

Employer Discretions Policies

The Local Government Pension Scheme Regulations define the details of the scheme for members, employing authorities and the administering authority (Wiltshire Pension Fund, as part of Wiltshire Council).

However, the LGPS Regulations do allow both Wiltshire Pension Fund and the employing authorities, discretion over various elements of the pension scheme.

Employers should plan for each discretion listed below and produce an Employer Discretions Policy **within 3 months of becoming a scheme employer**. Under the pension regulations this **should also be published** so that current, past and future members can view this at any time, typically employers publish their policy on the organisation's website.

Please also send a copy of your new/revised policy to the Fund.

Title:	The Local Government Pension Scheme – Employer Discretions Policy
Author(s):	
Scheme employer name:	
Approved by:	Finance and HR Committee and Durrington Town Council
Implementation date:	2026
Date of next review:	2029
This document replaces:	

Discretion	Regulation	Decision
Whether, how much and in what circumstances to contribute to a shared cost Additional Pension Contributions (APC) scheme	R16(2)(e) & R16(4)(d)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Whether to extend 30-day deadline for member to elect for a shared cost APC	16(6)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement)	R30(6) & TP11(2)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement	R30(8)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
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)	R30(8)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
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)	TPSch 2 para 1 (2) & 1(1)(c)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR

		Committee after consideration of the financial implications of that decision
<p>Whether to waive an actuarial reduction for a 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):</p> <ul style="list-style-type: none"> (a) On compassionate grounds (pre 1 April 2014 membership) and in whole or 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 /or, 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 between 1 April 2016 (d) On compassionate grounds (pre-1 April 2020 membership) and / or, 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 31 March 2020 inclusive. 	TP3(1),TPSch 2 para 2(1), B30(5) & B30A(5)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £8,903 p.a – this figure is inflation proofed annually)	R31	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Discretions for members who ceased active membership on or after 1 April 2008 and before 2014		
Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30 (member).	B30(5), TPSch 2, para 2(1)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision

Whether to “switch on” the 85-year rule for a pensioner member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60.	TPSch 2, para 1(2) & 1(1)(c)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30A (pensioner member with deferred benefits)	B30A (5), TPSch 2, para 2(1)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Discretions for members who ceased active membership on or after 1 April 1998 and before 1 April 2008 AND Councillor members who ceased active membership on or after 1 April 1998		
Grant application for early payment of deferred benefits on or after age 50 and before age 55.	31(2)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Whether to “switch on” the 85-year rule for a member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60.	TPSch 2, para 1(2) & 1(1)(f) & R60	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early.	31(5) & TPSch 2, para 2(1)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision
Discretions for member who ceased membership before 1 April 1998		
Grant application for early payment of deferred benefits on or after age 50 on compassionate grounds.	TP3(5A) (vi), TL4, L106 (1)	Durrington Town Council will only exercise this discretion in exceptional circumstances and with the express recommendation of Finance and HR Committee after consideration of the financial implications of that decision