

**Cambridge City Council
Local Government Pension Scheme
Employers Discretions**

Draft LGPS Pension Discretions 2019

Purpose

To allow Cambridge City Council to comply with its duties within the Local Government Pension Scheme Regulations, by ensuring that the Council has a published Statement of Policy covering the certain discretionary powers available to the Council.

Regulations Covered

The Councils Discretions policy addresses current employer discretions within the following regulations:

- The Local Government Pension Scheme Regulations 2013
- The Local Government Pension Scheme Regulations (Transitional Provisions, Savings and Amendment) Regulations 2014
- The Local Government Pension Scheme (Administration) Regulations 2008
- The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007
- The Local Government Pension Scheme (Transitional Provisions) Regulations 2008
- The Local Government Pension Scheme Regulations 1997
- The Local Government Pension Scheme Regulations 1995
- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006
- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000
- The Local Government (Discretionary Payments)(Injury Allowances) Regulations 2011

Monitoring & Review

Council officers will review this statement every 3 years and / or in line with changes to the Local Government Pension Scheme (LGPS) as advised by the Local Government Pensions Committee (LGPC) and the Administering

Authority (Cambridgeshire County Council). Any recommended changes will go before Members for approval.

The operation and effectiveness of this statement will be monitored by Head of Human Resources, with a view to addressing any issues identified and agreeing improvements. The Trades Unions will be consulted about any proposals.

Regulations Key and Timeline

- Discretions from 1.4.14 in relation to post 31.3.14 active members (excluding councillor members) and post 31.3.14 leavers (excluding councillor members), being discretions under:
 - the Local Government Pension Scheme Regulations 2013 [**prefix R**]
 - the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 [**prefix TP**]
 - the Local Government Pension Scheme (Administration) Regulations 2008 [**prefix A**]
 - the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 [**prefix B**]
 - the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [**prefix T**]
 - the Local Government Pension Scheme Regulations 1997 [**prefix L**]
 - Discretions in relation to scheme members (excluding councillor members) who ceased active membership on or after 1.4.08 and before 1.4.14, being discretions under:
 - the Local Government Pension Scheme (Administration) Regulations 2008 [**prefix A**]
 - the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 [**prefix B**]
 - the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [**prefix T**]
 - the Local Government Pension Scheme Regulations 1997 [**prefix L**]
 - Discretions under the Local Government Pension Scheme Regulations 1997 in relation to active councillor members and any other scheme members who ceased active membership on or after 1.4.98 and before 1.4.08 [**Prefix C**]
 - Discretions under the Local Government Pension Scheme Regulations 1995 in relation to scheme members who ceased active membership before 1.4.98 [**Prefix D**]
 - Discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 [**Prefix E**]
 - Discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 [**Prefix ET**]
- * *These employer discretions are subject to a written policy under Local Government Pension Regulations*

Key to Type of Discretion

Membership, Aggregation & Contribution Discretions	Membership
Additional Membership Benefits; Augmentation & Final Pay	Additional Benefits
Extension of Time Limits	Time Limits
Recovery and forfeiture of Contributions (Criminal Offences, Fraud & Misconduct)	Recovery & Forfeiture
Types of Retirement (Early Payment, Flexible Retirement & Actuarial Reduction)	Retirement
Ill Health	Ill Health
Redundancy	Redundancy
Apportioning Compensatory Added Years	Added Years

Discretions from 1.4.14. in relation to post 31.3.14. active members (excluding councillor members) and post 31.3.14. leavers (excluding councillor members), being discretions under:

- **the Local Government Pension Scheme Regulations 2013 [prefix R]**
- **the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 [prefix TP]**
- **the Local Government Pension Scheme (Administration) Regulations 2008 [prefix A]**
- **the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 [prefix B]**
- **the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [prefix T]**
- **the Local Government Pension Scheme Regulations 1997 [prefix L]**

<u>No.</u>	<u>Discretion</u>	<u>Regulation</u>	<u>Cambridge City Council Discretion</u>	<u>Type of Discretion</u>
1.	Determine rate of	R9(1) &	CCC has a position statement, which details how it will	

	employees' contributions	R9(3)	determine employee contribution rates; the statement has been agreed with the Trade Unions and communicated to employees. This will be reviewed on a regular basis and is published on the Council's Intranet.	Membership
2.	Whether, how much, and in what circumstances to contribute to a shared cost APC scheme	R16(2)(e)* & R16(4)(d)*	<p>Cambridge City Council will only contribute to a shared cost APC where:</p> <ul style="list-style-type: none"> -an active member returns from a period of authorised unpaid leave of absence (otherwise than by reason of illness or injury, ordinary maternity leave, paternity leave, ordinary adoption leave or reserve forces service leave) -the member does not, within 30 days of returning from the leave of absence, make an election to buy-back the whole of the amount of pension 'lost; during the that period of leave of absence -the member subsequently makes an election to do so and it can be demonstrated that the reason for the member missing the original 30 day deadline was because the member had not been made aware of that deadline -the election is made no more than 6 months after the member returns from the period of leave of absence or such longer period as Cambridge City Council may deem reasonable in any individual case. <p>A decision on whether the member meets all of the above criteria (and on whether the 6 month period referred to should be extended in any individual case) will be taken by the Head of Human Resources and where it is agreed that the</p>	Additional Benefits

			conditions are met, Cambridge City Council will contribute 2/3rds of the cost of buying back the 'lost' pension via a SCAPC.	
3.	Whether, how much, and in what circumstances to contribute to shared cost AVC arrangements entered into before, on or after 1/4/14	R17(1) & definition of SCAVC in RSch 1 & TP15(2A)	Cambridge City Council will not enter into a shared cost AVC arrangement.	Additional Benefits
4.	Allow late application to convert scheme AVCs into membership credit i.e. allow application more than 30 days after cessation of active membership (where AVC arrangement was entered into before 13/11/01)	TP15(2A)(b) & TP15(1)(b) & L66(8) & former L66(9)(b)	An extension of the time limit will only be granted where the member has not been notified of the potential additional service that may be purchased. Where this is the case CCC will extend the time limit to one month from the date of notification of the potential service credit	Time Limits
5.	No right to return of contributions if member left due to offence of a fraudulent character or grave misconduct unless employer directs a total or partial refund is to be made	R19(2)	Cambridge City Council will direct a refund of contributions less any debt owed to the Council by the member.	Recovery & Forfeiture
6.	Specify in an employee's	R20(1)(b)	CCC does not provide any payments or benefits deemed	

	contract what other payments or benefits, other than those specified in R20(1)(a) and not otherwise precluded by R20(2), are to be pensionable		pensionable, outside those determined in R20(1)(a) which states " <i>all the salary, wages, fees and other payments paid to the employee</i> " with the exception of Salary Sacrifice schemes. A document entitled what is pensionable pay is published on the Council's intranet.	Membership
7.	In determining Assumed Pensionable Pay for a member who is not a returning officer in receipt of fees, whether a lump sum payment made in the previous 12 months is a "regular lump sum"	R21(5)	In assessing Assumed Pensionable Pay (APP) for a member who is not a returning officer in receipt of fees Cambridge City Council will not include in the calculation any regular lump sum payments.	Membership
8.	In determining Assumed Pensionable Pay (APP) for a member who is not a returning officer in receipt of fees, whether to substitute for the pensionable pay (including any APP) the member received (ignoring any lump sum payments) in the 3 months (or 12 weeks if	R21(5A) and (5B)	In determining Assumed Pensionable Pay (APP) for a member who is not a returning officer in receipt of fees Cambridge City Council will not substitute for the pensionable pay (including any APP) the member received (ignoring any lump sum payments) in the 3 months (or 12 weeks if paid other than monthly) used to calculate APP, a more representative, higher, level of pensionable pay if, having regard to the level of pensionable pay the member received in the previous 12 months, Cambridge City Council is of the view that the pensionable pay (including any assumed pensionable pay) the member received (ignoring any lump sum payments) in the aforementioned 3 month or 12 week period was	Membership

	<p>paid other than monthly) used to calculate APP, a higher level of pensionable pay if, having regard to the level of pensionable pay the member received in the previous 12 months, the Council is of the view that the pensionable pay (including any APP) the member received (ignoring any lump sum payments) in the aforementioned 3 month or 12 week period was materially less than what it would normally have been</p>		<p>materially less than what it would normally have been.</p>	
9.	<p>Whether to extend the 12 month option period for a member to elect that deferred LGPS benefits in England or Wales arising from:</p> <ul style="list-style-type: none"> the cessation of employment after 31st 	R22(8)(b)	<p>Cambridge City Council will extend the 12 months period:</p> <p>a) where the Head of Human Resources agrees that the available evidence indicates the member had not been informed of the 12 month time limit due to maladministration</p> <p>b) where the Head of Human Resources agrees that the available evidence indicates the member had made an</p>	Time Limits

<p>March 2014, or</p> <ul style="list-style-type: none"> • opting out of membership of the Scheme after 31st March 2014 but before 11th April 2015 <p>should not be aggregated with, respectively:</p> <ul style="list-style-type: none"> • their membership in a <u>new</u> employment, or • their new period of membership upon opting back into membership of the Scheme <p><i>Notes:</i></p> <ul style="list-style-type: none"> - <i>the 12 month period begins from the date the person joins the Scheme in the new employment / re-joins the Scheme upon opting back into membership of the Scheme</i> 		<p>election within 12 months of joining the LGPS but the election was not received by the appropriate administering authority (e.g. the election form was lost in the post)</p> <p>c) the member has pre 1 April 2014 membership and the Head of Human Resources agrees the available evidence indicates that, due to maladministration, the member had not been informed of the implications of having benefits aggregated and would, in consequence, suffer a detriment to their pension benefits (for example, where member's whole-time equivalent pensionable pay on commencing with CCC is, in real terms after allowing for inflation, significantly less than the whole-time equivalent pensionable pay upon which the deferred benefits were calculated).</p>	
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	<p>- the deferred benefits for a person who opt out of membership on or after 11th April 2015 are automatically kept separate and cannot be aggregated with benefits built up after re-joining the Scheme.</p>			
10.	<p>Whether to extend the 12 month option period for a member to elect that deferred LGPS benefits in England or Wales arising from the cessation of a concurrent employment after 31st March 2014 should not be aggregated with an ongoing concurrent employment</p> <p><i>Note: the 12 month period begins from the date the</i></p>	R22(7)(b)	<p>Cambridge City Council will extend the 12 months period:</p> <p>a) where the Head of Human Resources agrees that the available evidence indicates the member had not been informed of the 12 month time limit due to maladministration</p> <p>b) where the Head of Human Resources agrees that the available evidence indicates the member had made an election within 12 months of joining the LGPS but the election was not received by the appropriate administering authority (e.g. the election form was lost in the post)</p> <p>c) the member has pre 1 April 2014 membership and the Head of Human Resources agrees the available evidence indicates that, due to maladministration, the member had</p>	Time Limits

	<p><i>concurrent employment ceased</i></p>		<p>not been informed of the implications of having benefits aggregated and would, in consequence, suffer a detriment to their pension benefits (for example, where member's whole-time equivalent pensionable pay on commencing with CCC is, in real terms after allowing for inflation, significantly less than the whole-time equivalent pensionable pay upon which the deferred benefits were calculated).</p>	
<p>11.</p>	<p>Whether to extend the 12 month time limit within which a scheme member who:</p> <ul style="list-style-type: none"> • re-joined the Scheme on or after 14th May 2018, • has a deferred LGPS benefit in England or Wales as a result of either the cessation of an employment prior to 1st April 2014, or an election to opt out of membership of the Scheme prior to 1st April 2014, or the 	<p>TP10(6)</p>	<p>Cambridge City Council will only extend the 12 month time limit within which a scheme member who:</p> <ul style="list-style-type: none"> • has a deferred LGPS benefit in England or Wales as a result of the cessation of an employment prior to 1st April 2014, or an election to opt out of membership of the Scheme prior to 1st April 2014, or the cessation of a concurrent employment prior to 1st April 2014, and • has not made an election to be treated as if they had been a member of the Scheme on 31st March 2014 and 1st April 2014 <p>Cambridge City Council may elect to aggregate the deferred benefit with the new period of membership and use the value of the deferred benefit to purchase an amount of earned pension in their CARE pension account in the following circumstances:</p> <p>a) where the Head of Human Resources agrees that</p>	<p>Time Limits</p>

<p>cessation of a concurrent employment prior to 1st April 2014, and</p> <ul style="list-style-type: none"> • has not made an election to be treated as if they had been a member of the Scheme on 31st March 2014 and 1st April 2014 <p><i>Notes:</i></p> <ul style="list-style-type: none"> - <i>the 12 month period begins from the date the person re-joins the Scheme in the new employment / re-joins the Scheme upon opting back into membership of the Scheme</i> - <i>members who:</i> • <i>re-joined the Scheme</i> 		<p>the available evidence indicates the member had not been informed of the 12 month time limit due to maladministration; or</p> <p>b) where the Head of Human Resources agrees that the available evidence indicates the member had made an election within the required 12 month period but the election was not received by the Pension Fund administering authority (e.g. the election form was lost in the post).</p>	
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between 1st April 2014 and 13th May 2018,

- *have a deferred LGPS benefit in England or Wales as a result of either the cessation of an employment prior to 1st April 2014, or an election to opt out of membership of the Scheme prior to 1st April 2014, or the cessation of a concurrent employment prior to 1st April 2014, and*
- *have not made an election to be treated as if they had been a member of the Scheme on 31st March 2014 and 1st April 2014*

have the right to make an election more than 12

	<i>months after re-joining the Scheme for so long as they are an active member.</i>			
12.	Whether all or some benefits can be paid if an employee aged 55 or over reduces their hours or grade (flexible retirement)	R30(6)* & TP11(2)	CCC has issued a Flexible Retirement Policy, which is available to all employees. The Flexible Retirement Policy is published on the Council's intranet. Where flexible retirement has been granted, employees are required to take all accrued benefits to date.	Retirement
13.	Whether to waive, in whole or in part, any actuarial reduction on benefits paid on flexible retirement	R30(8)*	CCC does not waive, in whole or in part, any actuarial reduction on benefits paid upon flexible retirement except where it considers it is in its financial or operational interests to do so. Each case will be considered on the merits of the financial and / or operational business case put forward and will require the approval of the Head of Human Resources including, where the reduction is only to be waved in part. The Council's flexible retirement policy is published on the Council's intranet.	Retirement
14.	Whether to waive, in whole or in part, actuarial reduction on benefits which a deferred member or suspended Tier 3 ill-health pensioner	R30(8)*	Cambridge City Council will not agree to waive actuarial reduction where members choose to voluntarily draw their benefits on or after age 55 and before normal pension age except in circumstances where Cambridge City Council considers it is in its financial or operational interests to do so or there are compelling compassionate reasons for doing so.	Retirement

	voluntarily draws before normal pension age (where the member only has post 31/3/14 membership).		Each case: Will be considered on the merits of the financial and/ or operational business case put forward, or Will be considered on the merits of the compassionate case put forward, and Will require the approval of the Head of Human Resources	
15.	Whether to “switch on” the 85 year rule for an active member voluntarily retiring and drawing benefits on or after age 55 and before age 60.	TPSch paras 1(1)(c) and 2(2)*	2, and Cambridge City Council will not agree to switch the 85 year rule on where members chose to voluntarily draw their benefits on or after age 55 and before age 60 except in circumstances where Cambridge City Council considers it is in the financial or operational interests to do so. Each case: - will be considered on the merits of the financial and/ or operational business case put forward, and will require the approval of the Head of Human Resources	Retirement
16.	Whether to “switch on” the 85 year rule for a member voluntarily drawing deferred benefits on or after age 55 and before age 60.	TPSch paras 1(1)(c) and 2(2)*	2, and Cambridge City Council will not agree to switch the 85 year rule on where members chose to voluntarily draw their deferred benefits on or after age 55 and before age 60 except in circumstances where Cambridge City Council considers it is in the financial or operational interests to do so. Each case: - will be considered on the merits of the financial and/ or	Retirement

	<p><i>Note: There would be no financial or operational business case for agreeing to a request from a deferred member to apply the 85 year rule. An application for removal of any actuarial reduction on compassionate grounds is dealt with under discretion 17 below.</i></p>		<p>operational business case put forward, and will require the approval of the Head of Human Resources.</p>	
17.	<p>Whether to waive any actuarial reduction on a deferred member's pre and/or post April 2014 benefits (where the member has pre and post April 2014 membership).</p>	<p>TP3(1), TPSch 2, paras 2(1) and 2(2), B30(5) and B30A(5)*</p>	<p>Cambridge City Council will not agree</p> <ul style="list-style-type: none"> - to waive on compassionate grounds any reduction on pre 1 April 2014 benefits for Group 3 or 4 members, on pre 1 April 2016 benefits for Group 1 members, or on pre 1 April 2020 benefits for Group 2 members, and / or - to waive in whole or in part on any grounds (including compassionate grounds) any reduction on post 31 March 2014 benefits for Group 3 or 4 members, on post 31 March 2016 benefits for Group 1 members, or on post 31 March 2020 benefits for Group 2 members <p>where members choose to voluntarily draw their benefits on or after age 55 and before Normal Pension Age except in circumstances where Cambridge City Council considers it is in its financial or operational interests to do so or there are</p>	<p>Retirement</p>

compelling compassionate reasons for doing so.

Each case will

- be considered on the merits of the financial and / or operational business case put forward, or
- be considered on the merits of the compassionate case put forward, and
- require the approval of the Head of Human Resources.

Group 1 members are members who were members of the LGPS before 1 October 2006 and will be 60 or more on 31 March 2016.

Group 2 members are members who were members of the LGPS before 1 October 2006 and will not be 60 or more on 31 March 2016 but will attain age 60 between 1 April 2016 and 31 March 2020.

Group 3 members are members who were members of the LGPS before 1 October 2006 and will not be 60 or more on 31 March 2016 and will not attain age 60 between 1 April 2016 and 31 March 2020.

Group 4 members are members who were not members of the LGPS before 1 October 2006.

18.	<p>Whether to “switch on” the 85 year rule for a member voluntarily drawing a suspended Tier 3 ill-health pension on or after age 55 and before age 60.</p> <p><i>Note: There would be no financial or operational business case for agreeing to a request from a suspended Tier 3 ill-health pensioner to apply the 85 year rule. An application for removal of any actuarial reduction on compassionate grounds is dealt with under discretion 19 below.</i></p>	<p>TPSch 2, paras 1(1)(c) and 2(2)*</p>	<p>Cambridge City Council will not agree to switch the 85 year rule on where members chose to voluntarily draw their suspended Tier 3 ill-health pension on or after age 55 and before age 60 except in circumstances where Cambridge City Council considers it is in the financial or operational interests to do so.</p> <p>Each case:</p> <ul style="list-style-type: none"> - will be considered on the merits of the financial and/ or operational business case put forward, and will require the approval of the Head of Human Resources. 	Retirement
19.	<p>Whether to waive any actuarial reduction on a suspended Tier 3 ill-health pensioner’s pre and/or post April 2014 benefits (where the</p>	<p>TP3(1), TPsch 2, paras 2(1) and 2(2), B30A(5)*</p>	<p>Cambridge City Council will not agree</p> <ul style="list-style-type: none"> - to waive on compassionate grounds any reduction on pre 1 April 2014 benefits for Group 3 or 4 members, on pre 1 April 2016 benefits for Group 1 members, or on pre 1 April 2020 benefits for Group 2 members, and / or - to waive in whole or in part on any grounds (including 	Retirement

	<p>member has pre and post April 2014 membership).</p>	<p>compassionate grounds) any reduction on post 31 March 2014 benefits for Group 3 or 4 members, on post 31 March 2016 benefits for Group 1 members, or on post 31 March 2020 benefits for Group 2 members</p> <p>where members choose to voluntarily draw their benefits on or after age 55 and before Normal Pension Age except in circumstances where Cambridge City Council considers it is in its financial or operational interests to do so or there are compelling compassionate reasons for doing so.</p> <p>Each case will</p> <ul style="list-style-type: none"> · be considered on the merits of the financial and / or operational business case put forward, or · be considered on the merits of the compassionate case put forward, and · require the approval of the Head of Human Resources. <p>Group 1 members are members who were members of the LGPS before 1 October 2006 and will be 60 or more on 31 March 2016.</p> <p>Group 2 members are members who were members of the LGPS before 1 October 2006 and will not be 60 or more on 31 March 2016 but will attain age 60 between 1 April 2016 and</p>	
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			<p>31 March 2020.</p> <p>Group 3 members are members who were members of the LGPS before 1 October 2006 and will not be 60 or more on 31 March 2016 and will not attain age 60 between 1 April 2016 and 31 March 2020.</p> <p>Group 4 members are members who were not members of the LGPS before 1 October 2006.</p>	
20.	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 £6,822 p.a. – figure as at 1 st April 2018)	R31*	Cambridge City Council will not make use of the discretion to grant extra annual pension of up to £6,822 (as at 1 st April 2018) to an active scheme member or within 6 months of leaving to a member whose employment is terminated on the grounds of redundancy or business efficiency.	Additional Benefits
21.	Determine whether person in receipt of Tier 3 ill health pension has started gainful employment	R37(3) & (4)	Cambridge City Council will make this determination in accordance with the available evidence, the requirements of the LGPS Regulations 2013 and any statutory guidance issued by the Secretary of State.	Ill Health
22.	Whether to recover any overpaid Tier 3 pension	R37(3)	Cambridge City Council will recover any overpaid Tier 3 pension following commencement of gainful employment.	Ill Health

	following commencement of gainful employment			
23.	<p>Whether to agree to a written request for early payment of benefits (i.e. before Normal Pension Age) from:</p> <ul style="list-style-type: none"> a member with a deferred benefit who, because of ill-health or infirmity of mind or body, has become permanently incapable of discharging efficiently the duties of the employment they were engaged in at the date they became a deferred member and who is, as a result, unlikely to be capable of undertaking gainful employment before reaching Normal Pension Age, or for at 	R38	<p>Cambridge City Council will, other than in exceptional circumstances, agree to a written request for early payment of benefits (i.e. before Normal Pension Age) from:</p> <ul style="list-style-type: none"> a member with a deferred benefit who, because of ill-health or infirmity of mind or body, has become permanently incapable of discharging efficiently the duties of the employment they were engaged in at the date they became a deferred member and who is, as a result, unlikely to be capable of undertaking gainful employment before reaching Normal Pension Age, or for at least 3 years, whichever is the sooner, or a member with a suspended Tier 3 ill-health pension who, because of ill-health or infirmity of mind or body, is unlikely to be capable of undertaking gainful employment before Normal Pension Age. 	Ill Health

	<p>least 3 years, whichever is the sooner, or</p> <ul style="list-style-type: none"> a member with a suspended Tier 3 ill-health pension who, because of ill-health or infirmity of mind or body, is unlikely to be capable of undertaking gainful employment before normal pension age 			
24.	Whether to apply to Secretary of State for a forfeiture certificate (where member is convicted of a relevant offence)	R91(1) & (8)	Where appropriate Cambridge City Council will apply for a certificate	Recovery & Forfeiture
25.	Where forfeiture certificate is issued, whether to direct that benefits are to be forfeited (other than rights	R91(4)	If a forfeiture certificate is issued by the Secretary of State it will be applied against the member's pension rights (i.e. the rights should be forfeited)	Recovery & Forfeiture

	to GMP – but see R95 below)			
26.	Where forfeiture certificate is issued, whether to direct interim payments out of Pension Fund until decision is taken to either apply the certificate or to pay benefits	R92(1) & (2)	In line with decisions under Regulations R91(1) and 91(4) there will be no need for the Council to decide whether or not to make interim payments	Recovery & Forfeiture
27.	Whether to recover from Fund any monetary obligation or, if less, the value of the member's benefits (other than benefits from transferred in pension rights or APCs or AVCs or, subject to R95 below, in respect of any GMP) where the obligation was incurred as a result of a grave misconduct or a criminal, negligent or fraudulent act or omission in connection with the employment and as a result of which the	R93(2)	The Council will make the appropriate recovery and reduce the member's pensions rights accordingly where the member has not made good the debt	Recovery & Forfeiture

	person has left employment			
28.	Whether, if the member has committed treason or been imprisoned for at least 10 years for one or more offences under the Official Secrets Acts, forfeiture under R91 or recovery of a monetary obligation under R93 should deprive the member or the member's surviving spouse or civil partner of any GMP entitlement	R95	The Council will apply forfeiture to, or recover the monetary obligation from, the relevant benefits (including from the GMP entitlement), where a member has committed treason or been imprisoned for at least 10 years for one or more offences under the Official Secrets Acts.	Recovery & Forfeiture
29.	Agree to bulk transfer payment <i>Note: This regulation relates to transfer of undertakings where 2 or more members' active membership ends on their joining a different registered pension scheme.</i>	R98(1)(b)	Cambridge City Council will determine each case on its merits.	Membership

30.	Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS	R100(6)	<p>Subject to the agreement of the relevant administering authority in any individual case, Cambridge City Council will extend the 12 months period:</p> <ul style="list-style-type: none"> a) Where the member asked for transfer investigations to be commenced within 12 months of joining the LGPS but a quotation of what the transfer value will purchase in the LGPS has not been offered to the member within 11 months of joining the LGPS. The time limit for such a member to make a formal election to transfer pension rights into the LGPS will be extended to one month beyond the date of the letter issued by the appropriate administering authority providing the scheme member with a quotation of what the transfer value will purchase in the LGPS; b) Where the Head of Human Resources agrees that the available evidence indicates the member had not been informed of the 12 month time limit due to maladministration; or c) Where the Head of Human Resources agrees that the available evidence indicates the member had made an election within 12 months of joining the LGPS but the election was not received by the appropriate administering body (e.g. the election form was lost in the post) 	Time Limits
31.	Whether to allow a member to select final pay period for fees to be	TP3(6), TP4(6)(c), TP8(4),	CCC will allow members to select final pay period for fees to be any 3 consecutive years ending 31 st March in the 10 years prior to leaving, subject to the approval of the nominated	Additional Benefits

	<p>any 3 consecutive years ending 31st March in the 10 years prior to leaving</p> <p><i>Note: This discretion specifically relates to variable time employees where pay includes fee e.g. Returning Officer</i></p>	<p>TP10(2)(a), TP17(2)(b) & B11(2)</p>	<p>person as defined in the Council's constitution.</p>	
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Discretions in relation to scheme members (excluding councillor members) who ceased active membership on or after 1.4.08. and before 1.4.14., being discretions under:

- the Local Government Pension Scheme (Administration) Regulations 2008 [prefix A]
- the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 [prefix B]
- the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [prefix T]
- the Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014 [prefix TP]
- the Local Government Pension Scheme Regulations 2013 [prefix R]
- the Local Government Pension Scheme Regulations 1997 [prefix L]

	<u>Discretion</u>	<u>Regulation</u>	<u>Cambridge City Council Discretion</u>	
32.	<p>Allow late application to convert scheme AVCs into membership credit i.e. allow application more than 30 days after</p>	<p>TP3(1) TP15(2A)(b) & TSch1 L66(8) & former</p>	<p>An extension of the time limit will only be granted where the member has not been notified of the potential additional service that may be purchased. Where this is the case CCC will extend the time limit to one month from the date of notification of the potential service credit.</p>	Time Limits

	cessation of active membership	L66(9)(b)			
33.	No right to return of contributions due to offence of a fraudulent character or grave misconduct unless employer directs a total or partial refund is to be made	TP3(1) & A47(2)	&	Cambridge City Council will direct a refund of contributions less any debt owed to the Council by the member (see Reg A76 (2) and (3))	Recovery & Forfeiture
34.	Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions can be recovered from the Pension Fund	TP3(1) & A49(1) (2)	& &	The balance is recovered from the fund. In practice this is achieved by the administering authority paying the CEP out of the fund direct to the relevant government departments on behalf of the employer.	Membership
35.	Whether to apply to Secretary of State for a forfeiture certificate (where member is convicted of a relevant offence)	TP3(1) & A72(1) (6)	& &	Where appropriate the Council will apply for a certificate	Recovery & Forfeiture
36.	Where forfeiture certificate is issued, whether to direct that benefits are to be	TP3(1) & A72(3)	&	If a forfeiture certificate is issued by the Secretary of State it will be applied against the member's pension rights (i.e. the rights should be forfeited)	Recovery & Forfeiture

	forfeited			
37.	Where forfeiture certificate is issued, whether to direct interim payments out of Pension Fund until decision is taken to either apply the certificate or to pay benefits	A7 TP3(1) & 3(1) & (2)	In line with decisions under Regulations A72(1) and 72(3) there will be no need for the Council to decide whether or not to make interim payments.	Recovery & Forfeiture
38.	Whether to recover from Fund any monetary obligation or, if less, the value of the member's benefits (other than transferred in pension rights or AVCs/SCAVCs) where the obligation was incurred as a result of a criminal, negligent or fraudulent act or omission in connection with the employment and as a result of which the person has left employment	A TP3(1) & 74(2)	The Council will make the appropriate recovery and reduce the member's pension rights accordingly where the member has not made good the debt.	Recovery & Forfeiture
39.	Whether to recover from Fund any financial loss caused by fraudulent	TP3(1) & A76(2) & (3)	The Council will make the appropriate recovery from the pension fund where the member has not made good the debt.	Recovery & Forfeiture

	offence or grave misconduct of employee (who has left because of that), or amount of refund if less			
40.	<p>Whether to allow a member to select final pay period for fees to be any 3 consecutive years ending 31st March in the 10 years prior to leaving.</p> <p><i>Note: This discretion specifically relates to variable time employees where pay includes fee e.g. Returning Officer</i></p>	B TP3(1) & 11(2)	CCC will allow members to select final pay period for fees to be any 3 consecutive years ending 31 st March in the 10 years prior to leaving, subject to the approval of the nominated person as defined in the Council's constitution.	Additional Benefits
41.	<p>Whether to "switch on" the 85 year rule for a member voluntarily drawing deferred benefits on or after age 55 and before age 60.</p> <p><i>Note: There would be no financial or operational business case for</i></p>	TP3(1) & TPSched 2 paras 1(1)(aa), 1(1)(c) & 2(2) & B30(2)*	<p>Cambridge City Council will not agree to switch the 85 year rule on where members chose to voluntarily draw their deferred benefits on or after age 55 and before age 60 except in circumstances where Cambridge City Council considers it is in the financial or operational interests to do so.</p> <p>Each case:</p> <ul style="list-style-type: none"> - will be considered on the merits of the financial and/ or operational business case put forward, and will require the approval of the Head of Human Resources. 	Retirement

	<i>agreeing to a request from a deferred member to apply the 85 year rule. The member may be seeking to avoid an actuarial reduction for early payment on compassionate grounds, in which case the matter will be dealt with under discretion 42 below instead.</i>			
42.	Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30	B TP3(1) & 30(5)*	Each case will be considered on its merits and will be subject to the approval of the Head of Human Resources.	Retirement
43.	Whether to “switch on” the 85 year rule for a member voluntarily drawing a suspended Tier 3 ill-health pension on or after age 55 and before age 60.	TP3(1) & TPSched 2 paras 1(1)(aa), 1(1)(c) & 2(2) & B30A(3)*	Cambridge City Council will not agree to switch the 85 year rule on where members chose to voluntarily draw their suspended Tier 3 ill-health pension on or after age 55 and before age 60 except in circumstances where Cambridge City Council considers it is in the financial or operational interests to do so. Each case: - will be considered on the merits of the financial and/ or operational business case put forward, and	Retirement

			will require the approval of the Head of Human Resources.	
44.	Whether to waive, on compassionate grounds, the actuarial reduction applied to suspended Tier 3 ill-health pension benefits paid early under B30A	TP3(1) & B30A(5)*	Each case will be considered on its merits and will be subject to the approval of the Head of Human Resources.	Retirement
45.	Whether to agree to a written request for early payment of benefits (i.e. before Normal Retirement Age) from: <ul style="list-style-type: none"> a member with a deferred benefit who, because of ill-health or infirmity of mind or body, has become permanently incapable of discharging efficiently the duties of the employment they were engaged in at the date they became a deferred member and who has, as a result, a 	TP3(1) & B31(4) & B31(7)	Cambridge City Council will, other than in exceptional circumstances, agree to a written request for early payment of benefits (i.e. before Normal Retirement Age) from: <ul style="list-style-type: none"> a member with a deferred benefit who, because of ill-health or infirmity of mind or body, has become permanently incapable of discharging efficiently the duties of the employment they were engaged in at the date they became a deferred member and who has, as a result, a reduced likelihood of being capable of undertaking any gainful employment before reaching Normal Retirement Age, or for at least 3 years, whichever is the sooner, or a member with a suspended Tier 3 ill-health pension who has become permanently incapable of undertaking any gainful employment 	Ill Health

	<p>reduced likelihood of being capable of undertaking any gainful employment before reaching Normal Retirement Age, or for at least 3 years, whichever is the sooner, or</p> <ul style="list-style-type: none"> • a member with a suspended Tier 3 ill-health pension who has become permanently incapable of undertaking any gainful employment 			
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* These are matters about which the regulations require there must be a written policy.

Discretions under the Local Government Pension Scheme Regulations 1997 in relation to:

- a) active councillor members, and**
- b) councillor members who ceased active membership on or after 1.4.98., and**
- c) any other scheme members who ceased active membership on or after 1.4.98. and before 1.4.08.**

	<u>Discretion</u>	<u>Regulation</u>	<u>Cambridge City Council Discretion</u>	
46.	Grant application for early payment of deferred benefits on or after age 50 and before age 55.	TP3(1) & C31(2)*	CCC will consider each case on its own merits.	Retirement
47.	Whether to “switch on” the 85 year rule for a member voluntarily drawing deferred benefits on or after age 55 and before age 60. <i>Note: There would be no financial or operational business case for agreeing to a request from a deferred member to apply the 85 year rule. An application for removal of any actuarial reduction on compassionate grounds is dealt with under discretion 48 below.</i>	TP3(1) & TPSched 2 para 1(1)(f)	Cambridge City Council will not agree to switch the 85 year rule on where members chose to voluntarily draw their benefits on or after age 55 and before age 60 except in exceptional circumstances. Each case - will be considered on the merits of the case put forward, and - will require the approval of the Head of Human Resources. Cambridge City Council will not agree to switch the 85 year rule on where members chose to voluntarily draw their deferred benefits on or after age 55 and before age 60 except in circumstances where Cambridge City Council considers it is in the financial or operational interests to do so. Each case: - will be considered on the merits of the financial and/ or operational business case put forward, and will require the approval of the Head of Human Resources.	Retirement
48.	Waive, on compassionate grounds,	TP3(1) & TPSched 2	CCC will consider each case on its own merits.	Retirement

	the actuarial reduction applied to deferred benefits paid early	para 2(1) & C31(5)*		
49.	Pre 1.4.08. employee optants out only to get benefits paid from normal retirement date (NRD) if employer agrees	TP3(1) & C31(7A) & C35(1)*	CCC will not pay until the pre 1.4.08 employee ceases the job they opted out from.	Retirement
50.	Decide, in the absence of an election from the member within 3 months of being able to elect, which benefit is to be paid where the member would be entitled to a pension or retirement grant under 2 or more regulations in respect of the same period of Scheme membership	TP3(1) & C34(1)(b)	Where a member has not made an election within 3 months the Council will apply whichever is deemed the more beneficial provision.	Retirement
51.	No right to return of contributions due to offence of a fraudulent character unless employer directs a total or partial refund is to be made	TP3(1) & C88(2)	Cambridge City Council will direct a refund of contributions less any debt owed to the Council by the member	Recovery & Forfeiture

52.	Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions can be recovered from the Pension Fund	TP3(1) & C92	The balance is recovered from the fund. In practice this is achieved by the administering authority paying the CEP out of the fund direct to the relevant government departments on behalf of the employer	Membership
53.	Forfeiture of pension rights on issue of Secretary of State's certificate	TP3(1) & C111(2) & (5)	If a forfeiture certificate is issued by the Secretary of State it will be applied against the members pension rights (i.e. the rights should be forfeited)	Recovery & Forfeiture
54.	Where forfeiture certificate is issued, direct interim payments out of Pension Fund until decision is taken to either apply the certificate or to pay benefits	TP3(1) & C112(1)	In line with decisions under Regulations C111(2) and (5), there will be no need for the Council to decide whether or not to make interim payments	Recovery & Forfeiture
55.	Recovery from Fund of monetary obligation owed by former employee or, if less, the value of the member's benefits (other than transferred in pension rights)	TP3(1) & C113(2)	The Council will make the appropriate recovery and reduce the member's pensions rights accordingly where the member has not made good the debt	Recovery & Forfeiture

56.	Recovery from Fund of financial loss caused by employee, or amount of refund if less	TP3(1) & C115(2) & (3)	The Council will make the appropriate recovery from the pension fund where the member has not made good the debt.	Recovery & Forfeiture
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*These are matters about which the regulations require there must be a written policy.

Note: benefits paid on or after age 50 and before age 55 are subject to an unauthorised payments charge and, where applicable, an unauthorised payments surcharge under the Finance Act 2006. Also, any part of the benefits which had accrued after 5 April 2006 would generate a scheme sanction charge

Discretions under the Local Government Pension Scheme Regulations 1995 in relation to scheme members who ceased active membership before 1.4.98.

	<u>Discretion</u>	<u>Regulation</u>	<u>Cambridge City Council Discretion</u>	
57.	Grant application from a pre-1.4.98. leaver for early payment of deferred benefits on or after age 50 on compassionate grounds	TP3(1) & D11(2)(c)	Each request will be considered on its merits and will be subject to the approval of the Head of Human Resources.	Retirement
58.	Decide, in the absence from a pre-1.4.98. leaver of an election from the member within 3 months of being able to elect, which benefit is to be paid where the member would be	TP3(1) & D10	Where a member has not made an election within 3 months the Council will apply whichever is deemed the more beneficial provision.	Retirement

entitled to a pension or retirement grant under 2 or more regulations in respect of the same period of Scheme membership			
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Discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

Under Regulation 7 of the Discretionary Compensation Regulations, each authority (other than an Admitted Body) is required to formulate and keep under review a policy which applies in respect of exercising their discretion in relation to:

	<u>Discretion</u>	<u>Regulation</u>	<u>Cambridge City Council Discretion</u>	
59.	To base redundancy payments on an actual weeks pay where this exceeds the statutory weeks' pay limit.	E5	Redundancy payments will be based on actual weeks' pay.	Redundancy
60.	To award lump sum compensation of up to 104 weeks' pay in cases of redundancy, termination of employment on efficiency grounds, or cessation of a joint appointment.	E6	CCC does not award any such compensation in cases of redundancy, termination of employment on business efficiency grounds, or cessation of a joint appointment.	Redundancy

Discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000

Under Regulation 26 of the Discretionary Compensation Regulations, each authority (other than an Admitted Body) is required to formulate and keep under review a policy which applies in respect of exercising their discretion in relation to:

61.	How to apportion any surviving spouse's or civil partner's annual compensatory added years (CAY) payment where the deceased person is survived by more than one spouse or civil partner	ET21(4)	The Council will apportion any surviving spouses or civil partner's annual compensatory added years where the deceased person is survived by more than one spouse or civil partner in such proportions as, at its sole discretion, it sees fit (based on the merits of the individual cases). Where no representation is received payments will normally be apportioned equally.	Added Years
62.	How it will decide to whom any children's annual compensatory added years payments are to be paid where children's pensions are not payable under the LGPS (because the employee had not joined the LGPS) and, in such a case, how the annual added years will be apportioned amongst the eligible children	ET25(2)	This discretion is not applicable because CCC did not award Compensatory Added Years to non LGPS members	Added Years

63.	Whether, in respect of the spouse of a person who ceased employment before 1 April 1998 and where the spouse or civil partner remarries, enters into a new civil partnership or cohabits after 1 April 1998, the normal pension suspension rules should be disapplied i.e. whether the spouse's or civil partner's annual compensatory added years payments should continue to be paid	ET21(7)	If the spouse or civil partner of a person who ceased employment before 1 April 1998 remarries, enters into a new civil partnership or cohabits after 1 April 1998, the normal annual compensation suspension rules will be disapplied i.e. the spouse's or civil partner's annual compensatory added years will continue to be paid	Added Years
64.	If, under the preceding decision, the authority's policy is to apply the normal suspension rules, whether the spouse's or civil partner's annual compensatory added years payment should be reinstated after the end of the remarriage, new civil	ET21(5)	Due to the decision in discretion ET21(7) above this discretion is not applicable.	Added Years

	partnership or cohabitation			
65.	Whether, in respect of the spouse or civil partner of a person who ceased employment before 1 April 1998 and where the spouse or civil partner remarries or cohabits or enters into a civil partnership on or after 1 April 1998 with another person who is also entitled to a spouse's or civil partners annual CAY payment, the normal rule requiring one of them to forego payment whilst the period of marriage, civil partnership or co-habitation lasts, should be disapplied i.e. whether the spouses' or civil partners' annual CAY payments should continue to be paid to both of them	ET21(7)	If the spouse or civil partner of a person who ceased employment before 1 April 1998 remarries or cohabits after 1 April 1998 with another person who is also entitled to a spouse's or civil partners annual CAY payment, the normal annual compensation suspension rules will be disapplied i.e. the spouse's or civil partner's annual compensatory added years will continue to be paid to both of them.	Added Years
66.	Whether and to what extent to reduce or	ET17	CCC will, during any period of re-employment in local government, abate a person's annual compensatory added	Added Years

	<p>suspend the member's annual compensatory added years payment during any period of re-employment in local government</p>		<p>years payment by the 'excess' if the aggregate of:</p> <ul style="list-style-type: none"> - the annual compensation (including any pension increases), and - the annual pension from the LGPS (including any pension increases), and - the annual rate of pay from the new employment <p>exceeds the pay the person would have received from the employment in respect of which the compensatory added years were granted, based on the annual rate of pay at the date of ceasing the former employment as increased by the relevant cost of living increases (i.e. as increased by the rate at which an "official pension" is increased under the Pensions (Increase) Act 1971).</p>	
67.	<p>How to reduce the member's annual compensatory added years payment following the cessation of a period of re-employment in local government</p>	ET19	<p>Where compensatory added years were awarded on or after 21 June 2000 CCC will reduce a person's annual compensatory added years payment following the cessation of a period of re-employment in local government to the extent necessary to secure that if:</p> <ul style="list-style-type: none"> - the period of compensatory added years granted in respect of the former employment, <p>plus</p>	Added Years

- the period of membership the person has accrued in the LGPS (or would have accrued had he / she joined the scheme) during the period of re-employment in local government, counted at its part-time length, if the person was part-time,

exceeds

- the period of membership the person would have accrued during the period from the cessation of the former employment until age 65 on the assumption that he / she had continued in that former employment to age 65 (again counted at its part-time length if the person was part-time at the date of cessation of the former employment),

then

- the annual pension and lump sum from the first job combined with the annual pension and automatic lump sum (if any) from the second job (based on the assumption that the employee joined the LGPS at the first opportunity), plus the annual compensation and lump sum compensation, shall not in aggregate exceed the pension and lump sum the person would have achieved if he / she had remained in the first job through to age 65.

Where there is an excess, the annual compensation must be reduced by the excess pension, and if the annual compensation is not reduced to nil, the amount of the

remaining (reduced) basic annual compensation (excluding cost of living increases) must then be suspended until the excess lump sum (if any) is recovered.

In calculating whether or not, in aggregate, the annual pension and lump sum from the first job, plus the annual pension and lump sum (if any) from the second job (based on the assumption that the employee joined the LGPS at the first opportunity), plus the annual compensation and lump sum compensation, exceeds the pension and lump sum the person would have achieved if he / she had remained in the first job through to age 65 it will be necessary to compare:

a) the actual LGPS pre 1 April 2009 1/80th pension and 3/80ths lump sum, plus the actual LGPS post 31 March 2008 1/60th pension (ignoring any commutation for a lump sum), plus the actual 1/80th annual compensation and 3/80ths lump sum compensation, with

b) the 1/80th LGPS pension and 3/80ths lump sum the member would have achieved in their first job to 31 March 2008, plus the 1/60th LGPS pension the member would have achieved in their first job (ignoring any potential commutation for a lump sum), if the member had stayed in the first job through to age 65.

In determining the benefits the employee could have achieved had he / she remained in the first employment through to age

65 it will be necessary to determine the pensionable pay to be used in the calculation. For this purpose, the pensionable pay figure used in the calculation of the pension benefits in the first job will be used as brought up to date, at the date of cessation of the period or re-employment, by increasing it in line with the rate at which an “official pension” would have been increased under the Pensions (Increase) Act 1971.

If a person has been awarded more than one previous period of compensatory added years, e.g. as a result of being made redundant more than once, the abatement/clawback provisions are modified. In such a case, the rules under the former Local Government (Discretionary Payments) Regulations 1996 will be applied where a person ceases a period of re-employment in local government and has previously been granted more than one period of compensatory added years, but using the pay in the first job as increased in line with cost of living increases (i.e. ignoring regulations 18(5)(a)(ii), 18(6) and 18(7) of the Local Government (Discretionary Payments) Regulations 1996).

Where compensatory added years were awarded before 21 June 2000, Cambridge City Council will reduce a person's annual compensatory added years' payment following the cessation of a period of re-employment in local government (see note below) in accordance with the Local Government (Discretionary Payments) Regulations 1996.

Note: 'local government' means employment with an employer who offers membership of the LGPS to its employees, regardless of whether or not the employee chooses to join the LGPS (except where the employer is an Admitted Body). Technically, an employee of an Admitted Body (i.e. a body that has applied to the administering authority to allow its employees to join the LGPS and has entered into a formal admission agreement) is only employed in 'local government' if he / she is a member of the LGPS.

Injury Allowances

Cambridge City Council will not make any awards under the Local Government (Discretionary Payments)(Injury Allowances) Regulations 2011 as

CCC holds Employer's Liability Insurance

CCC has provision for NJC employees under the National Agreement on pay and conditions of service (Green Book)

GENERAL

Consultation

The discretionary policies contained in this Statement of Policy, and any awards under the Statement of Policy, are to be determined at the sole discretion of Cambridge City Council (CCC). When CCC intends to consider a change or changes to the Statement of Policy it will give notice to the recognised Trade Unions but is not required to consult with them.

A copy of CCC's Statement of Policy will be sent to the Pension Fund administering authority.

Formulating, reviewing and publishing a policy

Cambridge City Council is required to formulate and keep under review its policy on the exercise of discretions under the LGPS Regulations. Following any change in its policy Cambridge City Council must publish the revised policy and send a copy to the Pension Fund administering authority within one month of the date the policy is revised. In formulating and reviewing its policy, Cambridge City Council must have regard to the extent to which the exercise of its discretionary powers could lead to a serious loss of confidence in the public service.

Cambridge City Council is also required to formulate and keep under review its policy on the exercise of discretions under the Discretionary Compensation Regulations, In doing so, Cambridge City Council

- i) must have regard to the extent to which the exercise of its discretionary powers, unless properly limited, could lead to a serious loss of confidence in the public service; and
- ii) must be satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs

Effective date of change

Any change to the discretions exercised under the LGPS Regulations can take immediate effect from the date CCC agrees the change. A copy of the revised policy must be sent to the Pension Fund administering authority within one month of the date of any change.

Any change to the discretions exercised under the Discretionary Compensation Regulations cannot take effect until one month after the date CCC publishes a statement of its amended policy.

It should be noted that:

- This Statement of Policy will confer no contractual rights;
 - Subject to the section above (“effective date of change”) CCC retains the right to change the policy at any time without prior notice or consultation (although CCC will endeavour to discuss proposed changes with the recognised Trades Unions); and
 - Only the policy which is current at the time a relevant event occurs to an employee will be the one applied to that employee.