

# Coltishall Parish Council

## Local Government Pension Scheme Policy

### Document Control

Adopted by the Council On: 12<sup>th</sup> July 2021

Signed: \_\_\_\_\_(Chairman)                      \_\_\_\_\_(Print Name)

Signed: \_\_\_\_\_(Clerk)                                      \_\_\_\_\_(Print Name)

Next Review date:        July 2024

### GENERAL

1. Coltishall Parish Council is a Designating Body under the terms of the Local Government Pension Scheme. The Parish Council is required to as a resolution to allow a specified individual or post into the scheme.
2. The Parish Council has one permanent employee, contracted on a part time basis. It is anticipated that due to the nature and scale of Parish Council business the Parish Council will not find it necessary to contract additional employees.
3. The Parish Council does not employ casual employees or offer employment to any individual without a contract.

### SCHEME ENTRY

1. Terms of eligibility for entry to the scheme are set out in the Local Government Pension Scheme Regulations.
2. Casual employees will not be permitted to join the scheme.
3. Coltishall Parish Council passed a resolution under Minute reference 21 (5<sup>th</sup> May 2021) to admit the post of Clerk to the Council to the Local Government Pension Scheme.
4. Future Clerk to the Council post holders will be automatically entered into the pension scheme provided they satisfy the eligibility criteria specified in the Scheme Regulations.
5. The Clerk to the Council has the right to opt out of the Local Government Pension Scheme, using the appropriate form. The Parish Council will retain this record indefinitely.
6. Employees who have elected to opt out of the scheme have the right to opt in.
7. Guidance will be sought from the administering body (Norfolk Pension Fund) on the matter of eligibility as necessary.
8. A member who has previous pension rights in a different pension scheme may transfer them into the LGPS provided they opt to do so within twelve months of joining it. The Parish Council may consider extending the time limit for exceptional circumstances or where the delay was beyond the member's control.

### CONTRIBUTIONS

1. Pension contributions will be calculated on basic contracted pay and overtime payments in accordance with Local Government Pension Scheme Regulations (2014)
2. In accordance with the Local Government Pension Scheme Regulations contributions from part time employees will be calculated on the actual pensionable pay.

3. The employee contribution rate (banding) will be set in line with the employee's contractual hours and salary. Coltishall Parish Council will reassess the band for each member from 1 April each year and will notify members individually in writing every time their contribution band changes.
4. New employees will be entered in to appropriate pension contribution band for their salary at the time of entering the scheme.
5. Employees have the right to appeal against the contribution banding.
6. The employer contribution rate payable by Coltishall Parish Council will be set by the administering body.
7. Coltishall Parish Council may fund wholly, or in part, an employee's additional pension contract. The payment can be paid by regular contributions or a lump sum. The Parish Council will not normally make awards under this Regulation but may do so in wholly exceptional circumstances where other factors outweigh the cost.
8. In the event of a period of unpaid leave, the employee makes an option to pay for it within 30 days of returning to work. Coltishall Parish Council agree to pay 2/3rd of the cost with the member paying the rest of the balance. The 30 day time limit will only be extended for exceptional circumstances or where the delay was beyond the member's control.

#### ADDITIONAL PENSION BENEFITS

1. The Local Government Pension Scheme offers members the opportunities to increase pension benefits. Advice should be sought from the administering body by the member on this matter.
2. The Parish Council will not offer Shared Cost Additional Voluntary Contributions.

#### RETIREMENT

1. The retirement age for both men and women in the LGPS is age 65 for service up to 31 March 2014. Service from 1 April 2014 is linked to the members State Pension Age.
2. It is possible to stay in employment and in scheme membership up to the eve before an individuals' 75th Birthday.
3. If a scheme member is made redundant or is retired in the interests of the efficiency of the service the employee is entitled to immediate payment of their Local Government Pension Scheme benefits if they are aged 55 or over. Members who have joined the scheme after 1st April 2008 would be entitled to immediate payment of their Local Government Pension Scheme.
3. Coltishall Parish Council may increase a member's benefits by awarding additional pension up to a maximum of £6,500 p.a. from April 2014. This amount is subject to an annual increase each April. The Parish Council will consider exercising this discretion only in exceptional cases where it can see a clear financial or administrative advantage.
4. Coltishall Parish Council may give consent for a member aged 55 or more who reduces their grade or hours of work (or both) to receive all or part of their LGPS benefits immediately, even though they haven't left its employment. The Parish Council will consider exercising this discretion only in exceptional cases where it can see a clear financial or administrative advantage.
5. If the benefits payable on retirement before normal pension age would normally be reduced for early payment, Coltishall Parish Council may agree to waive all or part of the reduction. The Parish Council will consider exercising this discretion only in exceptional cases where it can see a clear financial or administrative advantage.
6. If the Parish Council agrees to a reduction in hours or grade for a scheme member aged 55 or over (or, for existing members as at 31st March 2008, 50 or over until 31st March 2010), the Council may agree to the release of all or some of the member's accrued pension benefits. The Parish Council will consider exercising this discretion only in exceptional cases where it can see a clear financial or administrative advantage.
8. The Parish Council will permit retirement on compassionate grounds where the individuals' circumstances satisfy the Parish Council's requirements where a scheme member is aged 55 or over. Compassionate grounds are defined as where an active employee or deferred beneficiary needs to care full time for a close relative, spouse, partner or other dependent who, through illness, requires 3 full time care for the rest of their life expectancy which is anticipated to be in excess of 12 months from the date of the agreed medical advice.

6. Ill health retirement. The Parish Council will obtain appropriate reports from a medical advisor qualified in occupational health and approved by the Pensions Administrator in all cases where retirement on the grounds of ill health is considered. The Pensions Administrator will be consulted at the earliest stages of consideration where retirement on the grounds of ill health is suggested. To qualify for ill-health retirement the member must have at least three months membership or have a transfer in from another scheme. To qualify for ill-health retirement the Parish Council must terminate the employment on the grounds that the member's ill health or infirmity of mind or body renders them permanently incapable of discharging efficiently the duties of their employment. This determination will be obtained from an Independent Registered Medical Practitioner. The member must have a reduced likelihood of obtaining gainful employment before age 65. There are three tiers of benefits available: Tier 1: member is judged to have no reasonable prospect of obtaining gainful employment before age 65. Benefits enhanced to age 65 based on hours of working at cessation but ignoring any reduction in hours as a direct result of employee's ill health. Tier 2: member is judged to be incapable of obtaining gainful employment within 3 years of leaving but is likely to obtain gainful employment before the age 65. Benefits enhanced by 25% of tier 1 enhancement. Tier 3: member is judged to be capable of gainful employment within 3 years of leaving. Benefit is a short-term reviewable pension based on accrued membership only. The pension payable to a tier 3 member will be payable for such a time as the member does not obtain gainful employment, or until the Parish Council stops payments following the 'review', (see below) or, in any event, at the end of three years. The Tier 3 member will be required to notify the Parish Council when employment is found providing details, including pay and working hours, and the Parish Council will advise the Administering Authority (Norfolk Pension Fund) to stop payments. The Parish Council will determine if any overpayment has been made and whether this is to be recovered. The Administering Authority will be advised accordingly. The Parish Council will undertake a review when tier 3 payments have been made for 18 months if payments are still continuing at this point. At the review the Parish Council will ask the Tier 3 member if their circumstances have changed, seeking full details. If the Parish Council decides from the information provided that gainful employment has been obtained, the tier 3 payments will stop. If as part of the review it has been found that a tier 3 member has not found gainful employment, a further opinion from an Independent Registered Medical Practitioner will be sought concerning the condition which resulted in the tier 3 pension. Where the Independent Registered Medical Practitioner certifies that the member is capable of obtaining gainful employment, the tier 3 payments will be stopped. However if the Independent Registered Medical Practitioner certifies that the member is not now likely to be capable of obtaining gainful employment within 3 years of the date of leaving, the Parish Council can determine that the Tier 3 member should become a tier 2 member and that the date of the Parish Council's determination will decide the date from which the uplift to the Tier 2 will be put into payment. Where the Independent Registered Medical Practitioner is unable to certify that the member is capable or not, a further review date will need to be identified before 3 years of leaving.

#### INDEPENDENT REGISTERED MEDICAL PRACTITIONER

1. An Independent Registered Medical Practitioner will be chosen by the employer if required. This will be approved by the Norfolk Pension Fund.

#### INTERNAL DISPUTE RESOLUTION PROCEDURES

1. In the event that an individual wishes to pursue a dispute under the Internal Dispute Resolution Procedure, the individual will be advised at the earliest opportunity that they are able to consult with the Pensions Advisory service to seek assistance.
2. The Parish Council's nominated Internal Dispute Resolution Procedure contact is the chairman of the Parish Council

#### FORFEITURE OF PENSION RIGHTS

1. Where an employee has committed an offence that has gravely injured the State or liable to lead to serious loss of confidence in the public service, the employer (or former employer) may request a forfeiture certificate directing former pension rights to be forfeited. The Parish Council will consider each case on its merits.

2. Where an individual leaves their employment in consequence of a criminal, negligent or fraudulent act or omission and a monetary obligation is due to the Council, the Council may seek to recover or retain the monetary obligation out of the pension fund. The Parish Council will consider each case on its merits.

#### POLICY REVIEW

1. This policy will be reviewed on a 3-yearly basis unless otherwise required by regulations.