

**DOVER DISTRICT COUNCIL'S EARLY RETIREMENT POLICY
(PENSIONS, REDUNDANCY AND EFFICIENCY)**

Schedule of Dover District Council Employer Policy Decisions

**Amended 21 December 2010 – in relation to the Discretionary
Compensation Regulations (2006)**

(The amendments effected on this date are shown highlighted and underlined)

The following is a summary of policy decisions on the Employing Authority discretionary elements in relation to the main Pension Regulations and the Discretionary Compensation Regulations.

Regulation

Dover District Council's Policy

The Local Government Pension Scheme (Administration) Regulations 2007

LGPS 2007 Reg 16(4)(ii) 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 2007 Reg 22(2) 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 Head of East Kent HR Partnership may extend this time limit if the employee can demonstrate exceptional circumstances so as to justify an extension of time.

LGPS 2007 Reg 25(3) 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 Head of East Kent HR Partnership in conjunction with the Director of Finance & ICT.

LGPS 2007 Reg 83(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.

The Local Government Pension Scheme (Benefits Membership and Contributions) Regulations 2007

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 10years ending with the last date of active membership may be used in the calculation of benefits.
LGPS 2007 Reg 12	It is not Dover District Council's policy to grant added years scheme membership to scheme members under this regulation. However, this policy will be reviewed regularly by the Head of East Kent HR Partnership in conjunction with the Director of Finance.
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 Head of East Kent HR Partnership in conjunction with the Director of Finance & ICT.
LGPS 2007 Reg 18(1)	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 Head of East Kent HR Partnership, Director of Finance and the relevant Head of Service.
LGPS 2007 Reg 18(3)	<p>If consent has been given under Regulation 18(1), 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.</p> <p>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.</p>
LGPS 2007 Reg 30(2)	<p>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 Head of East Kent HR Partnership, Director of Finance and the relevant Head of Service.</p> <p>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 case could be considered upon its merits. However each request will be considered and full</p>

account taken of any costs to be borne by the authority. Any consent shall be agreed by the Head of East Kent HR Partnership, Director of Finance and the relevant Head of Service.

LGPS 2007 Reg 30(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 Head of East Kent HR Partnership, Director of Finance 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.

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, on the basis of actual weeks pay and in accordance with the government ready reckoner, but with the resultant number of weeks increased by a factor of 2.5 1.5.
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 employee's membership of the Pension Scheme under Regulation 12 of the Local Authorities Pension Scheme (Benefits, Membership and Contributions) Regulations 2007.

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