

APPENDIX 1

Schedule of Dover District Council employer policy decisions

CURRENT/~~REMOVED~~/~~AMENDED~~ REG. NUMBER/~~NEW~~

Regulation

Dover District Council's Policy

LGPS 1997 Reg 7(9) a It is Dover district Council's policy to give employees the opportunity to opt into the pension scheme twice during the course of their continuous employment with the Authority. If after the second opt in, they subsequently decide to opt out again then, they will not normally be allowed to rejoin the scheme unless the Human Resources Manager considers that there are exceptional reasons to allow them to do so.

LGPS 1997 Reg 14(3)b A protected manual worker who had previously been paying contributions at the rate of 5% and who returns to local government employment having left after a statutory transfer will be given the opportunity to rejoin the pension scheme and pay contributions at the rate of 5% following another statutory transfer. They must elect to do so within 30 days of the date of notification of that option.

LGPS 2007 22(2)

LGPS 1997 Reg 18(6) & (7) Employees who have the option to pay contributions in respect of a period of unpaid absence must elect to do so within 30 days of the date of the notice issued to them by the payroll Section, stating the amount of the contributions to be paid. The Human Resources Manager may extend this time limit if the employee can demonstrate exceptional circumstances so as to justify an extension of time.

LGPS 1997 Reg 23(4) It is Dover District Council's policy to issue a Certificate of Protection of Pensions Benefits to protect employees who suffer detriment by being required to take a cut in pay or who are prevented from having future pay increases by having their pay frozen due to reasons beyond their control. This request can be made at any time after the employee has suffered the pay cut or freeze.

LGPS 2007 30(2)

LGPS 1997 Reg 31(2) It is not the policy of Dover District Council to give consent under this regulation to the immediate payment of benefits to a scheme member who voluntarily retires unless there is a demonstrable benefit to the organisation which would take full account of any extra costs to be borne by the authority. Any such consent shall be agreed by the Human Resources Manager and the relevant Head of Service.

Where a scheme member has previously been awarded a preserved benefit, it is not generally the policy of Dover District Council to give consent under this regulation to the early payment of benefit, however each could be considered upon its merits. However each request will be considered and full account taken of any costs to be borne by the authority. Any consent shall be agreed by the Human Resources Manager and the relevant Head of Service.

LGPS 2007 30(5)

LGPS 1997 Reg 31(5) Where a request has been made for the early payment of benefits for compassionate reasons, full consideration must be given to the Kent County Council guidelines*. Payment may only be made after agreement between the Human Resources Manager and the relevant Head of Service. Dover District Council will be responsible for any additional costs

deriving from the decision to release benefits prematurely in compassionate circumstances.

*These guidelines state that the circumstances must be exceptional and would not reasonably be expected to prevail, i.e. the occurrence of a disaster or accident etc. Financial hardship alone would not normally be deemed sufficient.

LGPS 2007 16(4) (ii)

LGPS 1997 Reg 32(8)a If a scheme member wishes to aggregate the most recent of their periods of previous scheme membership with their current membership, it is the policy of Dover District Council that the election must be made within 12 months of the Pension Section being notified that the employee has again become an active member.

LGPS 1997 Reg 34(1) b In the event that an employee is eligible for two benefits under the regulations of the Pension Scheme and they have not elected to choose one of these within 3 months of the notification of these benefits then, it is Dover District Council's policy to select the option which in its opinion is most beneficial to the employee.

LGPS 2007 18(1)

LGPS 1997 Reg 35(1) a It is Dover District Council's policy to only provide consent for flexible retirement and the immediate payment of benefits where there is no detrimental effect on the service. Any such consent requires the agreement of the Human Resources Manager and the relevant Head of Service.

LGPS 2007 18(3)

LGPS 1997 Reg 35(1) c If consent has been given under Regulation 35(1) a, it is not Dover District Council's policy to waive, in whole or part, any actuarial reduction to the scheme member's benefits. In addition any employer costs must be capable of recovery within a period of 5 years or by normal retirement age of 65 whichever is sooner.

LGPS 2007 12

LGPS 1997 Reg 52 It is Dover District Council's general policy to grant 3 added years scheme membership to scheme members under this regulation only in cases of redundancy where a statutory redundancy payment is due. This will not be awarded to members who opt for a payment under the discretionary Compensation Regulations using the 2.5 multiplier. Any employer costs must be capable of recovery within a period of 5 years or by normal retirement age of 65 whichever is sooner.

The granting of any extra scheme membership shall be agreed by the Human Resources Manager and the relevant Head of Service.

Additional service will not be granted in respect of pre April 1972 service, which at the point of retirement has not yet been up-rated.

LGPS 1997 Reg 66(9) b Employee who leave the pensions scheme and who have the option to convert an in house AVC to Local Government Pension Scheme membership, must elect to do so within 30 days of the date of the notice issued to them by the Kent County Council Pensions Section of the value of the AVC. The Human Resources Manager in exceptional circumstances may extend this time limit.

LGPS 2007 25(3)

LGPS 1997 Reg 67(1) It is not Dover District Council's policy to operate a shared cost AVC scheme for employees. However, this policy will be reviewed regularly by the Human Resources Manager in conjunction with the Head of Finance and ICT.

LGPS 2007 83(8)

LGPS 1997 Reg 121(8) If a scheme member wishes to transfer any pension benefits they have built up in other schemes to the Local Government Pension Scheme, it is Dover District Council's policy that this election must be made within 12 months of the Pension Section being notified that the employee has become an active member of the Kent Scheme.

LGPS 2007 Reg 11(2) Where a scheme member's pensionable pay consists of fees it is Dover District Council's policy that, if this produced a higher figure, an average of all such fees for any 3 consecutive years ending 31 March within the period of 10 years ending with the last date of active membership may be used in the calculation of benefits.

(Not new reg automatically applied by KCC but now realized should have employer policy)

LGPS 2007 Reg 13 It is not Dover District Council's policy to grant additional pension to scheme members under this regulation. However, this policy will be reviewed regularly by the Human Resources Manager in conjunction with the Head of Finance and ICT.

(Not yet known how costs to employer to be calculated-discretion to award up to £5,000 additional pension in £250 blocks this is not a service or lump sum addition & DDC would have to consider the discretion exercised in reg12 as reg 12 and 13 could both be applied)

Discretionary Compensation Regulations (2006)

1. It is Dover District Council's policy to base redundancy pay calculations on the actual weeks' pay as opposed to the statutory ceiling, as permitted by the Local Government (Early Termination of Employment) (Discretionary Compensation) England and Wales) Regulations 2006 Regulation 5.
2. Discretionary levels of compensation, provided under Regulation 6 of the revised regulations will be agreed only in cases of redundancy. The level of compensation will be calculated using the statutory formula, but on the basis of actual weeks pay and in accordance with the government ready reckoner attached, with the resultant number of weeks increased by a factor of 2.5.
3. In determining the appropriate level of discretionary compensation to be paid to an individual, the Council will have regard to this policy and to:
 - (a). the individual circumstances of the affected employee, including likely re-employability and level of remuneration
 - (b). the employee relations policies of the Council.
 - (c). the need to treat all employees fairly and to avoid any unlawful discrimination
4. Where discretionary compensation is paid on this basis (at the option of the employee) the Council will not increase the employees membership of the Pension Scheme under Regulation 52 of the Local Authorities Pension Scheme Regulations 1997. ([Regulation 12 of the Local Government Pension Scheme \(Benefits Membership and Contributions\) Regulations 2007](#))