

Key Legislation relating to the Discretions Policy

The Discretions Policy needs to cover the following Legislation:

1. The Local Pension Scheme Regulations 2013 (R)
2. The Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014 (TP)
3. The Local Government Pension Scheme Regulations 1997 (as amended) (L)
4. The Local Government (Discretionary Payments) Regulations 1996 (as amended) (IA)

These are the Discretions covered in this report.

Discretions in relation to scheme members (excluding Councillor members) who ceased active membership on or after 1 April 2008 and before April 2014. These discretions are covered in the Council's current policy, which will be kept as a record and reference for any cases where decisions made in relation to this group of members is challenged or needs further action:

1. The Local Government Pension Scheme (Administration) Regulations 2008 (A)
2. The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) (B)
3. The Local Government Pension Scheme (Transitional Provisions) Regulations 2008 (T)

The Discretion Policy does not cover, but does link with existing Discretions Policies which cover the following Regulations:

1. Local Government Pension Scheme Regulations 1997 (as amended) – in relation to active councillor members, and councillor members who cease active membership on or after 1 April 1998 or between 1 April 1998 and 1 April 2008
2. Local Authorities (Members Allowances) (England) Regulations 2003 (SI 2003/1021)

3. Local Government (Early Termination of Employment)
(Discretionary Compensation) (England and Wales) Regulations
2006 (as amended)
4. Local Government (Early Termination of Employment)
(Discretionary Compensation) (England and Wales) Regulations
2000 (as amended)