



NYP LGPS Employer Discretion Policy

This document is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Deputy Mayor for Policing as part of the York & North Yorkshire Combined Authority are required to adhere.

Policy Statement

All North Yorkshire Police Personnel must adhere to this policy. This policy applies to Police Staff who are members of the Local Government Scheme (LGPS) or ex Police Staff members of North Yorkshire Police who have deferred benefits within the LGPS.

The LGPS is a statutory pension scheme, which governs the way in which the Police Staff pension scheme is administered. There are, however, some areas of the scheme that are decided by employers. These are collectively referred to as 'Employers Discretions'.

This document incorporates North Yorkshire Police (NYP) policies under the following LGPS. For ease of reference, each discretion in this document is marked 'Ref R', 'Ref TP' etc. to correspond with the relevant Regulation.

Ref 'R' The Local Government Pension Scheme 2013

Ref 'TP' The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014

Ref 'A' The Local Government Pension Scheme (Administration) Regulations 2008

Ref 'T' The Local Government Pension Scheme (Transitional Provisions) Regulations 2008

Ref 'B' The Local Government Pension Scheme (Benefits, Membership and Contributions Regulations (as amended) 2007 (to include amendments contained in the Local Government Pension Scheme (Miscellaneous) Regulations 2012)

Ref 'L' The Local Government Pension Scheme Regulations 1997 (as amended)

Ref 'OT' The Local Government Pension Scheme (Transitional Provisions) Regulations 1997 (as amended)

Ref 'I' The Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

Ref 'TL' LGPS (Transitional Provisions) Regulations 1997

Ref 'E' The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended)

Ref 'F' The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended)

The following is a statement of NYP policy on the exercise of discretions under the Local Government Pension Scheme Regulations (as detailed above). The policy represents clear guidance on the exercise of any particular discretion. The policies confer no contractual rights. The policy in force at the time of a relevant event occurring will be the one that is applied. Previous iterations of this policy are held by People Services.

The pension discretions can be found in the following spreadsheet.

Definition of Special Terms

North Yorkshire Police – collectively the York and North Yorkshire Deputy Mayor for Policing, Fire and Crime (Deputy Mayor) and the Chief Constable in their respective corporate capacities as the employer of staff (or, in the case of the Chief Constable in so far as Police Officers are concerned, deemed or de jure employer.)

North Yorkshire Police Personnel – Collectively, Police Service Personnel and OPFCC Staff as defined below.

Police Service Personnel – Police Officers under the direction and control of the Chief Constable and Police Staff in the employment of the Chief Constable.

Police Staff – collectively, Chief Constable's Staff and OPFCC Staff.

Chief Constable's Staff – All staff in the employment of the Chief Constable.

Normal Pension Age - In the LGPS2014 this is an individual's State Pension Age

Line Manager – immediate line manager with responsibility for managing the police staff member.

IRMP – Independent Registered Medical Practitioner who is employed by an external agency. Under Local Government Pension scheme, they make the determination on permanent incapacity.

Linkages

Subsidiary Linked Procedures:

Staff Retirement Procedure

Staff Retirement Guidance

Other Documents:

NYP pensionable and non-pensionable pay

NYP LGPS Employer Discretion Spreadsheet