POWYS PENSION FUND

LGPS ADMINISTERING AUTHORITY DISCRETIONS POLICY STATEMENT

Contents

Introduction

Powys County Council (the Council), as administering authority of the Powys Pension Fund (the Fund), has determined its discretionary policies in accordance with the Local Government Pension Scheme (LGPS) Regulations 2013 (as amended) and related legislation, and these are outlined in this statement. These policies apply to all current members of the Fund, regardless of who their employer is. Where relevant, these policies equally apply to members who left pensionable service before 1 April 2014 (but only in relation to discretions exercised since the effective date of these policies) and to pension credit members.

The Fund’s discretionary policies have been reviewed in line with legislative changes effective from 1 April 2026, and these policies have been consolidated into this statement. Although this statement of policies was last updated and approved on 7 October 2024 and the stated policies apply from that point onwards, many of the policies were already in place and operational before that date.

These policies do not give, and shall not be deemed to give, any contractual rights to any member of the Fund, or to any other person. Nothing in this document will cause the Council’s capacity to exercise its discretionary powers, as administering authority of the Fund, to be unlawfully fettered or restricted in any way. Where a policy states that it is subject to an officer’s approval and that officer is unavailable, that delegation may be exercised by an alternative officer of equal or higher seniority within the Fund’s management team or by the appropriate senior officers of the Council or the Pensions and Investment Committee. Discretions delegated to a specific postholder (for example, the Pensions Administration Manager) may alternatively be determined in their absence if agreed by two senior pensions officers, even if they are not of an equal or higher seniority.

These discretions will be exercised in line with the provisions of the various LGPS regulations and other relevant legislation. Nothing within this statement can override the legal requirements within those provisions.

Approval, review and consultation

These policies were approved by the Powys Pensions and Investment Committee at its meeting on 2nd July 2026. The policies within this statement will be reviewed as required in the light of future changes to the LGPS regulations or other relevant legislation. This statement will also be reviewed at least every three years, although the policies may be amended at any time.

Further information

If you require further information about anything in or related to this Administering Authority Discretions Policy Statement, please contact:

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List of relevant LGPS regulations

Discretions from 1 April 2014 in relation to post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members), being discretions under:

- **the Local Government Pension Scheme Regulations 2013 [prefix R]**
- **the Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014 [prefix TP]**
- **the Local Government Pension Scheme (Administration) Regulations 2008 [prefix A]**
- **the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) [prefix B]**
- **the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [prefix T]**
- **the Local Government Pension Scheme Regulations 1997 (as amended) [prefix L]**
- **the Local Government Pension Scheme (Transitional Provisions) Regulations 1997 [prefix TL]**
- **the Local Government Pension Scheme Regulations 1995 (as amended) [prefix 95]**

Key strategies and policies

Regulation No.	Discretion	Recommended Decision Maker	Policy Recommendation
R55A(2)	An administering authority must prepare a governance strategy. A governance strategy is a document setting out: (a) whether the authority delegates its functions, or part of its functions, under these Regulations to a committee, a sub-committee or the LGPS senior officer of the authority, (b) if the administering authority does so (i) the terms, structure, and operational procedures of the delegation, including the basis on which substitutes may be permitted to attend or act, (ii) the frequency of any committee or sub-committee meetings, (iii) whether such a committee or sub-committee includes representatives of Scheme employers or members and (aa) if so, whether those representatives have voting rights, or (bb) if there are no such representatives, or if any representatives do not have voting rights, how the	Pensions & Investment Committee and Section 151 Officer	The Fund maintains and periodically reviews and approved a Governance Compliance Statement. Governance Strategy published on Fund's website

	authority will ensure that the views of Scheme employers and members are represented in the governance of the fund, and (iv) how the authority will ensure that it has appointed an independent person in accordance with regulation 53A(5) (appointments that must be made by administering authorities), (c) the extent to which a delegation, or the absence of a delegation, complies with guidance given by the Secretary of State and, to the extent that it does not so comply, the reasons for not complying, (d) an explanation of how the governance structure and any delegation arrangements adopted by the administering authority are designed to secure the effective and efficient administration, governance and investment of the Scheme for Scheme employers, members and other stakeholders, and (e) details of the terms, structure, and operational procedures relating to the local pension board established under regulation 106 (local pension boards: establishment).		
R55A(3)	An administering authority must prepare a training strategy. A training strategy is a document setting out how the authority will ensure that any persons to whom regulation 55B(1) or (2) (administering	Pension Fund Manager	The Fund will carry out an annual training needs analysis exercise and log all training accordingly.

	authorities: knowledge and understanding requirement for relevant persons) applies will meet the knowledge and understanding requirement in paragraph (3) of that regulation.		
R55A(4) & (5)	An administering authority must prepare a conflicts of interest policy. A conflicts of interest policy is a document setting out the authority's approach to identifying, monitoring and managing actual, potential and perceived conflicts of interest in relation to the Scheme.	Pension Fund Manager	The Fund has produced a Conflicts of Interest policy, which is periodically reviewed and published on the Fund's website.
R105(2)	Decide whether to delegate any administering authority functions under the Regulations.	Pensions & Investment Committee and Section 151 Officer	Scheme of Delegation included in Governance Compliance Statement. Any delegation of functions will be made in accordance with the Council's constitution and recorded in the Governance Compliance Statement. The Scheme of Delegation will be reviewed periodically.
R58	Decide on Funding Strategy for inclusion in funding strategy statement.	Pensions & Investment Committee and Section 151 Officer	To be determined in conjunction with advice from the Pension Fund actuary. The document is prepared and reviewed in consultation with the Scheme employers.
R61	Communication policy must set out the policy on	Pension Fund Manager in	The Fund Produces a

	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.	consultation with the Head of Finance	Communications Policy which is periodically reviewed and published on the Fund website.
R59	An administering authority must prepare a written statement of the authority's policies in relation to administration matters. An administering authority must review and, if appropriate, revise its pension administration strategy: (a) at least once in each valuation period, and (b) as soon as reasonably practical after any material change in its policies in relation to any of the matters contained in the strategy.	Pensions & Investment Committee and Section 151 Officer	Administration Strategy Statement is approved by Stakeholders and the Pensions and Investment Committee. It is reviewed periodically and published on Fund website.

Pension Board

No.	Regulation	Recommended Decision Maker	Policy Recommendation
R106(3)	Decide whether to establish a joint local pension board (if approval has been granted by the Secretary of State).	Pensions & Investment Committee and Section 151 Officer	Pension Board set up in accordance with legislation. Included in Governance Compliance Statement

R106(6)	Decide procedures applicable to the local pension board	Chair of Pensions Board in consultation with the Board Secretary and Section 151 Officer	Included in Governance Compliance Statement
R107(1)	Decide appointment procedures, terms of appointment and membership of local pension board.	Section 151 Officer	Appointments made in accordance with national guidance and the Fund's own terms of reference for the Local Pensions Board.

Disputes

No.	Regulation	Recommended Decision Maker	Policy Recommendation
R74(1)	Administering authority must appoint an adjudicator to decide on disputes arising from decisions made by the Fund under the Scheme.	Section 151 Officer	The adjudicator for the Fund, is to be the Pensions Administration Manager in the first instance, or other officers of the Fund should they not be available.
R74(6) TP23	Decide procedure to be followed by adjudicator when exercising stage one IDRP functions and decide the manner in which those functions are to be exercised.	Discretion of the adjudicator appointed by the admin authority under R74(1)	To consider each case on its individual merits and to take account of each case's specific needs, depending on the nature of the appeal.
R74(4) TP23	Whether to extend six month period to lodge a stage one IDRP appeal.	Discretion of the adjudicator appointed by the admin authority under R74(1)	To consider each case on its individual merits. Extensions will generally only be granted where there is good reason for the delay.
R76(4)	Decide procedure to be followed by administering	Discretion of the adjudicator	To consider each case on its

TP23	authority when exercising its stage two IDRP functions and decide the manner in which those functions are to be exercised.	appointed by the admin authority under R74(1)	individual merits and to take account of each case's specific needs, depending on the nature of the appeal.
R79(2) TP23	Whether admin authority should appeal against employer decision (or lack of a decision).	Section 151 Officer	To consider each case on its individual merits and to take account of each case's specific needs, depending on the nature of the employer decision or lack of a decision. The Administering Authority will appeal to the Secretary of State if it believes an employer has made (or failed to make) a decision that is both wrong in law and material and where it has been unable to persuade the employer to alter its actions or inactions.

Admission agreement and employer management

No.	Regulation	Recommended Decision Maker	Policy Recommendation
R3(1A), R3(5) & RSch 2, Part 3, para 1	Whether to agree to an admission agreement with a body applying to be an admission body.	Pensions & Investment Committee	To consider each application on its own individual merits taking into account advice from the Fund Actuary and legal advisor.

RSch2, Part 3, para 14	Whether to agree that an admission agreement may take effect on a date before the date on which it is executed.	Pensions & Investment Committee	To consider each application on its own individual merits. Back dating would only be agreed in exceptional circumstances and where it does not adversely affect the Fund. Advice from the Fund Actuary and legal adviser would also be taken into account.
R4(2)(b)	Whether to agree to an admission agreement with a Care Trust, NHS Scheme employing authority or Care Quality Commission.	Pensions & Investment Committee	To consider each application from the relevant body on its own merits, having regard to the Fund's funding strategy and, if required, having taken advice from the Fund Actuary and Legal Advisors.
RSch2, Part 3 para 9(d)	Whether to terminate a transferee admission agreement in the event of - 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.	Pensions & Investment Committee	To be exercised as the merits of each case dictate. The termination of an admission agreement will be made in reference to the terms of the agreement.

R54(1)	Whether to set up a separate admission agreement fund.	Pensions & Investment Committee and Section 151 Officer	To consider in the light of advice from the Pension Fund actuary. This may be worth considering should the membership of admission bodies increase significantly as a consequence of Powys County Council outsourcing and where, because of the funding needs associated with admitted bodies, a different investment allocation to that of the main Fund is considered appropriate.
R54(4)(b)	Determine assets to be transferred from main fund to admission agreement fund.	Pensions and Investment Committee and Section 151 Officer	To be determined in the event that a separate admission agreement fund is created
RSch2, Part 3 para 12(a)	Define what is meant by “employed in connection with”.	Pensions Administration Manager in consultation with Head Finance	To be agreed between all of the parties to the admission agreement and to be specifically set out within the agreement.
R64(2A)	Whether to suspend (by way of issuing a suspension notice), for up to 3 years, an employer’s obligation to pay an exit payment where the employer is again likely to have active members within the specified period of suspension.	Pensions and Investment Committee	To be exercised as the merits of each case dictate. A suspension notice may be issued where there is a reasonable expectation that the employer will have active members again within three years, and that any use of this

			power will take account of the employer's covenant and the interests of the Fund.
R64(2ZAB)(b)	Whether to extend the period beyond 6 months from the date an Employer ceases to be a Scheme Employer, by which to pay an exit credit.	Pensions and Investment Committee	To be exercised as the merits of each case dictate having received appropriate advice from the fund actuary and legal advisers as required.
R64B	Whether to obtain a revision of the rates and adjustments certificate to show the proportion of the exit payment to be paid by the exiting scheme employer in each year after the exit date (a debt spreading arrangement).	Section 151 Officer in consultation with the Pension Fund Manager	To be exercised as the merits of each case dictate having received appropriate advice from the fund actuary and legal advisers as required.
A45(3) L89(3)	Outstanding employee contributions can be recovered as a simple debt or by deduction from benefits.	Section 151 Officer in consultation with the Pension Fund Manager	To be exercised as the merits of each case dictate having received appropriate advice from the fund actuary and legal advisers as required.
TPSch 2 para 2(5)	Whether to require any strain on Fund costs to be paid "up front" by employing authority following waiver of actuarial reduction under TPSch 2, para 2(3)	Section 151 Officer	Payments to cover full strain on fund costs arising from flexible retirements, voluntary early retirements, business efficiency or redundancy retirements will be required to be paid in full and upfront, within 3 months of the relevant retirement date.
R68(2)	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	Section 151 Officer	Payments to cover full strain on fund costs arising from flexible retirements, voluntary early retirements, business efficiency or redundancy retirements will

	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		be required to be paid in full and upfront, within 3 months of the relevant retirement date.
R80(1)(b) & TP22(1)	Specify information to be supplied by employers to enable admin. authority to discharge its functions	Pension Fund Manager	To be set out in an SLA prepared by the Fund and to be signed up to by all participating employers. The document will set out what data is required, when and in what format; and, what happens if requirements are not met by employers.
R69(1)	Decide frequency of payments to be made over to Fund by employers and whether to make an admin charge.	Section 151 Officer in consultation with the Pension Fund Manager	Pension Fund employers are required to pay over to the Pension Fund the following payments, at the frequency indicated below: a) contributions – to be paid at intervals that meet the requirements of the Pensions Act 1995, i.e. within 19 days of the end of the pay period in which the deductions from pay were made; b) pension strain – to be paid within three months of the relevant date of retirement in full, or by mutual agreement, spread over a period not exceeding three years (at an actuarially increased rate) with

			the first payment being due within three months of the relevant date of retirement and annually thereafter; c) administration costs – no direct charge will be levied against Fund employers, the actuary will apportion costs on the basis of membership at each valuation and subsume within employer contribution rates; d) employer performance charges – to be paid over to the Fund within three months of the date of formal written notification.
R69(4)	Decide form and frequency of information to accompany payments to the Fund	Section 151 Officer in consultation with the Pension Fund Manager	Employers are directed to provide the information set out in Regulation 69(3) to the Pension Fund on a monthly basis and in an appropriate electronic format. (An appropriate format is to be agreed by the Fund and each individual employer). The Fund reserves the right to specify or change the required format and transmission method in order to support efficient administration

			and data quality.
R70 & TP22(2)	Whether to issue employer with notice to recover additional costs incurred as a result of the employer's level of performance	Section 151 Officer in consultation with the Pension Fund Manager	To consider each case on its individual merits and taking into account the level of cost incurred by the Fund, in each case.
R71(1)	Whether to charge interest on payments by employers which are overdue	Section 151 Officer in consultation with the Pension Fund Manager	Interest will be charged on overdue payments, at the rate of 1% above base rate compounded quarterly.
R36(3)	Approve medical advisors used by employers (for ill health benefits)	Pension Fund Manager	The Pension Fund will maintain a list of approved and suitably qualified independent registered medical practitioners (IRMPs) who are be used by Fund Employers when seeking to determine a scheme member's entitlement to ill health retirement benefits.

Payments relating to deaths

No.	Regulation	Recommended Decision Maker	Policy Recommendation
R82(2)	Whether to pay death grant due to personal representatives or anyone appearing to be beneficially entitled to the estate without need for	Section 151 Officer in consultation with the Pensions Administration Manager	To exercise this discretion in all cases that meet the requirements of the 1965 Act (currently applies

	grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965.		to all death payments under £5,000).
TP17(5) to (8) & R40(2), R43(2) & R46(2)	Decide to whom death grant is paid	Pensions Administration Manager to apply decision matrix where possible. All other cases to be determined by the Section 151 Officer in consultation with the Pension Fund Manager	Currently determined by Pensions Administration Manager with reference to a 'decision matrix'. Cases that are unable to be determined via the matrix, will be referred to the Section 151 Officer in consultation with the Pension Fund Manager.
R17(12)	Decide to whom any AVC/SCAVC monies (including life assurance monies) are to be paid on death of the member	Pensions Administration Manager to apply decision matrix. Any other cases to be determined by the Section 151 Officer in consultation with the Pension Fund Manager	As per the decision matrix. Where this cannot be used, then to be determined on the individual merits of the case. The Fund will refer to any expression of wish documentation.
RSch1 & TP17(9)(b)	Decide what evidence is required to determine financial dependence of cohabiting partner of scheme member, or financial interdependence of cohabiting partner and scheme member	Pensions Administration Manager in consultation with the Section 151 Officer	To consider each case on its individual merits, ensuring that appropriate weight is given to witnesses e.g. Councillors.
TP3(6), TP4(6)(c), TP8(4), TP10(2)(a), TP17(2)(b) & B10(2)	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.	Pensions Administration Manager	To consider each case on its individual merits. the Fund will make such an election only where it results in a higher benefit and is clearly in the beneficiaries' interests, based on available data.
TP3(6), TP4(6)(c),	Make election on behalf of deceased member with a certificate of protection of pension benefits	Pensions Administration Manager	To consider each case on its individual merits. The Fund will

TP8(4), TP10(2)(a), TP17(2)(b) & TSch1 & L23(9)	i.e. determine best pay figure to use in the benefit calculations (pay cuts / restrictions occurring pre 1.4.08.)		normally apply whichever pay figure produces the higher benefit.
B10(2)	Where member to whom B10 applies (use of average of 3 years pay within the period of 13 years ending with the last day of active membership for final pay purposes) dies before making an election, whether to make that election on behalf of the deceased member.	Pensions Administration Manager	To consider each case on its individual merits. The Fund will normally apply whichever pay figure produces the higher benefit.
RSch1 & TP17(9)(a)	Decide to treat child (who has not reached the age of 23) as being in continuous full-time education or vocational training despite a break.	Pensions Administration Manager in consultation with the Section 151 Officer	To consider each case on its individual merits including the principle that it is customary to allow for a gap year between school and higher education. The Fund will seek an annual declaration for the pension to continue in payment.
L47(1)	Apportionment of children's pension amongst eligible children.	Pensions Administration Manager in consultation with the Section 151 Officer	To consider each case on its individual merits. The Fund will consider appropriate information available at the time.
B27(5)	Whether to pay the whole or part of a child's pension to another person for the benefit of the child.	Pensions Administration Manager in consultation with the Section 151 Officer	To consider each case on its individual merits. The Fund will consider appropriate information available at the time.
95F7	Whether to pay spouse's pensions for life (rather than ceasing during any period of remarriage or co-habitation).	Pensions Administration Manager in consultation with the Section 151 Officer	The Fund will not cease payment upon remarriage or co-habitation.

Transferring or linking benefits

No.	Regulation	Recommended Decision Maker	Policy Recommendation
R98(1)(b)	Agree to bulk transfer payment (arising from TUPE transfers)	Pension Fund Manager in consultation with the Section 151 Officer	To consider each case on its individual merits whilst giving priority to the financial consequences of all such transfers on the Pension Fund. Any bulk transfer terms will be agreed in consultation with the Fund actuary and the scheme employer
R100(6)	Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS	Pensions Administration Manager	To consider each case on its individual merits and the view of the relevant Scheme employer, with the overriding requirement being that the failure to make the request within the 12-month period was for exceptional reasons, or simply could not reasonably have been made by the member.
R100(7)	Allow transfer of pension rights into the Fund	Pensions Administration Manager	To consider each case on its individual merits with an overriding requirement that transfer values will only be accepted from registered pension schemes or other

			arrangements permitted by HMRC. The Fund reserves the right to seek and act upon advice from the scheme actuary if the transfer may create a substantial liability to the fund, and may also require a medical certificate completed by their doctor, at the member's cost, confirming they are in reasonably good health.
TP15(1)(d) & A28(2)	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 1/4/14)	Pensions & Investment Committee	Charges to be levied where a Scheme member requests more than one estimate be calculated in any Scheme year.
TP10(9)	Where there are multiple ongoing employments, in the absence of an election from the member within 12 months of ceasing a concurrent employment, decide to which record the benefits from the ceased concurrent employment should be aggregated.	Pensions Administration Manager in consultation with Head of Finance	To consider each case on its individual merits with the principle that the decision should be for the benefit of the Scheme member. E.g. benefits will be combined to the largest ongoing active pension account.
L118	Retention of Contributions Equivalent Premium (CEP) where member transfers out.	Pensions Administration Manager in consultation with Head of Finance	The Fund will retain the CEP amount and use this towards providing the balance of benefits due to the scheme member.

Other miscellaneous discretions

No.	Regulation	Recommended Decision Maker	Policy Recommendation
L106A(5)	Date to which benefits shown on annual deferred benefit statement are calculated.	Pensions Administration Manager	The Fund will decide the date to which benefits shown on the annual benefit statement are calculated. The date will be selected in line with regulatory requirements and best practice, but is usually the year ending on 31st March.
TP15(1)(c) & TSch1 & L83(5)	Extend time period for capitalisation of added years contract.	Section 151 Officer in consultation with the Pension Fund Manager	To consider each case on its individual merits
TP3(13) & A70(1) & A71(4)(c)	Decide policy on abatement of pre 1 April 2014 element of pensions in payment following re-employment.	Section 151 Officer in consultation with the Pension Fund Manager	Policy is not to abate on re-employment
R22(3)(c)	Pension account may be kept in such form as is considered appropriate	Pensions & Investment Committee	The Fund will keep accounts in standard format for the administration system, having regard to the standards determined by the software provider. Appropriate measures are taken to ensure the administration system meets the requirements of the regulations.
R83 & A52a	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.	Pensions Administration Manager	To consider each case on its individual merits whilst having due regard to any arrangements in relation to Enduring and/or

			Lasting Powers of Attorney.
R16(1)	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)	Pensions Administration Manager in consultation with Section 151 Officer	Subject to review following sight of GAD Guidance on this matter, it is proposed that the de minimus be fixed at periodic payments of no less than £10 per month. The Fund reserves the right to review the threshold in light of future guidance or experience
R16(10)	Whether to require a satisfactory medical before agreeing to an application to pay an APC / SCAPC	Pensions & Investment Committee	Medicals are to be required. Medical reports must be paid for and obtained by the Scheme member and in order for APCs to begin, the member must be certified as being of reasonably good health for their age. Where the test is not met, the Fund may refuse the APC/SCAPC application, with each case considered on its merits
R16(10)	Whether to turn down an application to pay an APC / SCAPC if not satisfied that the member is in reasonably good health.	Pensions Administration Manager in consultation with Section 151 Officer	Each case to be determined on its individual merits
R32(7)	Whether to extend the time limits within which a member must give notice of their wish to draw benefits before normal pension age or upon flexible retirement [three months and one month, respectively]	Pension Fund Manager	The Fund will allow such elections to be made at any time before the date from which benefits are to be paid. The Fund still needs sufficient time to process the retirement.

R34(1) (a) (b) (c), R39(1)(b) R39(1)(c) L49 & 156 B39 L49(1) & T14(3)	Decide whether to trivially commute a member's pension under section 166 of the Finance Act 2004 (includes pension credit members where the effective date of the Pension Sharing Order is after 31 March 2014 and the debited member had some post 31 March 2014 membership of the 2014 Scheme). Decide whether to trivially commute a lump sum death benefit under section 168 of the Finance Act 2004. Decide whether to pay a commutation payment under regulations 6 (payment after relevant accretion), 11 (de minimis rule for pension schemes) or 12 (payments by larger pension schemes) of the Registered Pension Schemes (Authorised Payments) Regulations 2009 (excludes survivor pensions and includes pension credit members where the effective date of the Pension Sharing Order is after 31 March 2014 and the debited member had some post 31 March 2014 membership of the 2014 Scheme).	Pension Fund Manager	The Fund will commute all small pensions to the limits available and in the prescribed circumstances as set out in the following sections of the Finance Act 2004: s.166 (trivial commutation lump sums); s.168 (trivial commutation lump sum death benefit); or, the following regulations of the Registered Pension Schemes (Authorised Payments) Regulations 2009: regulation 6 (payment after relevant accretion); regulation 11 (de minimus rule); or, regulation 12 (payments by larger pension schemes). This is dependent on receipt of signed declaration from the member confirming details of all pension rights held in HMRC approved scheme and this discretion will be exercised subject to that information being provided accurately.
R49(1)(c)	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	Pensions Administration Manager	To award whichever benefits are the better for the Scheme member concerned, within the requirements of the Regulation.
L50 L157	Decide whether to commute benefits due to exceptional ill-health (including Pension Credit	Pensions Administration Manager in consultation with the Pension	The Fund will provide a member with the option to

	members where the effective date of the Pension Sharing Order was pre 1 April 2014 or where the effective date of the Pension Sharing Order is after 31 March 2014 but the debited member had no post 31 March 2014 membership of the 2014 Scheme).	Fund Manager.	commute to a lump sum payment in lieu of a pension where the member has a serious life limiting condition.
L147	Discharge Pension Credit liability.	Pensions Administration Manager in consultation with Section 151 Officer	The Fund will discharge pension credit liabilities by conferring appropriate rights under the scheme on the ex-spouse or ex-civil partner. Alternatively, the ex-spouse or ex-civil partner may request a transfer of those rights to a HMRC tax-approved pension arrangement.

Discretions relating to employers that no longer exist

No.	Regulation	Recommended Decision Maker	Policy Recommendation
R38(3)	Decide whether deferred beneficiary meets criteria of 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.	Pension Fund Manager in consultation with the Pensions Administration Manager	Each case is to be considered on its individual merits. Decisions will be based on appropriate medical evidence and likelihood of gainful employment.
R38(6)	Decide 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	Pension Fund Manager in consultation with the Pensions Administration Manager	To consider each case on its individual merits. Decisions will be based on appropriate medical evidence and likelihood of gainful

			employment.
TP3(5A)(vi), TL4, L106(1) & D11(2)(c)	Grant application for early payment of deferred benefits on or after age 50 on compassionate grounds. Although the common provisions of the 1997 Transitional provisions regulations do not specify regulation D11(2)(c), their intention was that it should apply to this regulation.	Employer (or Admin. Authority where Employer has become defunct)	The Fund, acting as Employer, as a general rule, will not normally exercise this discretion but may consider it where there are sufficient compassionate grounds, which might include but not be limited to where the member is needed to look after and care for a dependent relative full time, on a case by case basis, taking into account the individual or business case and foreseeable costs to the Fund.
TPSch 2, para 1(2) & 1(1) (f) & R60	Whether to "switch on" the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60 (other than on the grounds of flexible retirement).	Section 151 Officer in consultation with the Pensions Administration Manager	To consider each case on its individual merits. Consideration should be given in particular where the retirement has occurred because of the care needs of a dependent or relative of the Scheme member, where those care needs required the Scheme member to take early retirement. The 85-year rule will only be 'switched on' in exceptional circumstances and that the cost to the Fund will be taken into account
TPSch2	Whether to waive any actuarial reduction for a	Section 151 Officer in	To consider each case on its

para 2(2) TP3(1), TPSch 2, para 2(1), B30(5) & B30A(5)	member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1 April 2014 and post 31 March 2014 membership): a) on compassionate grounds (pre 1 April 2014 membership) and in whole or in part on any grounds (post 31 March 2014 membership) if the member was not in the Scheme before 1 October 2006, b) on compassionate grounds (pre 1 April 2014 membership) and in whole or in part on any grounds (post 31 March 2014 membership) if the member was in the Scheme before 1 October 2006, will not be 60 by 31 March 2016 and will not attain 60 between 1 April 2016 and 31 March 2020 inclusive, c) on compassionate grounds (pre 1 April 2016 membership) and in whole or in part on any grounds (post 31 March 2016 membership) if the member was in the Scheme before 1 October 2006 and will be 60 by 31 March 2016, d) on compassionate grounds (pre 1 April 2020 membership) and in whole or in part on any grounds (post 31 March 2020 membership) if the member was in the Scheme before 1 October 2006, will not be 60 by 31 March 2016 and will attain 60 between 1 April 2016 and	consultation with the Pensions Administration Manager	individual merits. Consideration should be given in particular where the retirement has occurred because of the care needs of a dependent or relative of the Scheme member, where those care needs required the Scheme member to take early retirement.

	31 March 2020 inclusive.		
R30(8)	Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement. Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member only has post 31 March 2014 membership).	Section 151 Officer in consultation with the Pension Fund Manager	To consider each case on its individual merits. Consideration should be given in particular where the retirement has occurred because of the care needs of a dependent or relative of the Scheme member, where those care needs required the Scheme member to take early retirement. Only applies as an Admin Authority discretion where the member's former employer has ceased to exist. Any cost to the Fund will be taken into account.
TP12(6)	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.	Pension Fund Manager	Not required. IRMP has already been provided with 2014 certificates and instructed to use them and cease using 2008 certificates unless specifically instructed to do so (in respect of a decision to be made under the Saved Provisions). Only applies as an Admin Authority discretion where the relevant Employing Authority is defunct.
B30(5), TPSch 2,	Whether to waive, on compassionate grounds, the actuarial reduction	Section 151 Officer in consultation with the Pension	The Fund, acting as Employer, as a general rule, will not

para 2(1)	applied to deferred benefits paid early under B30 (member).	Fund Manager	normally exercise this discretion but may consider it where there are sufficient compassionate grounds, which might include but not be limited to where the member is needed to look after and care for a dependent relative full time, on a case by case basis, taking into account the individual or business case and foreseeable costs to the Fund.
31(5) & TPSch 2, para 2(1)	Waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early.	Section 151 Officer in consultation with the Pension Fund Manager	The Fund, acting as Employer, as a general rule, will not normally exercise this discretion but may consider it where there are sufficient compassionate grounds, which might include but not be limited to where the member is needed to look after and care for a dependent relative full time, on a case by case basis, taking into account the individual or business case and foreseeable costs to the Fund.
B31(4)	Decide whether deferred beneficiary meets permanent ill health and reduced likelihood of gainful employment criteria.	Section 151 Officer in consultation with the Pension Fund Manager	Where a request is received, the Fund, acting as employer, will consider each case individually and a decision will be made based on the medical evidence available and the opinion provided by the Independent

			Registered Medical Practitioner.
B31(7)	Decide whether a suspended ill health tier 3 member is permanently incapable of undertaking any gainful employment.	Section 151 Officer in consultation with the Pension Fund Manager	Where a request is received, the Fund, acting as employer, will consider each case individually and a decision will be made based on the medical evidence available and the opinion provided by the Independent Registered Medical Practitioner.

Discretions relating to Councillors

No.	Regulation	Recommended Decision Maker	Policy Recommendation
L12(5)	The Administering Authority may determine the frequency of payment of councillors' contributions.	Pensions and Investment Committee in consultation with the Section 151 Officer	To be treated in the same way as members of the main LGPS.
L17(4), (7), (8), 89(4) & Sch 1	The Administering Authority may extend the 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.	Pensions and Investment Committee in consultation with the Section 151 Officer	Each case to be determined on its individual merits
L60(5)	The Administering Authority may decide whether their acceptance of an AVC election is subject to a minimum payment (councillors only).	Pension Fund Manager in consultation with the Section 151 Officer	The Fund will apply a minimum payment of £10 a month.
L81(1)	The Administering Authority may determine the frequency of employer's payment of contributions to the Fund (in respect of councillor members).	Pension Fund Manager in consultation with the Section 151 Officer	To be treated in the same way as members of the main LGPS.
L81(5)	The Administering Authority may decide the form and frequency of information to accompany payment of contributions to the Fund (in respect of councillor members).	Pension Fund Manager in consultation with the Section 151 Officer	To be provided as set out in Regulation 69(3) to the Pension Fund on a monthly basis and in an appropriate electronic format. (An appropriate format is to be agreed by the Fund and each individual employer). The Fund reserves the right to specify or change the required format and

			transmission method in order to support efficient administration
L82(1)	The Administering Authority may decide whether to charge interest on payment of contributions to the Fund by employers that are overdue by more than 1 month (in respect of councillor members).	Pension Fund Manager in consultation with the Section 151 Officer	Interest will be charged on overdue payments, at the rate of 1% above base rate compounded quarterly.
L105(1)	The Administering Authority may decide whether to appeal to the Secretary of State against an employer decision, or lack of a decision (councillors and pre 1st April 2008 leavers).	Pensions and Investment Committee in consultation with the Section 151 Officer	To consider each case on its individual merits and to take account of each case's specific needs, depending on the nature of the employer decision or lack of a decision. The Administering Authority will appeal to the Secretary of State if it believes an employer has made (or failed to make) a decision that is both wrong in law and material and where it has been unable to persuade the employer to alter its actions or inactions.