indicates that the member made an election to transfer within 12 months of joining the LGPS, but the election form was not received by the Fund.

2. Extending the time limit for a member to elect for a Shared Cost Additional Pension Contributions (SCAPCs) – Regulation 16 (16) LGPS Regulations 2013

SHIDB will exercise its discretion to allow late payment and decide each case on its individual merits.

3. Determining and reviewing an employee's contribution band – Regulation 9 and Regulation 10 LGPS Regulations 2013

SHIDB will determine and review the rate of employee contributions in accordance with Regulation 9 and Regulation 10 of the LGPS Regulations 2013.

4. Whether to include a regular lump sum payment when calculating Assumed Pensionable Pay – Regulation 21 (4)(a)(iv), Regulation 21 (4)(b)(iv), and Regulation 21 (5)

SHIDB will not include any regular lump sum payment received by the member in the 12 months preceding the date the absence began or the ill health retirement occurred.

5. Shared Cost Additional Voluntary Contributions Arrangement (SCAVC) – Regulation 17 (1) and TP 15 (2A) and A 25(3) and definition of SCAVC in R Sch1

SHIDB may exercise its discretion to contribute towards a SCAVC arrangement. The **SHIDB** would consider any cases on their individual merits.

Name of Employer	South Holland Internal Drainage Board has adopted the policies shown on these pages
Signed (authorised signatory)	
Name of authorised signatory	P J Camamile, Chief Executive
Date	10 May 2022