

## **HUMAN RESOURCES POLICY UPDATES**

Presented by the Head of Human Resources

### **EXECUTIVE SUMMARY**

The purpose of this report is to seek Members approval for the revised Retirement Policy and Early Payment of Pension Benefits Policy that have been updated as part of the ongoing review of all the Authority's existing policies. The policies have been updated to take account of legislative changes, best practice and the Authority's business objectives.

### **RECOMMENDATIONS**

Members Recommend to Authority:

- (1) the Retirement Policy attached at Appendix A to this report; and
- (2) the Early Payment of Pension Benefits Policy attached at Appendix B to this report.

### **BACKGROUND**

- 1 The Authority has a register of policies that ensure the organisation works efficiently and consistently towards delivering its Business Strategy. These policies are reviewed to ensure they are relevant and up to date with legislation and best practice.
- 2 There are a number of Human Resources policies and these are currently being updated and will be presented to Members for consideration and approval as and when they are reviewed.
- 3 It should be noted that the Authority implements legislative changes from the date they are introduced; and there may be a time lag between this and the relevant policies being updated.

### **RETIREMENT POLICY**

- 4 A draft of the Retirement Policy is attached at Appendix A of this report for Members' consideration and approval. All changes are highlighted in yellow in the document.

- 5 The Authority as an employer is under a duty to prepare certain discretionary policies under the Local Government Pension Scheme Regulations.
- 6 The Retirement Policy sets out the Authority's approach to the retirement of its employees.
- 7 The Authority recognises the contributions of a diverse workforce, including the skills and experience of older employees and believes that employees should, wherever possible, be permitted to continue working for as long as they wish to do so.

#### **EARLY PAYMENT OF PENSION BENEFITS POLICY**

- 8 A draft of the Early Payment of Pension Benefits Policy is attached at Appendix B of this report for Members' consideration and approval. All changes are highlighted in yellow in the document.
- 9 The Authority as an employer is under a duty to prepare certain discretionary policies under the Local Government Pension Scheme Regulations.
- 10 The aim of this policy is to provide a framework under the Local Government Pension Scheme (LGPS), whereby under the terms of the scheme any provision for early payment of pension benefits is at the discretion of the Authority.

#### **ENVIRONMENTAL IMPLICATIONS**

- 11 There are no environmental implications arising directly from the recommendations in this report.

#### **FINANCIAL IMPLICATIONS**

- 12 There are no financial implications arising directly from the recommendations in this report.

#### **HUMAN RESOURCE IMPLICATIONS**

- 13 The new policies will be communicated to all staff and the Authority will ensure that managers are adequately trained to implement the procedures in accordance with this policy.

#### **LEGAL IMPLICATIONS**

- 14 The legal implications are set out in the body of this report.

#### **RISK MANAGEMENT IMPLICATIONS**

- 15 In line with the Authority's Corporate Risk Register, there is always a potential risk that the Authority fails to recruit/retain staff at all levels of the appropriate calibre.

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**APPENDICES ATTACHED**

Appendix A	Retirement Policy
Appendix B	Early Payment of Pension Benefits Policy

**LIST OF ABBREVIATIONS**

HR	Human Resources
LGPS	Local Government Pension Scheme
LPFA	London Pension Fund Authority

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# Retirement Policy

**November 2022**

Reference: [Version 2]



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**Lee Valley Regional Park Authority,**  
Myddelton House, Bulls Cross,  
Enfield, Middlesex, EN2 9HG

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**i Document Information**

**Title:** Retirement Policy

**Status:** Draft

**Current Version:** v2.00

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<b>Consultation:</b>	Senior Management Team, Policy & Procedure Review Group
<b>Approved</b>	Approved by: Authority Approval Date: January 2023 Review Frequency: Every 5 Years Next Review: January 2028

<b>Version History</b>		
<b>Version</b>	<b>Date</b>	<b>Description</b>
V2	June 2022	Reviewed relevant legislation
V2	June 2022	Updated names and job titles
V2	June 2022	Reviewed and updated relevant policies and procedures

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## **1. Context**

- 1.1 The Authority as an employer is under a duty to prepare certain discretionary policies under the Local Government Pension Scheme Regulations.

## **2. Policy Aims**

- 2.1 The aim of this policy is to set out the Authority's approach to the retirement of its employees.

## **3. Content**

- 3.1 From 6 April 2011 the Authority does not operate a compulsory age of retirement for its employees. The Authority reserves the right to apply an employer justified retirement age if it deems it necessary and appropriate.
- 3.2 The Authority is committed to equality, diversity and inclusion for all its employees.
- 3.3 The Authority is committed to equal treatment and will not withdraw or stop the provision of employee financial benefits solely for reasons related to an employee's age.
- 3.4 The Authority recognises the contributions of a diverse workforce, including the skills and experience of older employees. It believes that employees should, wherever possible, be permitted to continue working for as long as they wish to do so.
- 3.5 The Authority operates a retirement procedure, which outlines the options and processes available to those employees considering retirement.

## **4. Responsibilities**

- 4.1. Employees are responsible for putting any requests to retire in writing to their line manager and the Head of Human Resources. This will initially be considered by the Head of Finance, who will evaluate the financial implications and then an SMT review to evaluate the wider implications of the request.
- 4.2. The Senior Management Team (SMT) are accountable for ensuring that this policy is implemented across the Authority, ensuring it is communicated and understood, translated into practice and enforcing its content

- 4.4. The Human Resources Team are responsible for implementing this policy across the Authority.

## 5. Legal Considerations

- 5.1 The primary legislation that influences this policy is The Employment Rights Act 1996, Equality Act 2010, and Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011 (SI 2011/1069). Regulations became effective from 6 April 2011.
- 5.2 The Local Government Pension Scheme Regulations 2008 and 2014 also influence this policy.

## 6. Relevant Policy & Procedures

- 6.1 This policy operates in conjunction with the following policies, procedures and statements:
- Retirement Procedure
  - Flexible Working Policy & Procedure
  - Early Payment of Pension Benefits Policy
  - Equality, Diversity and Inclusion Policy

## 7. Policy Implementation

- 7.1 This policy will be available on the intranet pages with the supporting documentation. Once the policy has been approved Human Resources will be responsible for ensuring on behalf of the Authority's Senior Management Team that this is carried out.

## 8. Monitoring & Evaluation

- 8.1 The policy will be monitored and evaluated on effectiveness periodically.

## 9. Review

- 9.1 This policy will be reviewed in light of any new legislation/regulations, every five years or whichever is the earlier.

## 10. Glossary of Terms

Term	Definition
LGPS	Local Government Pension Scheme
HR	Human Resources

# Early Payment of Pension Benefits Policy

**November 2022**

Reference: [Version 2]



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**Lee Valley Regional Park Authority,**  
Myddelton House, Bulls Cross,  
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**i Document Information**

**Title:** **Early Payment of Pension Benefits Policy**

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<b>Consultation:</b>	Senior Management Team, Policy & Procedure Review Group
<b>Approved</b>	<b>Approved by:</b> Authority <b>Approval Date:</b> January 2023  <b>Review Frequency:</b> Every 5 Years <b>Next Review:</b> January 2028

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## 1. Context

- 1.1 The Authority as an employer is under a duty to prepare certain discretionary policies under the Local Government Pension Scheme Regulations.

## 2. Policy Aims

- 2.1 The aim of this policy is to provide a framework under the Local Government Pension Scheme (LGPS), whereby under the terms of the scheme any provision for early payment of pension benefits is at the discretion of the Authority.

## 3. Content

- 3.1 A request for early payment of benefits, where there is a cost involved, received from a current employee will be accepted only with the consent of the Authority's Members and only if there is a clear financial or operational advantage for the Authority in so doing.
- 3.2 A request for early payment of deferred benefits other than on grounds of permanent ill-health or compassionate reasons received from a former employee who was last a member of the Fund as an employee at some time after 31<sup>st</sup> March 1998, will be accepted only where there is no financial disadvantage to the Authority.
- 3.3 A request for early payment of deferred benefits on compassionate grounds will be accepted only where the former member of the scheme can clearly demonstrate that they are prevented from working due to the need to care for a dependant. A dependant is defined as a person who relies on another for support and care on a whole time basis (especially financial support) and is therefore unable to take up gainful employment, i.e. partner, spouse, civil partner, child.
- 3.4 Further decisions regarding early payment of deferred benefits are, within the above policy, delegated to the Head of Finance.

## 4. Responsibilities

- 4.1. Employees are responsible for putting any requests to take pension benefits early in writing to their line manager and the Head of Human Resources . This will initially be considered by the Head of Finance who will evaluate the financial implications
- 4.2 Deferred members are responsible for putting any requests to take pension benefits early in writing to the Head of Human Resources. This

will initially be considered by the **Head of Finance** who will evaluate the financial implications

- 4.3. The Senior Management Team are accountable for ensuring that this policy is implemented across the Authority, ensuring it is communicated and understood, translated into practice and enforcing its content
- 4.4. The Human Resources Team are responsible for implementing this policy across the Authority

## **5. Legal Considerations**

- 5.1 The primary legislation that influences this policy is The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007, the Local Government Pension Scheme (Administration) Regulations 2008 and the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 became effective from 1<sup>st</sup> April 2008 and the **Local Government Pension Regulations 2014**.

## **6. Relevant Policy & Procedures**

- 6.1 This policy operates in conjunction with the following policies, procedures and statements:
  - Pension Statement
  - **Retirement Policy & Procedure**
  - **Equality, Diversity and Inclusion Policy**

## **7. Policy Implementation**

- 7.1 This policy will be available on the intranet pages with the supporting documentation. Once the policy has been approved HR will be responsible for ensuring on behalf of the Authority's Senior Management Team that this is carried out.

## **8. Monitoring & Evaluation**

- 8.1 The policy and supporting statement will be monitored and evaluated on effectiveness periodically.



**9. Review**

- 9.1 This policy will be reviewed in light of any new legislation/regulations, every five years or whichever is the earlier.

**10. Glossary of Terms**

<b>Term</b>	<b>Definition</b>
Deferred Benefits	When an employee leaves the Authority and they leave their accrued benefits in the LGPS. Their pension and lump sum will be calculated using the length of their total membership up to the date that they left the Scheme.

**Appendix B**

**PENSION STATEMENT**

The Lee Valley Regional Park Authority (LVRPA) offers the Local Government Pension Scheme (LGPS) to all its employees. Currently, the scheme is administered by the London Pension Fund Authority (LPFA).

Commencing on 1 April 2008 a number of major statutory changes to all Local Government Pension Schemes came into effect. Included in the changes were varied contribution rates for employees based upon annual pensionable pay. Details of the contribution bandings are available on the Authority's Intranet or from the LPFA website.

For the purpose of clarity on the LPFA regulations with regard to salary changes, this statement gives details of the Authority's calculation of the employee's pension contribution banding in such circumstances.

**Salary Increases**

When salary increases occur between 1 April and 31 March, i.e. during the financial year, any resulting banding changes will be applicable **from the effective date of the salary change**. This applies to incremental awards, re-gradings and annual pay awards.

**One-Off Payments**

Additional payments to employees which are made as a one-off, for example reward for completion of a significant project **will not be used in the calculation of pensionable pay**.

**Additional Monthly Payments**

When an employee is awarded an Additional Monthly Payment to take on additional duties for a number of months or as a market supplement, the increased pension contribution rate **will apply** if the sum of the Acting-Up payments during the year and the salary mean that the next pension contribution banding is relevant.

The increased pension contribution will be applicable from the date of commencement of the Additional Monthly payment.

When the Additional Monthly payment ceases, an evaluation of the total pensionable pay for that financial year will take place to re-assess the pension contribution percentage banding.

**Appeals Procedure**

The intention is that all employee queries about the assignment of pension contribution rates will be dealt with by the Payroll section initially. However, if any queries are not concluded to the employee's satisfaction then an appeal may be submitted against the contribution rate, in line with the Local Government Pension Scheme Appeal Procedure. A copy of this Appeal Procedure is available on the intranet.

**Transfer of Deferred Benefits**

The opportunity for employees of the Authority to transfer pension benefits from another pension scheme into the Local Government Pension Scheme will only be permitted within the first year of employment.

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