



People, Performance and Development Committee
3 May 2016

Consolidation of the discretionary policies of Surrey County Council in relation to the Local Government Pension Scheme Regulations, the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations and the Local Government (Discretionary Payments) (Injury Allowances) Regulations

Purpose of the report:

This report provides details of the consolidation of existing discretionary policy statements of Surrey County Council (the Council) in relation to the Local Government Pension Scheme Regulations, the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations and the Local Government (Discretionary Payments) (Injury Allowances) Regulations into a single combined document.

Recommendations:

It is recommended that the People, Performance and Development Committee note the Local Government Pension Scheme consolidated employer discretions policy document as outlined in Annex 1.

Introduction:

1. The Council is required to formulate, publish and keep under review a statement of policy on certain discretions in accordance with:
 - Regulation 60 of the Local Government Pension Scheme (LGPS) Regulations 2013.
 - Paragraph 2(2) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.
 - Regulation 66 of the LGPS (Administration) Regulations 2008.
 - Regulation 106 of the LGPS Regulations 1997.
 - Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.

- Regulation 26 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000.
 - The Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011.
2. In addition the Council has chosen to formulate, publish and keep under review a statement of policy on certain discretions in accordance with:
 - Regulation D11 (2) (c) of the LGPS Regulations 1995.
 - Regulation 15 (1) (d) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.
 - Regulation 25 (3) of the LGPS (Administration) Regulations 2008.
 - Regulation 15 (3) of the LGPS (Benefits, Membership and Contributions) Regulations 2007.
 - Regulation 100 (6) of the LGPS Regulations 2013.
 - Regulation 22 (7) and (8) of the LGPS Regulations 2013.
 - Regulations 9 and 10 of the LGPS Regulations 2013.
 3. The single combined employer discretions document provides a consolidation of all the Council's statements of policy on discretions as noted in points 1 and 2.
 4. The single combined employer discretions document also provides guidance on the Council's exercise of discretions, including the scheme of delegation for decisions appropriate to the Council's current organisational structure.
 5. The discretions noted in points 1 and 2 have previously been adopted and exercised by the Council and the consolidated employer discretions document does not include any revisions to these discretions.
 6. The consolidated employer discretions document enables all of the Council's discretion policies to be captured in a single reference document.
 7. Employer discretions are public documents and will be made available electronically and as hard copy on request.
 8. The creation of a single consolidated document will provide clarity and ease of access for Council managers, employees, LGPS pension members and their beneficiaries and recognised trade unions.

Financial and value for money implications

9. The consolidation of existing employer discretion policy statements in to a single combined document creates a more efficient central reference point for managers, saving time and duplication.

Equalities and Diversity Implications

10. It is a statutory requirement to formulate, publish and keep under review a statement of policy on certain discretions (as noted in point 1). There are no specific equality implications arising from the consolidation of existing employer discretion policy statements in to a single combined document.

Risk Management Implications

11. The creation of single reference point for the Council's employer discretion policy statements improves clarity and transparency. The employer discretions document also provides guidance on the Council's exercise of discretions, including the scheme of delegation for decisions appropriate to the Council's current organisational structure. This mitigates the risk of discretions being exercised incorrectly or without the due authority.

Next steps:

Before the expiry of a month from the date of this report the Council must publish the consolidated employer discretions document.

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Annexes:

Annex 1 – Statement of Policy on Employer Discretions in Relation to the Local Government Pension Scheme Regulations, the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations and the Local Government (Discretionary Payments) (Injury Allowances) Regulations.

Sources/background papers:

Local Government Pension Scheme (LGPS) Regulations, 2013
 LGPS (Transitional Provisions, Savings and Amendment) Regulations, 2014
 LGPS (Administration) Regulations, 2008
 LGPS Regulations, 1997
 Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations, 2006
 Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations, 2000
 Local Government (Discretionary Payments) (Injury Allowances) Regulations, 2011
 LGPS Regulations, 1995
 LGPS (Benefits, Membership and Contributions) Regulations, 2007

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