Section 1 Discretionary policies applicable from 1 April 2014 in relation to post 31 March 2014 active members and post 31 March 2014 leavers

No	Discretion	Regulation	Discretion Application
1.1	Whether to agree to an admission agreement with a Care Trust, NHS Scheme employing authority or Care Quality Commission.	4(2)(b) of the 2013 Regulations	An admissions policy is in place to ensure that any financial risk to the Fund and Fund employers is identified, minimised and managed. The policy interacts with the Funding Strategy Statement to give a statutory backing and additional clarity.
1.2	Whether to agree to an admission agreement with a body applying to be an admission body.	3(1A) 3(5) & Sch 2, Part 3 Para 1 of the 2013 Regulations	A body seeking admission to the London Borough of Havering Pension Fund under these Regulations must demonstrate to the administering authority's satisfaction, compliance with the current admission policy and the requirements of the Regulations. The body seeking admission must enter an admission agreement in such a form as the administering authority may require.
1.3	Whether to agree that an admission agreement may take effect on a date before the date on which it is executed.	Sch 2, Part 3, para 14 of the 2013 Regulations	The administering authority is willing to exercise this discretion, but all such requests will be considered on a case-by-case basis with delegated authority being given to the Head of People Transactional Services.
1.4	Whether to terminate an admission agreement in the event of: • Insolvency, winding up or liquidation of the admitted body; • Breach by the body of its obligations under the admission agreement; and / or • Failure by the body to pay over sums due to the Fund within a reasonable period of being requested to do so.	Sch 2, Part 3, Para 9(d) of the 2013 Regulations	The administering authority is willing to exercise this discretion on a case by case basis with delegated authority being given to the Head of People Transactional Services, in consultation with the Council's Legal department, Pension Fund Actuary and the Chair of the Pension Committee.
1.5	Define what is meant by "employed in connection with".	Sch 2, Part 3, Para 12(a) of the 2013 Regulations	Where the London Borough of Havering administering authority enters into an admission agreement with an admission body then the expression "employed in connection with" shall normally mean that a member spends on average in a scheme year at least 50% of their time working on the services connected to the contract.

1.6	Whether to turn down a request to pay an APC/SCAPC over a period of time where it would be impractical to allow such a request (e.g. where the sum being paid is very small and could be paid as a single payment).	16(1) of the 2013 Regulations	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
1.7	Whether to require a satisfactory medical before agreeing to an application to pay an APC/SCAPC.	16(10) of the 2013 Regulations	Any member wishing to take out a contract to purchase additional pension by payment of regular contributions shall first undergo a medical at their own expense and provide a declaration, in the format required by the Administering Authority, countersigned by their General Practitioner. No medical shall be required if the member is paying for the additional pension by means of a lump sum payment.
1.8	Whether to turn down an application to pay an APC/SCAPC if not satisfied that the member is in reasonably good health.	16(10) of the 2013 Regulations	The declaration should confirm that the member is in reasonable good health prior to being permitted to pay Additional Pension Contributions.
1.9	Decide to whom any AVC/SCAVC monies (including life assurance monies) are to be paid on death of the member.	17(12) of the 2013 Regulations	The decision is made on a case by case basis after referral by the Pensions Projects and Contracts Manager to the Head of People Transactional Services for agreement upon collection of all the relevant facts. Where cases are contentious, the Head of People Transactional Services may refer the decision to the Pension Panel. Where an expression of wish form is in place this will be taken into consideration. The London Borough of Havering reserves the right to request sight of the Grant of Probate or Letters of Administration and request an Executors Account is opened.
1.10	A pension account may be kept in such form as the Administering Authority considers appropriate.	22(3)(c) of the 2013 Regulations	The Administering Authority will decide the form in which pension accounts are kept based on published information or best practice in an efficient manner.
1.11	Where there are multiple ongoing employments, in the absence of an election from the member within 12 months of ceasing a concurrent employment, the administering authority is to decide to which record the benefits from the ceased concurrent employment should be aggregated.	10(9) of the Transitional Regulations 2014	Delegated authority is given to the Pensions Administration Team to review on a case by case basis. The ongoing employment most closely aligned to, or with the longest likely lifespan will be selected.

1.12	**When a Scheme employer has exited the Fund, the Administering Authority may agree to waive, in whole or in part, the actuarial reduction on benefits paid on flexible retirement.**	30(8) of the 2013 Regulations	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
1.13	**When a Scheme employer has exited the Fund,the Administering Authority may agree to waive, in whole or in part, the actuarial reduction on benefits payable if a member voluntarily draws their pension, other than on the grounds of flexible retirement, (where the member only has post 31 March 14 membership).**	30(8) of the 2013 Regulations	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
1.14	Whether to require any strain on Fund costs to be paid "up front" by an employer following payment of benefits under Regulations 30(6) (flexible retirement), 30(7) (redundancy/business efficiency), or the waiver (in whole or in part) under 30(8) of any actuarial reduction that would otherwise have been applied to benefits which a member voluntarily draws before normal pension age or to benefits drawn on flexible retirement.	68(2) of the 2013 Regulations	The Administering Authority will require all strain costs to be paid by employers in accordance with the Rates and Adjustment Certificate, Funding Strategy Statement or Charging Policy and following guidance produced by the fund actuary. Payment is required immediately in the form of lump sum, unless otherwise authorised by the Section 151 Officer
1.15	**When a Scheme employer has exited the Fund, the Administering Authority may consent to activate 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).**	Sch 2 of the Transitional Regulations 2014	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.

1.16	**When a Scheme employer has exited the Fund,an Administering Authority may agree to waive any 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) on:** **a) 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 not in the Scheme before 1 October 2006,** **b) 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) compassionate grounds (pre 1 April 2016 membership) and 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 by 31 March 2016,** **d) compassionate grounds (pre 1 April 2020 membership) and 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.**	30(5), 30A(5) of the Benefits Regulations 2007 & 3(1) & Schedule 2, para2(a) of the Transitional Regulations 2014	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.

1.17	Whether to require any strain on Fund costs to be paid "up front" by employing authority if the employing authority "switches on" the 85 year rule for a member voluntarily retiring (other than flexible retirement) prior to age 60, or waives an actuarial reduction on compassionate grounds under TPSch 2, para 2(1).	Schedule 2, para 2(3) of the Transitional Regulations 2014	The Administering Authority will require all strain costs to be paid by employers in accordance with the Rates and Adjustment Certificate, Funding Strategy Statement or Charging Policy and following guidance produced by the fund actuary. Payment is required immediately in the form of lump sum, unless otherwise authorised by the Section 151 Officer.
1.18	Whether to extend the time limits within which a member must give notice of the wish to draw benefits before normal pension age or upon flexible retirement.	32(7) of the 2013 Regulations	Delegated authority is given to the Pensions Administration Team to make a decision on whether to agree to an extension of the time limits in each individual case depending on the circumstances.
1.19	Decide whether to trivially commute a member's pension under section 166 of the Finance Act 2004 (includes pension credit members where the effective date of the Pension Sharing Order is after 31 March 2014 and the debited member had some post 31 March 2014 membership of the 2014 Scheme). Decide whether to trivially commute a lump sum death benefit under section 168 of the Finance Act 2004. Decide whether to pay a commutation payment under regulations 6 (payment after relevant accretion), 11 (de minimis rule for pension schemes) or 12 (payments by larger pension schemes) of the Registered Pension Schemes (Authorised Payments) Regulations 2009 (excludes survivor pensions and includes pension credit members where the effective date of the Pension Sharing Order is after 31 March 2014 and the debited member had some post 31 March 2014 membership of the 2014 Scheme).	34(1)(a),(b) & (c) of the 2013 Regulations	Where the pension in payment is of such an amount* that when commuted to a single lump sum and the conditions are within those laid down in the Finance Act to allow such a payment without any tax charge being imposed on the fund, the capital value of the pension will be paid where the member makes a positive election. Where no election is received delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis. *The current limits under the Finance Act 2004 are a total pension pot of less than £30,000 across all pensions savings. The current limit under the Registered Pension Schemes (Authorised Payments) Regulations 2009 is a commutation lump sum of less than £10,000 to extinguish all liabilities.
1.20	Approve medical advisors used by employers (for ill health benefits).	36(3) of the 2013 Regulations	A medical practitioner who confirms in writing to the employer that they are appropriately qualified and who has been approved for that purpose by the Employer to make any decision made regarding ill health will be deemed to be approved by the Administering Authority.

1.21	When a Scheme employer has exited the Fund, an Administering Authority may agree to use a certificate produced by an IRMP under the 2008 Scheme for the purposes of making an ill health determination under the 2014 Scheme.	12(6) of the Transitional Regulations 2014	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
1.22	When a Scheme employer has exited the Fund, the Administering Authority shall decide whether a deferred beneficiary meets the criteria of being permanently incapable of carrying out their former job because of ill health and are also unlikely to be capable of undertaking gainful employment before normal pensionable age or for at least three years, whichever is sooner.	38(3) of the 2013 Regulations	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
1.23	When a Scheme employer has exited the Fund the Administering Authority shall decide whether a suspended ill health Tier 3 member is unlikely to be capable of undertaking gainful employment before normal pension age because of ill health.	38(6) of the 2013 Regulations	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
1.24	Decide to whom death grant is paid.	17 of the Transitional Regulations 2014 & 40,43 & 46 of the 2013 Regulations	The decision as to the beneficiary is made on a case by case basis after referral by the Pensions Projects and Contracts Manager to the Head of People Transactional Services for agreement upon collection of all the relevant facts. Where cases are contentious, the Head of People Transactional Services may refer the decision to the Pension Panel. Where an expression of wish form is in place this will be taken into consideration. The London Borough of Havering reserves the right to request sight of the Grant of Probate or Letters of Administration and request an Executors Account is opened.
1.25	Decide, in the absence of an election from the member, which benefit is to be paid where the member would be entitled to a benefit under two or more regulations in respect of the same period of Scheme membership.	49 of the 2013 Regulations	The benefits entitlement that yields the highest overall level of benefits for the member will be awarded
1.26	Whether to set up a separate admission agreement fund.	54 of the 2013 Regulations	No action will be taken in respect of this provision without prior discussions between officers and the fund actuary. Any proposal to set up a fund will be submitted to the Fund's Pension Committee.

1.27	**An Administering Authority must prepare a governance policy stating whether the administering authority delegates their function, or part of their function, in relation to maintaining the Pension Fund to a committee, a sub-committee or an officer of the administering authority and, if they do so delegate, state** • **the frequency of any committee or sub-committee meetings;** • **the terms, structure and operational procedures appertaining to the delegation;** • **whether representatives of employing authorities or members are included and, if so, whether they have voting rights.** **The policy must also state** • **the extent to which a delegation, or the absence of a delegation, complies with any Secretary of State guidance and, to the extent it does not comply, state the reasons for not complying, and** • **the terms, structure and operational procedures appertaining to the local Pensions Board.**	55 of the 2013 Regulations	The Governance Compliance Statement is prepared, maintained and published in accordance with the Regulations and having regard to appropriate advice. A copy is available on the Havering website
1.28	**Decide on Funding Strategy for inclusion in funding strategy statement.**	58 of the 2013 Regulations	The Funding Strategy Statement is regularly revised and reviewed in consultation with the fund's actuarial advisers. A copy is available on the Havering website.
1.29	Whether to have a written pensions administration strategy and, if so, the matters it should include.	59 of the 2013 Regulations	In view of the forthcoming recommendations by the Scheme Advisory Board and the Havering Local Pensions Board, a Pensions Administration Strategy will be prepared, maintained and published. This will set out the performance standards expected of the Fund, its scheme employers and the payroll services.

1.30	Communication policy must set out the policy on provision of information and publicity to, and communicating with, members, representatives of members, prospective members and Scheme employers; the format, frequency and method of communications; and the promotion of the Scheme to prospective members and their employers.	**61 of the 2013 Regulations**	**The Communications Policy is reviewed every three years and updates are reported to the Pensions Committee for approval. The Communication Policy is available on the Havering website**
1.31	Whether to extend the period beyond 6 months from the date an employer ceases to be a scheme employer, by which to pay an exit credit.	64(2ZA) of the 2013 Regulations	With the agreement of the exiting employer, the Administering Authority may extend the time period of the payment of an exit credit where it is not reasonably practicable for the Administering Authority to make payment within this timescale. Delegated authority is given to Head of Pensions and Treasury to make a decision on a case by case basis, taking advice from the relevant specialists.
1.32	Whether to suspend (by way of issuing a suspension notice), for up to 3 years, an employer's obligation to pay an exit payment where the employer is again likely to have active members within the specified period of suspension.	64(2A) of the 2013 Regulations	Delegated Authority is given to the Head of Pensions and Treasury to make a decision on a case by case basis, taking into account advice from relevant specialists.
1.33	Whether to obtain revision of a Scheme employer's contribution rate if there are circumstances which make it likely a Scheme employer will become an exiting employer.	64(4) of the 2013 Regulations	A certificate specifying the employer's revised contribution rate will be obtained where it appears to be justified taking account of advice provided by the Fund actuary, all relevant circumstances relating to the employer and any conditions contained within the rates and adjustments certificate issued at the last valuation of the Fund.
1.34	Decide the frequency of payments to be made to the Fund by employers and whether to make an admin charge. Decide the form and frequency of information to accompany payment to the Fund.	69 of the 2013 Regulations	This will be on a monthly basis, payment to be received by the 22nd day of the month following deduction from pay (the 19th day if paid by cheque) with the form and statement to accompany the payments in the format specified to employers at the start of each scheme year.
1.35	Whether to issue an employer with notice to recover additional costs incurred as a result of the employer's level of performance.	70 of the 2013 Regulations & 22 of the Transitional Regulations 2014	In line with the published Charging Policy and any future Pension Administration Strategy, the Administering Authority will make use of this provision to charge employers for persistently not meeting their liabilities and delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.

1.36	Whether to charge interest on payments by employers which are overdue	71(1) of the 2013 Regulations	In line with the published Charging Policy and any future Pension Administration Strategy, the Administering Authority may make use of this provision to charge interest to employers when payments are overdue by more than one month. Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
1.37	Decide procedure to be followed by the admin authority when exercising stage two Internal Disputes Resolution Procedure functions and decide the manner in which those functions are to be exercised.	76(4) of the 2013 Regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis and following the procedure in the published IDRP policy.
1.38	Whether administering authority should appeal against employer decision (or lack of a decision).	79(2) of the 2013 Regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
1.39	Specify the information to be supplied by employers (who have made a stage 1 IDRP determination) to enable the administering authority to discharge its functions.	80(1)(b) of the 2013 Regulations & 22(1) of the Transitional Regulations 2014	In line with any future Pensions Administration Strategy, having regard to regulatory requirements and best practice. Where required delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
1.40	Whether to pay the whole or part of the amount that is due to the personnel representatives (including anything due to the deceased member at the date of death) to: the personal representatives, or anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965.	82(2) of the 2013 Regulations	Payments less than the amount specified in section 6 of the Administration of Estates (Small Payments) Act 1965, will be considered on completion of an Indemnity Form. Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis and upon collection of all the relevant facts. Where the amount exceeds that specified amount and there is no expression of wish in place, the London Borough of Havering reserve the right to request sight of the Grant of Probate or Letters of Administration and request an Executors Account is opened.
1.41	Whether, where it appears a person (other than an eligible child) is incapable of managing their own affairs, to pay the whole or part of that person's pension benefits to another person for the benefit of the scheme member.	83 of the 2013 Regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.

1.42	Agree to a bulk transfer payment.	98(1)(b) of the 2013 Regulations	Delegated authority is given to the Head of People Transactional Services, in consultation with the Pension Fund Actuary, to make a decision on a case by case basis.
1.43	Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS.	100(6) of the 2013 Regulations	Each case is determined on a case by case basis with delegated authority being given to the Head of People Transactional Services upon collection of all the relevant facts and in liaison with the scheme employer.
1.44	Allow transfer of pension rights into the Fund.	100(7) of the 2013 Regulations	Generally transfer values in respect of active members are accepted where all legislative requirements are met but discretion is given to the Head of People Transactional Services, in liaison with any appropriate advisers, to determine whether in exceptional circumstances a transfer value that poses a risk to the fund should be accepted.
1.45	Where a member to whom Regulation 10 of the Benefits Regulations 2007 applies (use of average of 3 years pay for final pay purposes) dies before making an election, whether to make that election on behalf of the deceased member.	10(2) of the Benefits Regulations 2007 & 3(6), 4(6)(c), 8(4), 10(2)(a) & 17(2)(b) of Transitional Regulations 2014	It will be deemed that an election has been made under Regulation 10 in this situation and the most favourable pay will be used in calculations.
1.46	Make an election on behalf of a deceased member with a certificate of protection of pension benefits i.e. determine best pay figure to use in the benefits calculations (pay cuts / restrictions occurring pre 1 April 2008).	23(9) of 1997 Regulations, 3(6), 4(6)(c), 8(4), 10(2)(a), 17(2)(b) & Schedule 1 of the Transitional Regulations 2014	It will be deemed that an election has been made in this situation and the most favourable pay will be used in calculations.
1.47	Decide whether to treat a child (who has not reached age 23) as being in continuous education or vocational training despite a break.	Schedule 1 of the 2013 Regulations & 17(9)(a) of the Transitional Regulations 2014	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.

1.48	Decide on the evidence required to determine financial dependence or interdependence of a cohabiting partner on a scheme member.	Schedule 1 of the 2013 Regulations & 17(9)(b) of the Transitional Regulations 2014	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis, taking into account regulatory requirements and having regard to judgments in relevant court cases or the Pensions Ombudsman determinations.
1.49	**Decide policy on abatement of pre 1 April 2014 element of pensions in payment following re-employment.**	3(13) of the Transitional Regulations 2014, & 70(1) & 71(4)(c) of the Administration Regulations 2008	The policy from 1 April 2014 is not to abate or reduce pensions in payment, in respect of any period of membership, for members who became re-employed after 31 March 2014. Abatement should continue in respect of any pensioner member who gained further employment covered by the LGPS prior to 1 April 2014.
1.50	Extend time period for capitalisation of added years contract.	83(5) of the 1997 Regulations & 15(1) and Schedule 1 of the Transitional Regulations 2014	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
1.51	Decide whether to delegate any administering authority functions under the Regulations.	105(2) of the 2013 Regulations	Any decision to delegate will be determined on an individual basis by the appropriate person or committee under the Scheme of Delegation and upon receipt of all relevant information and having consulted with all relevant parties.
1.52	Decide procedures applicable to the Local Pension Board. Decide appointment procedures, terms of appointment and membership of the Local Pension Board	106(6) & 107(1) of the 2013 Regulations	All policies are reviewed and maintained by the Administering Authority. They are published on the Havering website.

Section 2 Discretionary policies in relation to scheme members (excluding councillor members) who ceased active membership on or after 1 April 2008 and before1 April 2014.

No	Discretion	Regulation	Discretion Application
2.1	Extend time period for capitalisation of added years contract where the member leaves his employment by reason of redundancy.	83(5) of 1997 Regulations & 15(1) & Schedule 1 of Transitional Regulations 2008	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
2.2	Outstanding employee contributions can be recovered as a simple debt or by deduction from benefits.	45(3) of the Administration Regulations 2008	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis. Where appropriate to recover any contributions from the member, recovery will be by way of deductions from benefits. Where deductions from benefits are not appropriate, the recovery will be pursued as a simple debt.
2.3	Whether to pay the whole or part of the amount that is due to the personnel representatives (including anything due to the deceased member at the date of death) to: the personal representatives, or anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965.	52(2) of the Administration Regulations 2008	Payments less than the amount specified in section 6 of the Administration of Estates (Small Payments) Act 1965, will be considered on completion of an Indemnity Form. Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis and upon collection of all the relevant facts. Where the amount exceeds that specified amount and there is no expression of wish in place, the London Borough of Havering reserve the right to request sight of the Grant of Probate or Letters of Administration and request an Executors Account is opened
2.4	Approve medical advisors used by employers (for early payment, on grounds of ill health, of a deferred benefit or a suspended Tier 3 ill health pension).	56(2) of the Administration Regulations	A medical practitioner who confirms in writing to the employer that they are appropriately qualified and who has been approved for that purpose by the Employer to make any decision made regarding ill health will be deemed to be approved by the Administering Authority.

2.5	Decide procedure to be followed by administering authority when exercising its stage two IDRP functions and decide the manner in which those functions are to be exercised.	76(4) of the 2013 Regulations & 23 of the Transitional Regulations 2014	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis and following the procedure in the published IDRP policy.
2.6	Decide whether the administering authority should appeal against an employer decision (or lack of decision)	79(2) of the 2013 Regulations & 23 of the Transitional Regulations 2014	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
2.7	Specify the information to be supplied by employers (who have made a stage 1 IDRP determination) to enable the administering authority to discharge its functions.	80(1)(b) of the 2013 Regulations & 22(1) and 23 of the Transitional Regulations 2014	In line with any future Pensions Administration Strategy, having regard to regulatory requirements and best practice. Where required delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
2.8	**Decide policy on abatement of pensions following re-employment.**	3(13) of the Transitional Regulations & 70(1) & 71(4)(c) of the Administration Regulations 2008	The revised policy from 1 April 2014 is to not abate or reduce the pensions of former members who become re-employed with regard to any period of membership before that date. Abatement of pension payable should continue in respect of any pensioner member who gained further employment covered by the LGPS before 1 April 2014.
2.9	Where member to whom B10 applies (use of average of 3 years pay within the period of 13 years ending with the last day of active membership for final pay purposes) dies before making an election, whether to make that election on behalf of the deceased member.	10(2) of the Benefits Regulations 2007	It will be deemed that an election has been made under Regulation 10 in this situation and the most favourable pay will be used in calculations.
2.10	Whether to pay the whole or part of a child's pension to another person for the benefit of that child.	27(5) of the Benefits Regulations 2007	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
2.11	Whether, where a person (other than an eligible child) is incapable of managing their affairs, to pay the whole or part of that person's pension benefits to another person for their benefit.	52A of the Administration Regulations 2008	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.

2.12	**When a Scheme employer has exited the Fund, the Administering Authority may consent 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).**	Sch 2 of the Transitional Regulations 2014	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
2.13	**When a Scheme employer has exited the Fund, the Administering Authority may consent to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30 for a member or pensioner member with deferred benefits.**	30(5) and 30A(5) of the Benefits Regulations 2007	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
2.14	**When a Scheme employer has exited the Fund, the Administering Authority may consent 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.**	Sch 2 of the Transitional Regulations 2014	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
2.15	Whether to require any strain on Fund costs to be paid "up front" by employing authority if the employing authority "switches on" the 85 year rule for a member voluntarily retiring prior to age 60, or waives an actuarial reduction on compassionate grounds.	Schedule 2, para 2(3) of the Transitional Regulations 2014	The Administering Authority will require all strain costs to be paid by employers in accordance with the Rates and Adjustment Certificate, Funding Strategy Statement or Charging Policy and following guidance produced by the fund actuary. Payment is required immediately in the form of lump sum, unless otherwise authorised by the Section 151 Officer.
2.16	When a Scheme employer has exited the Fund, the Administering Authority may decide whether a deferred beneficiary meets permanent ill health and reduced likelihood of gainful employment criteria.	31(4) of the Benefits Regulations 2007	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
2.17	When a Scheme employer has exited the Fund, the Administering Authority may decide whether a suspended ill health tier 3 member is permanently incapable of undertaking any gainful employment.	31(7) of the Benefits Regulations 2007	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.

2.18	Decide to whom death grant is paid.	23(2), 32(2), 35(2) of the Benefits Regulations 2007, Schedule 1 of the Transitional Regulations 2008 & Regulation 155 of the 1997 Regulations	The decision as to the beneficiary is made on a case by case basis after referral by the Pensions Projects and Contracts Manager to the Head of People Transactional Services for agreement upon collection of all the relevant facts. Where cases are contentious, the Head of People Transactional Services may refer the decision to the Pension Panel. Where an expression of wish form is in place this will be taken into consideration. The London Borough of Havering reserves the right to request sight of the Grant of Probate or Letters of Administration and request an Executors Account is opened.
2.19	Decide evidence required to determine financial dependence of cohabiting partner on scheme member or financial interdependence of cohabiting partner and scheme member.	Schedule 1 of the 2013 Regulations & 17(9)(b) of the Transitional Regulations 2014	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis, taking into account regulatory requirements and having regard to judgments in relevant court cases or the Pensions Ombudsman determinations.
2.20	Decide to treat child (who has not reached the age of 23) as being in continuous education or vocational training despite a break.	Schedule 1 of the 2013 Regulations & 17(9)(a) of the Transitional Regulations 2014	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
2.21	Decide whether to trivially commute a member's pension under section 166 of the Finance Act 2004. Decide whether to trivially commute a lump sum death benefit under section 168 of the Finance Act 2004. Decide whether to pay a commutation payment under regulations 6 (payment after relevant accretion), 11 (de minimis rule for pension schemes) or 12 (payments by larger pension schemes) of the Registered Pension Schemes (Authorised Payments) Regulations 2009 (excludes survivor pensions and pension credit members).	39(1) of the Benefits Regulations 2007 & Regulation 14(3) of the Transitional Regulations 2008	Where the pension in payment is of such an amount that when commuted to a single lump sum and the conditions are within those laid down in the Finance Act to allow such a payment without any tax charge being imposed on the fund, the capital value of the pension will be paid where the member makes a positive election. Where no election is received delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.

2.22	Decide, in the absence of an election from the member, which benefit is to be paid where the member would be entitled to a benefit under 2 or more regulations in respect of the same period of Scheme membership.	42(1)(c) of the Benefits Regulations	The benefits entitlement that yields the highest overall level of benefits for the member will be awarded.
2.23	Make election on behalf of deceased member with a certificate of protection of pension benefits i.e. determine best pay figure to use in the benefit calculations (pay cuts / restrictions occurring pre 1 April 2008).	Schedule 1 of the Transitional Regulations 2008 and Regulation 23 of the 1997 Regulations	It will be deemed that an election has been made in this situation and the most favourable pay will be used in calculations.

Section 3 Discretionary policies in relation to councillor members who ceased active membership on or after 1 April 1998 and any other scheme members who ceased active membership on or after 1 April 1990 and before1 April 2008.

It should be noted that elected Councillors at the London Borough of Havering did not elect to become members of the LGPS and therefore discretions referring only to councillor members have been omitted from this document.

No	Discretion	Regulation	Discretion Application
3.1	**When a Scheme employer has exited the Fund the Administering Authority may consent 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.**	Sch 2 of the Transitional Regulations 2014	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
3.2	**When a Scheme employer has exited the Fund the Administering Authority may consent to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early**	31(5) of 1997 Regulations, Schedule 2 para 1(2) of Transitional Regulations 2014	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
3.3	Decide to whom death grant is paid.	38(1) & 155(4) of the 1997 Regulations	The decision as to the beneficiary is made on a case by case basis after referral by the Pensions Projects and Contracts Manager to the Head of People Transactional Services for agreement upon collection of all the relevant facts. Where cases are contentious, the Head of People Transactional Services may refer the decision to the Pension Panel. Where an expression of wish form is in place this will be taken into consideration. The London Borough of Havering reserves the right to request sight of the Grant of Probate or Letters of Administration and request an Executors Account is opened.
3.4	Decide to treat child (who has not reached the age of 23) as being in continuous education or vocational training despite a break.	Schedule 1 2013 Regulations & Regulation 17)(9)(a) of the Transitional Regulations 2014	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.

3.5	Apportionment of children's pension amongst eligible children.	47(1) of the 1997 Regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
3.6	Pay child's pension to another person for the benefit of the child.	47(2) of the 1997 Regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
3.7	Decide whether to trivially commute a member's pension under section 166 of the Finance Act 2004 (includes pre 1 April 2008 leavers or Pension Credit members where the effective date of the Pension Sharing Order was pre 1 April 2014 or where the effective date of the Pension Sharing Order is after 31 March 2014 but the debited member had no post 31 March 2014 membership of the 2014 Scheme). Decide whether to trivially commute a lump sum death benefit under section 168 of the Finance Act 2004.	49(1) of the 1997 Regulations & 14(3) of the Transitional Regulations 2014	Where the pension in payment is of such an amount that when commuted to a single lump sum and the conditions are within those laid down in the Finance Act to allow such a payment without any tax charge being imposed on the fund, the capital value of the pension will be paid where the member makes a positive election. Where no election is received delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
3.8	Decide whether to commute benefits due to exceptional ill-health (including Pension Credit members where the effective date of the Pension Sharing Order was pre 1 April 2014 or where the effective date of the Pension Sharing Order is after 31 March 2014 but the debited member had no post 31 March 2014 membership of the 2014 Scheme).	50 & 157 of the 1997 Regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
3.9	Whether to require any strain on Fund costs to be paid "up front" by employing authority if the employing authority "switches on" the 85 year rule for a member voluntarily retiring on or after age 55 and prior to age 60, or waives an actuarial reduction on compassionate grounds under TP Sch2 para 2(1)	80(5) of the 1997 Regulations	The Administering Authority will require all strain costs to be paid by employers in accordance with the Rates and Adjustment Certificate, Funding Strategy Statement or Charging Policy and following guidance produced by the fund actuary. Payment is required immediately in the form of lump sum, unless otherwise authorised by the Section 151 Officer.
3.10	No right to return of contributions where a member left their employment due to offence of a fraudulent character or grave misconduct in connection with that employment, unless employer directs a total or partial refund is to be made.	88(2) of the 1997 Regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.

3.11	Outstanding employee contributions can be recovered as a simple debt or by deduction from benefits.	89(3) of the 1997 Regulations	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis. Where appropriate to recover any contributions from the member, recovery will be by way of deductions from benefits. Where deductions from benefits are not appropriate, the recovery will be pursued as a simple debt.
3.12	Timing of pension increase payments by employers to fund.	91(6) of the 1997 Regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
3.13	Whether to pay the whole or part of the amount that is due to the personnel representatives (including anything due to the deceased member at the date of death) to: the personal representatives, or anyone appearing to be beneficially entitled to the estate without need for grant of probate / letters of administration where payment is less than amount specified in s6 of the Administration of Estates (Small Payments) Act 1965.	95 of the 1997 Regulations	Payments less than the amount specified in section 6 of the Administration of Estates (Small Payments) Act 1965, will be considered on completion of an Indemnity Form. Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis and upon collection of all the relevant facts. Where the amount exceeds that specified amount and there is no expression of wish in place, the London Borough of Havering reserve the right to request sight of the Grant of Probate or Letters of Administration and request an Executors Account is opened.
3.14	Approve medical advisors used by employers.	97(10) of the 1997 Regulations	A medical practitioner who confirms in writing to the employer that they are appropriately qualified and who has been approved for that purpose by the Employer to make any decision made regarding ill health will be deemed to be approved by the Administering Authority.
3.15	Decide procedure to be followed by admin authority when exercising its stage two IDRP functions and decide the manner in which those functions are to be exercised	76(4) of the 2013 Regulations & Regulation 23 of the Transitional Regulations 2014	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis and following the procedure in the published IDRP policy.

3.16	Whether administering authority should appeal against employer decision (or lack of a decision)	79(2) of the 2013 Regulations & Regulation 23 of the Transitional Regulations 2014	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
3.17	Specify the information to be supplied by employers (who have made a stage 1 IDRP determination) to enable the administering authority to discharge its functions.	80(1)(b) of the 2013 Regulations & 22(1) & 23 of the Transitional Regulations 2014	In line with any future Pensions Administration Strategy, having regard to regulatory requirements and best practice. Where required delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
3.18	Date to which benefits shown on annual deferred benefit statement are calculated.	106A(5) of the 1997 Regulations	Annual deferred benefit statements will be calculated at 31st March each year.
3.19	**Abatement of pensions following re-employment.**	3(13) of the Transitional Regulations 2014 & 70(1) and 71(4)(c) of the Administration Regulations 2008	The revised policy from 1 April 2014 is to not abate or reduce the pensions of former members who become re-employed with regard to any period of membership before that date. Abatement of pension payable should continue in respect of any pensioner member who gained further employment covered by the LGPS before 1 April 2014.
3.20	Retention of Contributions Equivalent Premium (CEP) where member transfers out.	118 of the 1997 Regulations	The CEP will be retained.
3.21	Discharge Pension Credit liability.	147 of the 1997 Regulations	Pension Credit Members will not be required to transfer out of the Fund.

Section 4 Discretionary policies in relation to members who ceased active membership before1 April 1998.

No	Discretion	Regulation	Discretion Application
4.1	Where a Scheme employer has exited the Fund the Administering Authority may consent to grant application for early payment of deferred benefits on or after age 50 on compassionate grounds. (Although the common provisions of the 1997 Transitional Regulations do not specify regulation D11(2)(c), there intention was that it should apply to this regulation).	3(5A)(vi) of the Transitional Regulations 2014 & 4 of the Transitional Regulations 1997 & 106 of the 1997 Regulations & D11(2)(c) of the 1995 Regulations	The appropriate policy of Havering Council as an employer will be applied with delegated authority given to the Pensions Panel to make a decision on a case by case basis.
4.2	Decide to whom death grant is paid.	E8 of the 1995 regulations	The decision as to the beneficiary is made on a case by case basis after referral by the Pensions Projects and Contracts Manager to the Head of People Transactional Services for agreement upon collection of all the relevant facts. Where cases are contentious, the Head of People Transactional Services may refer the decision to the Pension Panel. Where an expression of wish form is in place this will be taken into consideration. The London Borough of Havering reserves the right to request sight of the Grant of Probate or Letters of Administration and request an Executors Account is opened.
4.3	Whether to pay spouse's pensions for life (rather than ceasing during any period of remarriage or co-habitation).	F7 of the 1995 regulations	Spouses' benefits should be paid for life and not be suspended during any period of remarriage or cohabitation.

4.4	Decide to treat child (who has not yet reached the age of 23) as being in continuous education or vocational training despite a break.	Schedule 1 of the 2013 Regulations & 17(9)(a) of the Transitional Regulations 2014	Delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.
4.5	Apportionment of children's pension amongst eligible children.	G11(1) of the 1995 regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
4.6	Pay child's pension to another person for the benefit of the child.	G11(2) of the 1995 regulations	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.
4.7	**Abatement of pensions following re-employment.**	3(13) of the Transitional Regulations & 70(1) & 71(4)(c) of Administration Regulations 2008	The revised policy from 1 April 2014 is to not abate or reduce the pensions of former members who become re-employed with regard to any period of membership before that date. Abatement of pension payable should continue in respect of any pensioner member who gained further employment covered by the LGPS before 1 April 2014.
4.8	Decide procedure to be followed by admin authority when exercising its stage two IDRP functions and decide the manner in which those functions are to be exercised.	76(4) of the 2013 Regulations & 23 of the Transitional Regulations 2014	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis and following the procedure in the published IDRP policy.
4.9	Whether administering authority should appeal against employer decision (or lack of a decision)	79 of the 2013 Regulations & 23 of the Transitional Regulations 2014	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.

4.10	Specify the information to be supplied by employers (who have made a stage 1 IDRP determination) to enable the administering authority to discharge its functions.	80(1)(b) of the 2013 Regulations & 22(1) & 23 of the Transitional Regulations 2014	In line with any future Pensions Administration Strategy, having regard to regulatory requirements and best practice. Where required delegated authority is given to the Head of People Transactional Services to make a decision on a case by case basis.

(Section 5 has no Administering Authority Discretions)

Section 6 Discretionary policy under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended).

No	Discretion	Regulation	Discretion Application
6.1	Agree to pay annual compensation on behalf of employer and recharge payments to employer.	31(2)	Delegated authority is given to the Pensions Panel to make a decision on a case by case basis.

(Sections 7 & 8 have no Administering Authority Discretions and section 9 is only applicable to Wales)

Section 10 Discretionary policy under the Registered Pension Schemes (Modification of Scheme Rules) Regulations 2011.

No	Discretion	Regulation	Discretion Application
10.1	To decide whether it is legally able to offer voluntary scheme pays.	2	The policy is to approve the use of Voluntary Scheme Pays where: • a member's pension savings within the London Borough of Havering Pension Fund is subject to the tapered annual allowance, and • the tax breach stems only from the member's London Borough of Havering Pension Fund benefits rather than via growth in multiple pension schemes, and • The application is received in writing by London Borough of Havering Pension Fund by 30 November in the tax year following the year to which the tax charge relates. Late applications may be considered by the Head of People Transactional Services on a case by case basis.

Section 11 Discretionary policy under the Local Government Pension Scheme (Information) Regulations 2024 (SI2024/880)

No	Discretion	Regulation	Discretion Application
10.1	To decide whether to delay the implementation of the remediable service information until 31 August 2026.	2	The policy is to delay the implementation of the remediable service information for all class members, as required, until 31 August 2026.