

NORTHAMPTONSHIRE PENSION FUND - Administering Authority Discretions

Policy on exercise of discretions approved by the Pension Fund Board on 23 June 2014 on behalf of the administering authority

Discretions applying where there is or was active membership after 31.3.2014 (except for Councillor members)

Regulation No-	Description of discretion	Administering Authority Policy
R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
R4(2)(b) Admission Body agreements	Whether to agree to an admission agreement with a Care Trust, NHS Scheme employing authority or care Quality Commission	See separate Admission and Bulk Transfer Policy http://pensions.northamptonshire.gov.uk/index.php/governance2/key-documents-for-the-northamptonshire-fund/
R5(5) & RSch 2, Part 3, para 1 Admission Body agreements	Whether to agree to an admission agreement with a body applying to be an admission body	See separate Admission and Bulk Transfer Policy.

Regulation No-	Description of discretion	Administering Authority Policy
R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
RSch 2, Part 3, para 9(d) Admission Body agreements	Whether to terminate a transferee admission agreement in the event of <ul style="list-style-type: none"> • insolvency, winding up or liquidation of the body • breach by that body of its obligations under the admission agreement • failure by that body to pay over sums due to the Fund within a reasonable period of being requested to do so 	See separate Admission and Bulk Transfer Policy.
RSch 2, Part 3, para 9(d) Admission Body agreements	Define what the term “ in connection with ” means in the context of “only employees of the body who are employed in connection with the provision of the service or assets referred to in that sub-paragraph may be members of the Scheme”.	See separate Admission and Bulk Transfer Policy.
R16(1) Minimum Additional Pension Contributions / Shared Cost Additional Pension Contributions	Whether to turn down a request to pay an APC/SCAPC over a period of time where it would be impractical to allow such a request (e.g. where the sum being paid is very small and could be paid as a single payment)	There is no minimum monthly payment required for entering into an APC/SCAPC contract

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<p>R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p>		
<p>R16(10) Proof of good health</p>	<p>Whether to require a satisfactory medical before agreeing to an application to pay an APC / SCAPC</p>	<p>A scheme member wishing to pay APC/SCAPC should be required to complete a declaration, countersigned by their General Practitioner, that they are in reasonably good health, prior to being permitted to commence payment, EXCEPT where the payments are to purchase pension no more than that which is to cover a period of absence, when no such declaration shall be required.</p>
<p>R16(10) Proof of good health</p>	<p>Whether to turn down an application to pay an APC / SCAPC if not satisfied that the member is in reasonably good health.</p>	<p>Where a scheme member wishing to pay APC/SCAPC does not provide a declaration, countersigned by their General Practitioner, that they are in reasonably good health, their application to pay APC/SCAPC will be turned down, UNLESS the payments are to purchase pension no more than that which is to cover a period of absence, when no such declaration shall be required.</p>
<p>TP15(1)(d) and A28(2) Charging for estimates</p>	<p>Whether to charge member for provision of estimate of additional pension that would be provided by the Scheme in return for transfer of in house AVC/SCAVC funds where AVC/SCAVC arrangement was entered into before 1 April 2014.</p>	<p>No charge will be made for first time enquiries but subsequent enquiries on same fund may be charged. The power to determine this will be delegated to the Head of Pensions.</p>

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<p>R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p> <p>R17(12) AVC/SCAVC payments on death</p>	<p>Decide to whom any AVC/SCAVC monies (including life assurance monies) are to be paid on death of the member</p>	<p>Where it is clear having taken account of all the circumstances:</p> <ul style="list-style-type: none"> • payment will be in accordance with expression of wish, or • if no wish has been made, payment will be to the legal spouse, nominated cohabiting partner or civil partner. <p>Where there is any doubt, the decision will be made by the Head of Pensions, who may or may not decide to make payment in accordance with Grant of Probate/Letters of Administration.</p> <p>The County Council will ensure the details of current nominees will be included on annual benefit statements so that scheme members are given opportunity to revise nominations as part of the annual benefit statement exercise</p>
<p>R22(3)(c) Pension Account</p>	<p>Pension account may be kept in such form as is considered appropriate</p>	<p>Pension accounts will be held electronically using the Altair pension administration software.</p>

Regulation No-	Description of discretion	Administering Authority Policy
R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
TP10(9) Concurrent aggregation choice	Decide, in the absence of an election from the member within 12 months of ceasing a concurrent employment, which ongoing employment benefits from the concurrent employment which has ceased should be aggregated (where there is more than one ongoing employment)	The power to determine this is delegated to the Head of Pensions. (The assessment will be based on which of the concurrent employments continuing immediately after leaving the employment in question is considered the main ongoing employment. This assessment being made based on which employment has the greatest annual rate of pensionable pay based on pay that would be pensionable under Regulation 20 of the LGPS Regulations 2013.).
R30(8) Waiving reductions	Where the question arises of whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement, but the member's employer is no longer a 'scheme employer', the decision falls to the administering authority.	The waiving of any actuarial reduction will be made in line with the County Council's own employer policy in this area.
R30(8) Waiving reductions	Where the question arises of whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age but the member's employer is no longer a 'scheme employer', the decision falls to the administering authority.	The waiving of any actuarial reduction will be made in line with the County Council's own employer policy in this area.

Regulation No-	Description of discretion	Administering Authority Policy
R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
R68(2) Employer payments	Whether to require any strain on Fund costs to be paid “up front” by employing authority following payment of benefits under R30(6) (flexible retirement), R30(7) (redundancy / business efficiency), or the waiver (in whole or in part) under R30(8) of any actuarial reduction that would otherwise have been applied to benefits which a member voluntarily draws before normal pension age or to benefits drawn on flexible retirement	The administering authority will recharge all strain on the fund costs in accordance with the Rates and Adjustment Certificate and guidance produced by the Fund Actuary. Payment should normally be made within 12 months of the effective date in the form of lump sum. This may be extended to up to three years if jointly agreed by the Head of Pensions and the Section 151 Officer.
TPSch 2, paras 1(2) and 2(2) ‘Switch on’ the 85 Year Rule	Where the question arises of whether to “switch on” the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60 but the member’s employer is no longer a ‘scheme employer’, the decision falls to the administering authority.	The decision on whether to ‘switch on’ the 85 year rule will be made in line with the County Council’s own employer policy in this area.
TP3(1), TPsch 2, paras 2(1) and 2(2), B30(5) and B30A(5) Waiving reductions	Where the question arises of whether to waive any actuarial reduction on pre and/or post April 2014 benefits but the member’s employer is no longer a ‘scheme employer’, the decision falls to the administering authority.	The waiving of any actuarial reduction will be made in line with the County Council’s own employer policy in this area.

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<p>R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p> <p>TPSch 2, para 2(3) Employer payments</p>	<p>Whether to require any strain on Fund costs to be paid “up front” by employing authority following flexible retirement under R30(6) or waiver of actuarial reduction under TPSch 2, para 2(1) or release of benefits before age 60 under B30 of B30A</p>	<p>The administering authority will recharge all strain on the fund costs in accordance with the Rates and Adjustment Certificate and guidance produced by the Fund Actuary. Payment should normally be made within 12 months of the effective date in the form of lump sum. This may be extended to up to three years if jointly agreed by the Head of Pensions and the Section 151 Officer.</p>
<p>R32(7) Extension of time limits – notice for early payment or flexible retirement</p>	<p>Whether to extend the time limits within which a member must give notice of the wish to draw benefits before normal pension age or upon flexible retirement</p>	<p>The advance notice required for payment of benefits before normal pension age will be shortened from 3 months to 1 month.</p> <p>A notice that benefits are to be paid on flexible retirement should be given no more than 1 month after the reduction in hours and/or grade, i.e. the period will not be extended.</p>
<p>R34(1) Pension Commutation</p>	<p>Decide whether to commute small pension</p>	<p>Members and beneficiaries who meet the criteria for trivial commutation of a small pension will be offered commutation as an option.</p>

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<p>R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p>		
<p>R36(3) Approved medical advisors for ill health retirements</p>	<p>Approve medical advisors used by employers (for ill health benefits)</p>	<p>Delegated powers have been given to the Head of Pensions to determine in advance of a referral whether an employer can use an alternative Occupational Health Provider to Northamptonshire County Council's own provider, and where approval is granted whether it is reasonable to use the practitioner proposed as the Independent Registered Medical Practitioner (IRMP) for pension purposes.</p>
<p>TP12(6) Ill health certificate</p>	<p>Where the question arises of whether to use a certificate produced by an IRMP under the 2008 Scheme for the purposes of making an ill health determination under the 2014 Scheme but the member's employer is no longer a 'scheme employer', the decision falls to the administering authority.</p>	<p>A 2008 Scheme ill health certificate will be accepted for making an ill health determination under the 2014 Scheme until 30 September 2014 only, thereafter a 2014 Scheme certificate must be obtained from the IRMP.</p>

Regulation No-	Description of discretion	Administering Authority Policy
R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
R38(3) Deferred Beneficiary – Payment on ill health grounds	Where the question arises of whether a deferred beneficiary meets criteria for being permanently incapable of former job because of ill health and is unlikely to be capable of undertaking gainful employment before normal pension age or for at least three years, whichever is the sooner but the member’s employer is no longer a ‘scheme employer’, the decision falls to the administering authority.	Decision delegated to the Head of Pensions to consider each case on its own merits
R38(6) Suspended Tier 3 ill health pension – Payment on ill health grounds	Where the question arises of whether a suspended ill health tier 3 member is unlikely to be capable of undertaking gainful employment before normal pension age because of ill health but the member’s employer is no longer a ‘scheme employer’, the decision falls to the administering authority.	Decision delegated to the Head of Pensions to consider each case on its own merits

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<p>R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p> <p>TP17(5) to (8) & R40(2), R43(2) & R46(2)</p>	<p>Decide to whom death grant is paid</p>	<p>Where it is clear having taken account of all the circumstances:</p> <ul style="list-style-type: none"> • payment will be in accordance with expression of wish, or • if no wish has been made, payment will be to the legal spouse, nominated cohabiting partner or civil partner. <p>Where there is any doubt, the decision will be made by the Head of Pensions, who may or may not decide to make payment in accordance with Grant of Probate/Letters of Administration.</p> <p>The County Council will ensure the details of current nominees will be included on annual benefit statements so that scheme members are given opportunity to revise nominations as part of the annual benefit statement exercise</p>

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R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
R49(1)(c) Double entitlement	Decide, in the absence of an election from the member, which benefit is to be paid where the member would be entitled to a benefit under 2 or more regulations in respect of the same period of Scheme membership	The power to determine and notify the member of the provision under which benefits are to be awarded will be delegated to the Head of Pensions and will be considered on a case by case basis.
R54(1) separate admission agreement fund	Whether to set up a separate admission agreement fund	Separate admission agreement funds will not be set up as normal practice. Any such decision would need to be agreed by the Pension Fund Board taking into consideration guidance from the Fund Actuary.

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<p>R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p> <p>R55</p> <p>Governance compliance statement</p>	<p>Governance policy must state whether the admin authority delegates their function of part of their function in relation to maintaining a pension fund to a committee, a sub-committee or an officer of the admin authority and, if they do so delegate, state</p> <p>the frequency of any committee or sub-committee meetings</p> <p>the terms, structure and operational procedures appertaining to the delegation</p> <p>whether representatives of employing authorities or members are included and, if so, whether they have voting rights</p> <p>The policy must also state</p> <p>the extent to which a delegation, or the absence of a delegation, complies with Sec of State guidance and, to the extent it does not so comply, state the reasons for not complying, and</p> <p>the terms, structure and operational procedures appertaining to the local Pensions Board</p>	<p>See separate Governance Compliance Statement.</p> <p>http://pensions.northamptonshire.gov.uk/index.php/governance2/key-documents-for-the-northamptonshire-fund/</p>

Regulation No-	Description of discretion	Administering Authority Policy
R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
R58 Funding strategy	Decide on Funding Strategy for inclusion in funding strategy statement	The Funding Strategy was last reviewed in March 2014 and is included in the Fund's Funding Strategy Statement available here http://pensions.northamptonshire.gov.uk/index.php/governance2/key-documents-for-the-northamptonshire-fund/
R59(1) & (2) Pensions administration strategy	Whether to have a written pensions administration strategy and, if so, the matters it should include	The Fund has a Pension Administration Strategy which will be reviewed on a regular basis. Performance of the administering authority and the employers in the Fund will also be monitored against the targets and standards in the strategy and reported to the Pension Fund Board. The latest version is available here http://pensions.northamptonshire.gov.uk/index.php/governance2/key-documents-for-the-northamptonshire-fund//

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R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
R61 Communication policy	Communication policy must set out the policy on provision of information and publicity to, and communicating with, members, representatives of members, prospective members and Scheme employers; the format, frequency and method of communications; and the promotion of the Scheme to prospective members and their employers.	The fund’s communications policy is available here http://pensions.northamptonshire.gov.uk/index.php/governance2/key-documents-for-the-northamptonshire-fund/
R64(4) Revised Rates and Adjustment Certificates	Whether to obtain revision of employer’s contribution rate if there are circumstances which make it likely a Scheme employer will become an exiting employer	Delegated jointly to the Head of Pensions and Section 151 Officer, and to be agreed in co-operation with the Fund Actuary See separate Admission and Bulk Transfer Policy.
R65 Revised Rates and Adjustment Certificates	Decide whether to obtain a new rates and adjustments certificate if the Secretary of State amends the Benefits Regulations as part of the “cost sharing” under R63	Delegated jointly to the Head of Pensions and Section 151 Officer, and to be agreed in co-operation with the Fund Actuary See separate Admission and Bulk Transfer Policy.

Regulation No- R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs	Description of discretion	Administering Authority Policy
R69(1) Employer Payments	Decide frequency of payments to be made over to Fund by employers and whether to make an admin charge.	Payments must be made in accordance with Pensions Act (made monthly by 19 th of the month following payroll). Any administration charge will be in accordance with the Fund's Administration Strategy.
R69(4) Employer Payments	Decide form and frequency of information to accompany payments to the Fund	Information should be provided on a monthly basis unless a less frequent basis is agreed with the Head of Pensions.
R70 & TP22(2) Employer Payments	Whether to issue employer with notice to recover additional costs incurred as a result of the employer's level of performance	See Separate Administration Strategy.
R71(1) Employer Payments	Whether to charge interest on payments by employers which are overdue	The Fund will charge employers interest for persistently making late payments to the Fund. Delegated authority is given to the Head of Pensions to apply a charge on a case by case basis, taking into consideration the administrative cost involved in raising the charges.
R74(4) Internal Dispute Resolution Procedure	Whether to extend six month period to lodge a stage one IDRP appeal	Decision delegated to the Head of Pensions, as the Stage 1 adjudicator, to consider each case on its own merits.

Regulation No- R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs	Description of discretion	Administering Authority Policy
R74(6) Internal Dispute Resolution Procedure	Decide procedure to be followed by adjudicator when exercising stage one IDRPs functions and decide the manner in which those functions are to be exercised	Procedure set out in the Fund's Guide To Resolving Disputes About Pensions Decisions Made By LGSS Pensions Service. Stage 1 adjudicator is Head of Pensions
R76(4) Internal Dispute Resolution Procedure	Decide procedure to be followed by admin authority when exercising its stage two IDRPs functions and decide the manner in which those functions are to be exercised	Procedure set out in the Fund's: - A Guide To Resolving Disputes About An Employer's Pension Decision, and - A Guide To Resolving Disputes About Pensions Decisions Made By LGSS Pensions Service. Stage 2 adjudicator is LGSS Director of Law & Governance Northamptonshire and Cambridgeshire.
R79(2) Internal Dispute Resolution Procedure	Whether admin. authority should appeal against employer decision (or lack of a decision)	Decision delegated to the Head of Pensions to consider each case on its own merits.

Regulation No-	Description of discretion	Administering Authority Policy
R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
R80(1)(b) & TP22(1) Provision of Information by Employers	Specify information to be supplied by employers to enable admin. authority to discharge its functions	The Head of Pensions will specify the information to be provided by employers. Some information requirements may also be contained within the Administration Strategy.
R82(2) Benefits due in respect of deceased persons	Whether to pay sums due to personal representatives or anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965	Where the total of the sums payable falls below the amount specified in s6 of the Administration of Estates (Small Payments) Act 1965 (£5,000 since 1984) sight of grant of probate or letters of administration is not required for payment. The decision as to the beneficiary is made on a case by case basis by the Head of Pensions.
R83 Member unable to deal with their own affairs	Whether, where a person (other than an eligible child) is incapable of managing their affairs, to pay the whole or part of that person's pension benefits to another person for their benefit.	This will be on a case by case basis with delegated authority given to the Head of Pensions
R89(5) Annual benefit statement	Date to which benefits shown on annual benefit statement are calculated	Date used is 31 March each year

Regulation No- R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs	Description of discretion	Administering Authority Policy
R98(1)(b) Bulk Transfer	Agree to bulk transfer payment	See separate Admission and Bulk Transfer Policy.
R100(6) Transfer in time limit extension	Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS	This will be on a case by case basis with delegated authority given to the Head of Pensions
R100(7) Transfer of pension rights	Allow transfer of pension rights into the Fund	Transfers into the Fund will be permitted.
TP3(6), TP4(6)(c), TP8(4), TP10(2)(a), TP17(2)(b) & B10(2) Final Pay	Where member to whom B10 applies (use of average of 3 years pay for final pay purposes) dies before making an election, whether to make that election on behalf of the deceased member	The pay figure that will provide the greatest benefit will be applied in all cases
TP3(6), TP4(6)(c), TP8(4), TP10(2)(a), TP17(2)(b) & TSch 1 & L23(9) Certificates of protection	Make election on behalf of deceased member with a certificate of protection of pension benefits i.e. determine best pay figure to use in the benefit calculations (pay cuts / restrictions occurring pre 1.4.08.)	The most advantageous final pay period for the member will be used in all cases.

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R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
RSch 1 & TP17(9) Child in education	Decide to treat child as being in continuous education or vocational training despite a break	A break of 1 academic year or less should be ignored. Authority is delegated to the Head of Pensions to extend this period in exceptional circumstances
RSch 1 & TP17(9)(b) Cohabiting partner	Decide evidence required to determine financial dependence of cohabiting partner on scheme member or financial interdependence of cohabiting partner and scheme member	Where a member dies and a potential cohabiting partner is identified, delegated authority is given to the Head of Pensions to decide on a case by case basis by taking account of the LGPS regulatory requirements, what evidence the partner will be asked to provide by the way of appropriate documents and paperwork to prove either dependency or interdependency

Regulation No-	Description of discretion	Administering Authority Policy
R – 2013 Regs TP – Transitional Regs 2014 A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
TP3(13) & A70(1)* & A71(4)(c) Abatement on re-employment (continued)		Final Pay that the pension was based on (revalued by pension increase); where the excess is greater than the annual rate of pension in respect of pre 1/4/2014 membership in payment, that pension will be suspended. The reduction or suspension will continue until the employment ends or there is a reassessment due to a material change
TP15(1)(c) & TSch1 & L83(5) Added years contributions	Extend time period for capitalisation of added years contract	This will be considered on a case by case basis with delegated authority given to the Head of Pensions.

Discretions applying where scheme members (excluding councillor members) ceased active membership on or after 1.4.2008 and before 1.4.2014

Regulation No-	Description of discretion	Administering Authority Policy
<p>A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p>		
<p>A28(2) Charging for estimates</p>	<p>Whether to charge member for provision of estimate of additional pension that would be provided by the Scheme in return for transfer of in house AVC/SCAVC funds</p>	<p>No charge will be made for first time enquiries but subsequent enquiries on same fund may be charged. The power to determine this will be delegated to the Head of Pensions.</p>
<p>A45(3) Member deductions</p>	<p>Deduct the outstanding contributions from any benefits that may become payable in respect of that person or by a simple contract debt in a court</p>	<p>Delegated power given to the Head of Pensions to consider each case on its own merits and to seek to either recover from scheme benefits or invoice for the amount outstanding as appropriate</p>
<p>A49(1) Recovery by an employer from the pension fund of a Contributions Equivalent Premium (CEP)</p>	<p>Contributions Equivalent Premiums (CEPs) are payable to HM Revenue & Customs by an employer where a member leaves employment less than 3 months after commencement. These CEPs may be recovered from the pension fund. They relate to the difference in contracted in and contracted out national insurance contributions</p>	<p>CEPs will effectively be recovered from the pension fund by all employers in the fund in all cases by the CEP payments being made directly from the pension fund to HM Revenue & Customs</p>

Regulation No-	Description of discretion	Administering Authority Policy
<p>A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p>		
<p>TSch1 & L83(5) Added years contributions</p>	<p>Extend time period for capitalisation of remaining contributions to an added years contract in cases of redundancy</p>	<p>This will be considered on a case by case basis with delegated authority given to the Head of Pensions.</p>
<p>A52(2) Benefits due in respect of deceased persons</p>	<p>Can pay balance of pension or other benefits that were due to a deceased person to personal representatives or anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration</p>	<p>Where the total of the sums payable falls below £5,000, sight of grant of probate or letters of administration is not required for payment. The decision as to the beneficiary is made on a case by case basis by the Head of Pensions.</p>
<p>A56(2) Approved medical advisors for ill health retirements</p>	<p>Approve medical advisors used by employers (for ill health benefits)</p>	<p>Delegated powers have been given to the Head of Pensions to determine in advance of a referral whether an employer can use an alternative Occupational Health Provider to Northamptonshire County Council's own provider, and where approval is granted whether it is reasonable to use the practitioner proposed as the Independent Registered Medical Practitioner (IRMP) for pension purposes.</p>
<p>A58(7)(b) Internal dispute resolution procedure</p>	<p>Whether to extend six month period to lodge a stage one IDR appeal against a decision taken by the administering authority</p>	<p>Decision delegated to the Head of Pensions, as the Stage 1 appointed person, to consider each case on its own merits.</p>

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<p>A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p>		
<p>A60(8) Internal dispute resolution procedure</p>	<p>Decide procedure to be followed by administering authority when exercising stage two IDRP functions and decide the manner in which those functions are to be exercised</p>	<p>Procedure set out in the Fund's::</p> <ul style="list-style-type: none"> - A Guide To Resolving Disputes About An Employer's Pension Decision, and - A Guide To Resolving Disputes About Pensions Decisions Made By LGSS Pensions Service. <p>Stage 2 adjudicator is LGSS Director of Law & Governance Northamptonshire and Cambridgeshire.</p>
<p>A63(2) Internal dispute resolution procedure</p>	<p>Whether administering authority should appeal against employer decision (or lack of a decision)</p>	<p>Decision delegated to the Head of Pensions to consider each case on its own merits.</p>
<p>A64(1)(b) Provision of Information by Employers</p>	<p>Specify information to be supplied by employers to enable administering authority to discharge its functions</p>	<p>The Head of Pensions will specify the information to be provided by employers. Some information requirements may also be contained within the Administration Strategy.</p>

Regulation No- A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs	Description of discretion	Administering Authority Policy
TP3(13) & A70(1)* & A71(4)(c) & T12 Abatement	Decide policy on abatement of pensions following re-employment	<p>Members who are in receipt of an augmented pension or annual compensation (where additional pension, additional membership or a credited period has been awarded by their former employer) due to early retirement on the grounds of redundancy or in the interests of efficiency should have their pensions assessed for reduction or suspension on re-employment that offers membership of the LGPS. The pension will be reduced by the excess of the annual rate of pay on commencing the new job, or at any material change, plus the annual rate of pension in payment at that date over the annual rate of pay of the former employment on the last day used in calculating the Final Pay that the pension was based on (revalued by pension increase); where the excess is greater than the annual rate of pension in payment, the pension will be suspended. The reduction or suspension will continue until the employment ends or there is a reassessment due to a material change</p>

Regulation No- A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs	Description of discretion	Administering Authority Policy
B10(2) Final Pay	Where member to whom B10 applies (use of average of 3 years pay for final pay purposes) dies before making an election, whether to make that election on behalf of the deceased member	The pay figure that will provide the greatest benefit will be applied in all cases
B27(5) Children's pensions	Whether to pay the whole or part of a child's pension to another person for the benefit of the child	Payment will be made to a parent or guardian where the child is aged below 17, with payment made direct to the child in all other circumstances. In these cases, the parent or guardian must sign a written statement confirming that the pension will be used for the benefit of the child.
A52A Member unable to deal with their own affairs	Whether, where a person (other than an eligible child) is incapable of managing their affairs, to pay the whole or part of that person's pension benefits to another person for their benefit.	This will be on a case by case basis with delegated authority given to the Head of Pensions
B30(2) & 30A(3) Admin Auth consent retirement 55-60	Where the question arises of whether a deferred beneficiary or a deferred pensioner member can take payment of benefits between age 55 and 60 but the member's employer is no longer a 'scheme employer', the decision falls to the administering authority.	The decision on whether payment is granted will be made in line with the County Council's own employer policy in this area.

Regulation No- A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs	Description of discretion	Administering Authority Policy
B30(5) & B30A(5)	Waiving of actuarial reduction where former employer has ceased to exist.	The waiving of any actuarial reduction will be made in line with the County Council's own employer policy in this area.
B31(4)	Where the question arises of whether a deferred beneficiary meets permanent ill health and reduced likelihood of gainful employment criteria but the member's employer is no longer a 'scheme employer', the decision falls to the administering authority.	Decision delegated to the Head of Pensions to consider each case on its own merits.
B31(7)	Where the question arises of whether a suspended ill health tier 3 member is permanently incapable of undertaking any gainful employment but the member's employer is no longer a 'scheme employer', the decision falls to the administering authority.	Decision delegated to the Head of Pensions to consider each case on its own merits

Regulation No-	Description of discretion	Administering Authority Policy
<p>A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs</p> <p>B23(2) & B32(2) & B35(2) & TSch1 & L155(4)</p> <p>Death Grants</p>	<p>Decide to whom death grant is paid</p>	<p>Where it is clear having taken account of all the circumstances:</p> <p>payment will be in accordance with expression of wish, or</p> <p>if no wish has been made, payment will be to the legal spouse, nominated cohabiting partner or civil partner.</p> <p>Where there is any doubt, the decision will be made by the Head of Pensions, who may or may not decide to make payment in accordance with Grant of Probate/Letters of Administration.</p> <p>The County Council will ensure the details of current nominees will be included on annual benefit statements so that scheme members are given opportunity to revise nominations as part of the annual benefit statement exercise</p>

Regulation No- A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs	Description of discretion	Administering Authority Policy
B25 Meaning of Co-habitee	Decide evidence required to determine financial dependence of co-habitee of scheme member or financial interdependence of co-habitee and scheme member	Where a member dies and a potential cohabiting partner is identified, delegated authority is given to the Head of Pensions to decide on a case by case basis by taking account of the LGPS regulatory requirements, what evidence the cohabiting partner will be asked to provide by the way of appropriate documents and paperwork to prove either dependency or interdependency
TP 17(9) and definition in R Sch 1 Child in Education	Decide to treat child as being in continuous education or training despite a break	A break of 1 academic year or less should be ignored. Authority is delegated to the Head of Pensions to extend this period in exceptional circumstances.
B39 & T14(3) Pension Commutation	Decide whether to commute small pension	Members and beneficiaries who meet the criteria for trivial commutation will be offered commutation as an option.
B42(1)(c) Double Entitlement	Decide, in the absence of an election from the member, which benefit is to be paid where the member would be entitled to a benefit under 2 or more regulations in respect of the same period of Scheme membership	The power to determine and notify the member of the provision under which benefits are to be awarded will be delegated to the Head of Pensions and will be considered on a case by case basis.

Regulation No-	Description of discretion	Administering Authority Policy
A – Administration Regs B – Benefit Regs L– 1997 Regs T – Transitional Regs		
TSch 1 & L23(9) Certificates of Protection	Make election on behalf of deceased member with a certificate of protection of pension benefits i.e. determine best pay figure to use in the benefit calculations (pay cuts/restrictions occurring pre 1.4.08)	The most advantageous final pay period for the member will be used in all cases.

Discretions under the Local Government Pension Scheme Regulations 1997 (as amended) in relation to a) Active Councillor Members, b) Councillor Members who ceased active membership on or after 1/4/1998 and c) any other scheme members who ceased active membership on or after 1/4/1998 and before 1/4/2008

Regulation No-	Description of discretion	Administering Authority Policy
12(5) Employer payments	Frequency of payment of councillors' contributions	Payments must be made in accordance with Pensions Act (made monthly by 19 th of the month following payroll).
17(4),(7),(8), & 89(4) & Sch 1 Reserve forces leave	Extend normal 12 month period following end of relevant reserve forces leave for "Cancelling notice" to be submitted by a councillor member requesting that the service should not be treated as relevant reserve forces service	This will be considered on a case by case basis with delegated authority given to the Head of Pensions.

Regulation No-	Description of discretion	Administering Authority Policy
22(7) Final Pay	Select appropriate final pay period for deceased non-councillor member (leavers post 31.3.98. / pre 1.4.08.)	The most advantageous final pay period for the member will be used in all cases.
23(9) Certificates of protection	Make election on behalf of deceased non-councillor member with a certificate of protection of pension benefits i.e. determine best pay figure to use in the benefit calculations (pay cuts / restrictions occurring pre 1.4.08.)	The pay figure that will provide the greatest benefit will be applied in all cases
38(1) & 155(4) Death grant	Decide to whom death grant is paid in respect of councillor members and post 31.3.98. / pre 1.4.08. leavers	<p>Where it is clear having taken account of all the circumstances:</p> <p>payment will be in accordance with expression of wish, or</p> <p>if no wish has been made, payment will be to the legal spouse, nominated cohabiting partner or civil partner.</p> <p>Where there is any doubt, the decision will be made by the Head of Pensions, who may or may not decide to make payment in accordance with Grant of Probate/Letters of Administration.</p> <p>The County Council will ensure the details of current nominees will be included on annual benefit statements so that scheme members are given opportunity to revise nominations as part of the annual benefit statement exercise</p>

Regulation No-	Description of discretion	Administering Authority Policy
Reg 17(9) of the LGPS (Transitional Provisions and Savings) Regs 2014 and definition in Sch 1 of the LGPS Regulations 2013	Decide to treat child as being in continuous education or vocational training despite a break (children of councillor members and children of post 31.3.98. / pre 1.4.08. leavers)	A break of 1 academic year or less should be ignored. Authority is delegated to the Head of Pensions to extend this period in exceptional circumstances
47(1) Children's pensions	Apportionment of children's pension amongst eligible children (children of councillor members and children of post 31.3.98. / pre 1.4.08. leavers)	Payment will be apportioned equally amongst the eligible children unless there are exceptional circumstances, when authority is delegated to the Head of Pensions to determine an appropriate apportionment.
47(2) Children's pensions	Pay child's pension to another person for the benefit of the child (children of councillor members and children of post 31.3.98. / pre 1.4.08. leavers)	Payment will be made to a parent or guardian where the child is aged below 17, with payment made direct to the child in all other circumstances. In these cases, the parent or guardian must sign a written statement confirming that the pension will be used for the benefit of the child.
49 & 156 Trivial commutation	Agree to commutation of small pension (pre 1.4.08. leavers or pre 1.4.08. Pension Credit members)	Members and beneficiaries who meet the criteria for trivial commutation of a small pension will be offered commutation as an option.
50 and 157 Exceptional ill health commutation	Commute benefits due to exceptional ill-health (councillor members, pre 1.4.08. leavers and pre 1.4.08. Pension Credit members)	Members who meet the criteria for commutation on grounds of exceptional ill health will be offered commutation as an option.

Regulation No-	Description of discretion	Administering Authority Policy
60(5) Additional Voluntary Contributions	Whether acceptance of AVC election is subject to a minimum payment (councillors only)	There is no minimum contribution specified
80(5) Employer payments	Whether to require any strain on Fund costs to be paid “up front” by employing authority following early voluntary retirement of a councillor (i.e. after age 50/55 and before age 60), or early payment of a deferred benefit on health grounds or from age 50 with employer consent (pre 1.4.08. leavers) – (see Note below)	The administering authority will recharge all strain on the fund costs in accordance with the Rates and Adjustment Certificate and guidance produced by the Fund Actuary. Payment should normally be made within 12 months of the effective date in the form of lump sum. This may be extended to up to three years if jointly agreed by the Head of Pensions and the Section 151 Officer.
81(1) Employer payments	Frequency of employer’s payments to the fund (in respect of councillor members).	Payments must be made in accordance with Pensions Act (made monthly by 19 th of the month following payroll). Any administration charge will be in accordance with the Fund’s Administration Strategy.
81(5) Employer payments	Form and frequency of information to accompany payments to the Fund (in respect of councillor members)	Information should be provided on a monthly basis unless a less frequent basis is agreed with the Head of Pensions.
82(1) Employer payments	Interest on payments by employers overdue by more than 1 month (in respect of councillor members)	The Fund will charge employers interest for persistently making late payments to the Fund. Delegated authority is given to the Head of Pensions to apply a charge on a case by case basis, taking into consideration the administrative cost involved in raising the charges.

Regulation No-	Description of discretion	Administering Authority Policy
89(3) Recovery of underpaid pension contributions	Outstanding employee contributions can be recovered as a simple debt or by deduction from benefits (councillors and pre 1.4.08. leavers)	This will be considered on a case by case basis with delegated authority given to the Head of Pensions.
91(6) Employer payments	Timing of pension increase payments by employers to fund (pre 1.4.08. leavers)	Will generally be recharged quarterly; however Head of Pensions given delegated authority to agree alternative frequency.
95 Death grant	Pay death grant due to personal representatives without need for grant of probate / letters of administration (death of councillor or pre 1.4.08. leaver)	This will be considered on a case by case basis with delegated authority given to the Head of Pensions.
97(10) Approved medical advisors for ill health retirements	Approve medical advisors used by employers (re ill health benefits for councillors and re pre 1.4.08. preserved benefits payable on health grounds)	Delegated powers have been given to the Head of Pensions to determine in advance of a referral whether an employer can use an alternative Occupational Health Provider to Northamptonshire County Council's own provider, and where approval is granted whether it is reasonable to use the practitioner proposed as the approved medical adviser for pension purposes.
99 Internal Dispute Resolution Procedure	Decide procedure to be followed by admin authority when exercising its IDRP functions and decide the manner in which those functions are to be exercised (councillors and pre 1.4.08. leavers)	Procedure set out in the Fund's Guide To Resolving Disputes About Pensions Decisions Made By LGSS Pensions Service. Stage 1 adjudicator is Head of Pensions

Regulation No-	Description of discretion	Administering Authority Policy
105(1) Internal Dispute Resolution Procedure	Appeal against employer decision, or lack of a decision (councillors and pre 1.4.08. leavers)	Decision delegated to the Head of Pensions to consider each case on its own merits.
106A(5) Annual Deferred Benefit Statement	Date to which benefits shown on annual deferred benefit statement are calculated	Calculated as at first Monday in each tax year so as to coincide with the effective date of the Pensions Increase Review Order

Regulation No-	Description of discretion	Administering Authority Policy
109* & 110(4)(b)	Abatement of pensions following re-employment (councillors and pre 1.4.08. leavers)	<p>Members who are in receipt of an augmented pension or annual compensation (where additional pension, additional membership or a credited period has been awarded by their former employer) due to early retirement on the grounds of redundancy or in the interests of efficiency should have their pensions assessed for reduction or suspension on re-employment that offers membership of the LGPS. The pension will be reduced by the excess of the annual rate of pay on commencing the new job, or at any material change, plus the annual rate of pension in payment at that date over the annual rate of pay of the former employment on the last day used in calculating the Final Pay that the pension was based on (revalued by pension increase); where the excess is greater than the annual rate of pension in payment, the pension will be suspended. The reduction or suspension will continue until the employment ends or there is a reassessment due to a material change</p>
118	Retention of CEP where member transfers out (councillors and pre 1.4.08. leavers)	<p>Where HMRC will accept payment of the CEP, this should be made. If they will not for any reason the CEP should be retained</p>

Regulation No-	Description of discretion	Administering Authority Policy
147	Discharge Pension Credit liability (in respect of Pension Sharing Orders for councillors and pre 1.4.08. Pension Sharing Orders for non-councillor members)	These cases will be considered on a case by case by the Head of Pensions, taking consideration of the national LGPS guidance issued by LGE.

Discretions under the Local Government Pension Scheme Regulations 1995 (as amended) in relation to pre 1.4.98. scheme leavers

Regulation No- R – 2013 Regs TP – Transitional Regs 2014	Description of discretion	Administering Authority Policy
E8 Death Grant	Decide to whom death grant is paid	Where it is clear having taken account of all the circumstances: payment will be in accordance with expression of wish, or if no wish has been made, payment will be to the legal spouse, nominated cohabiting partner or civil partner. Where there is any doubt, the decision will be made by the Head of Pensions, who may or may not decide to make

Regulation No- R – 2013 Regs TP – Transitional Regs 2014	Description of discretion	Administering Authority Policy
		<p>payment in accordance with Grant of Probate/Letters of Administration.</p> <p>The County Council will ensure the details of current nominees will be included on annual benefit statements so that scheme members are given opportunity to revise nominations as part of the annual benefit statement exercise</p>
F7(1) Survivors pension	Suspension of spouses' pensions during remarriage or cohabitation	Resolved that spouse's pensions are not ceased on re-marriage or cohabitation that took place or commenced on or after 1 st April 1998 but are payable for life. This brought equity with post 31.3.98 retirees/deferreds.
TP 17(9) and definition in R Sch 1 Child in Education	Decide to treat child as being in continuous education or training despite a break	A break of 1 academic year or less should be ignored. Authority is delegated to the Head of Pensions to extend this period in exceptional circumstances.
G11(1) Children's pensions	Apportionment of children's pension amongst eligible children	Payment will be apportioned equally amongst the eligible children unless there are exceptional circumstances, when authority is delegated to the Head of Pensions to determine an appropriate apportionment.

Regulation No- R – 2013 Regs TP – Transitional Regs 2014	Description of discretion	Administering Authority Policy
G11(2) Children's pensions	Whether to pay the whole or part of a child's pension to another person for the benefit of the child	Payment will be made to a parent or guardian where the child is aged below 17, with payment made direct to the child in all other circumstances. In these cases, the parent or guardian must sign a written statement confirming that the pension will be used for the benefit of the child.

Discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended) in relation to awards of compensation made to pre 1.4.07 leavers

Regulation No-	Description of discretion	Administering Authority Policy
31(2)	Decide whether to agree to pay annual compensation on behalf of fund employer and recharge payments to employer	Annual compensation payments already being paid on behalf of employers, and recharged, will continue to be paid, and in the event of new survivors' compensation becoming payable, these payments will similarly be paid on behalf of employers and recharged. The power to determine the frequency and terms of recharge for each employer is delegated jointly to the Head of Pensions and Section 151 Officer, notwithstanding that in accordance with Regulation 31(4) payments must be recovered within 2 months of them being made..