

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

13 November 2014

Report of the Director of Central Services

Part 1- Public

Delegated

1 AMENDMENT TO PENSIONS DISCRETIONS POLICY

1.1 Summary

1.1.1 This report requests Members to endorse an amended policy in responses to changes in Pensions legislation.

1.2 Introduction

1.2.1 Under the Local Government Pension Scheme Regulations 2013, employers are required to make policy decisions under parts of the regulations.

1.2.2 At the meeting of this Committee on 23.06.2014, Members approved a revised Policy to reflect the changes in Pension Regulations in 2013.

1.2.3 Subsequently, an administrative issue arose requiring a further amendment to the Policy which Members are requested to approve.

1.3 Amendment to the agreed Policy

1.3.1 The Pension Regulations allow an individual who has been absent in certain circumstances to make a choice as to whether they wish their period of absence to count as pensionable service, and consequently whether they wish to pay pension contributions in respect of that period of absence.

1.3.2 The 'default' for such a decision to be made was previously 30 days and the Policy was silent on the matter, relying on the 'default'.

1.3.3 It has now come to light that it is in the Council's interest to overtly state this discretion in the Policy and, owing to administrative constraints in running the payroll, to increase the time allowed to an individual to make a decision to 60 days.

1.3.4 The amended Policy has been reviewed and endorsed by the Management Team.

1.4 Legal Implications

1.4.1 The Council is required by the Pension Regulations to publish the discretions.

1.5 Financial and Value for Money Considerations

- 1.5.1 The amendment to the discretion decisions are proposed in order to protect the Council's financial position.

1.6 Risk Assessment

- 1.6.1 Without such published discretions, there is the risk of unforeseen financial implications for the Council and the risk of unequal treatment in the consideration of discretion matters.

1.7 Equality Impact Assessment

- 1.7.1 See 'Screening for equality impacts' table at end of report

1.8 Recommendations

- 1.8.1 Members are requested to endorse the amended Pensions Discretions Policy (Attachment).

Background papers:

contact: Charlie Steel

Nil

Adrian Stanfield

Director of Central Services

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.