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**To:** Finance, Resources and Customer Services Policy Board

**On:** 30 March 2023

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**Report by:** Director of Finance and Resources

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**Heading:** Pension Discretions Policy

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## **1. Summary**

- 1.1 At present Renfrewshire Council Pension Discretions Policy does not enable the offer of shared AVCs for employees, which, if enabled, could result in benefits to both Renfrewshire Council colleagues and the council in terms of financial savings.
- 1.2 The Council has approx. 7778 colleagues LGPS members with 169 being current AVC members (2.2%). The average AVC contribution per month is £251 per colleague.
- 1.3 The benefit of a Shared AVC contribution is the contribution is deducted from the Gross Salary (salary sacrifice) and paid through the employer, rather than a deduction after Gross Salary. This results in a saving for the employee through a reduction in tax and national insurance contributions. From the employer perspective, this achieves savings through national insurance contributions.
- 1.4 Several organisations can provide this service and we propose to work with procurement to identify the best partner to support us.
- 1.5 To enable this, a change is required to the Renfrewshire Council LGPS discretions Policy specifically in section R17.

In addition, job titles have been updated, throughout the policy, to reflect the current structure, Head of HR and Organisational Development has been changed to Head of People and OD have been made and lead contact is now Alastair MacArthur rather than Alan Russell.

- 1.6 Consultation has commenced with the Trade Unions.
- 1.7 Following approval from Members, officers will work towards the implementation of this policy.

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## 2. Recommendations

- 2.1 It is recommended that members:

- Approve the revised Pension Discretions Policy

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## Implications of the Report

1. **Financial** - The Council's ongoing financial sustainability is dependent on the ability of the Council to transform and modernise services.
2. **HR & Organisational Development** - As outlined in the report.
3. **Community Planning** – None.
4. **Legal** – Voluntary changes to pension AVCs for employees.
5. **Property/Assets** – None
6. **Information Technology** – None
7. **Equality & Human Rights**

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** - None

- 9.           **Procurement** – None.
- 10.          **Risk** – None.
- 11.          **Privacy Impact** – None.
- 12.          **Cosla Policy Position** – None.
- 13.          **Climate Risk** – None.

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#### **List of Background Papers**

None

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# Renfrewshire Council Policy Statement LGPS 2017

**Employer: Renfrewshire Council**

**Lead officer (for questions): Alastair MacArthur**

**Contact details:**

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**Date of policy statement: February 2023**

**Date for review:** This policy statement will be reviewed and revised as and when necessary to reflect any regulatory or policy changes. Any such changes will be advised to Strathclyde Pension Fund as the administering authority and to scheme members.

We are aware of our obligations under:

- regulation 58 of SSI 2014 No.164, the LGPS (Scotland) Regulations 2014
- paragraph 2(2) of Schedule 2 to the LGPS (Transitional Provisions and Savings) (Scotland) Regulations 2014
- regulation 61 of the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008 (in respect of leavers between 1 April 2009 and 31 March 2015)
- regulation 105 of the Local Government Pension Scheme (Scotland) Regulations 1998 (in respect of leavers between 1 April 1998 and 31 March 2009)

In developing our policy statement, we are aware that the LGPS has produced a document called "Discretions Policies" that contains tips for employers, see:

<http://www.lgpsregs.org/index.php/scotland/admin-guides>

**Note:** \* in the following tables beside a regulation denotes the discretions where we are required to have a policy statement under the regulations

Table 1 details our discretions from 01 04 15 in relation to post 31 03 15 active members and post 31 03 15 leavers.

Table 2 details our discretions in relation to scheme members who ceased active membership on or after 01 04 09 and before 01 04 15.

Table 3 details our discretions under the Local Government Pension Scheme (Scotland) Regulations 1998 (as amended) in relation to pre 01 04 09 scheme leavers.

Table 4 details our discretions under the Local Government Pension Scheme (Scotland) Regulations 1987 (as amended) in relation to pre 01 04 98 scheme leavers.

Table 5 details our discretions under the Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998 (as amended).

**TABLE 1**

The following table details our discretions from 01 04 15 in relation to post 31 03 15 active members and post 31 03 15 leavers, being discretions under:

- the Local Government Pension Scheme (Scotland) Regulations 2014 [prefix **R**]
- the Local Government Pension Scheme (Transitional Provisions and Savings) (Scotland) Regulations 2014 [prefix **TP**]
- the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008 [prefix **A**]
- the Local Government Pension Scheme (Benefits, Membership and Contributions) (Scotland) Regulations 2008 (as amended) [prefix **B**]
- the Local Government Pension Scheme (Transitional Provisions) (Scotland) Regulations 2008 [prefix **T**]
- the Local Government Pension Scheme (Scotland) Regulations 1998 (as amended) [prefix **L**]

<b>Regulation</b>	<b>Discretion</b>	<b>Employer's policy on the exercise of this discretion</b>
<b>R3(1)(b)</b>	Decide which employees to nominate for membership (admission bodies)	Renfrewshire Council as a Scheduled Body allows all eligible employees to join the LGPS unless they decide otherwise.
<b>RSch 2, Part 2, para 12(c)</b>	Whether, in respect of an admission body providing a service in respect of outsourced work, to set off against payments due to that body any sums due from that body to the Fund	Renfrewshire Council will consider each case on an individual basis.
<b>R9(1) to R9(4)</b>	Determine the rate of employee's contributions	The employee's rate of contributions will be determined in accordance with these regulations.
<b>R9(10)</b>	Determine intervals at which employees' contributions are to be made	The frequency of employee contributions will be determined by the relevant pay cycle.
<b>R16(2)(e)* &amp; R16(4)(d)*</b>	Whether, how much, and in what circumstances to contribute to a shared cost APC scheme	Renfrewshire Council will contribute 2/3rds of the cost to a SCAPC where election would not have been possible within the timescales, subject to individual circumstances.
<b>R16(16)</b>	Whether to extend 30 day deadline for member to elect for a shared cost APC upon return from a period of absence from work with permission with no pensionable pay (otherwise than because	Renfrewshire Council will not have a general policy to extend the 30 day deadline but in exceptional circumstances may extend

	of illness or injury, child-related leave or reserve force service leave)	this subject to individual circumstances.
<b>R17(1) &amp; definition of SCAVC in RSch 1</b>	Whether, and in what circumstances to contribute to a shared cost AVC scheme.	The Council will pay shared cost AVCs where an employee has elected to pay AVCs by salary sacrifice. The amount of these employer shared cost AVCs will not exceed the amount of salary sacrificed by the employee. This is a Council discretion which is subject to the employee meeting the conditions for acceptance into the salary sacrifice shared cost AVC scheme and may be withdrawn or changed at any time
<b>TP15(1)(b) &amp; L65(8) &amp; former L65(9)(b)</b>	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 30/6/05)	Renfrewshire Council will not have a general policy to allow late application to convert scheme AVCs into membership credit but the Chief Executive in consultation with the Head of People and OD may do so if exceptional circumstances can be proved such as the member being unaware of this right. Each case will be considered on its individual merits.
<b>R19(2)</b>	No right to a return of contributions due to an offence of a fraudulent character or grave misconduct unless the employer directs a total or partial refund is to be made	Renfrewshire Council will not normally direct a return of contributions in the event of an offence of a fraudulent character or grave misconduct.
<b>R20(1)(b)</b>	Specify in an employee's 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	Elements of pay received by an employee other than those specified in these regulations and not otherwise precluded will only be pensionable if specified as such in the member's contract of employment.

<b>R21(5)</b>	In determining Assumed Pensionable Pay, whether a lump sum payment made in the previous 12 months is a “regular lump sum”	Renfrewshire Council will consider each case subject to individual merits by the Chief Executive in consultation with the Head of People and OD.
<b>R29(5) &amp; (13)</b>	Whether to grant application for early payment of benefits on or after age 55 and before age 60	Renfrewshire Council will not have a general policy of granting early payment of

		benefits on or after age 55 and before age 60 but will consider requests on a case by case basis. Renfrewshire Council may exercise this discretion where a sound business case can be made for doing so or where other exceptional circumstances arise that make payment of those benefits justifiable.
<b>R29(6)* &amp; TP11(2)</b>	Whether all or some benefits can be paid if an employee reduces their hours or grade prior to age 60 (flexible retirement)	Renfrewshire Council will not have a general policy of exercising this discretion but may exercise this discretion where a sound business case can be made for granting flexible retirement with immediate access to all or part of the member's benefits. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.
<b>R29(8)* and TPSch 2, para 2(1)</b>	Whether to waive, in whole or in part, any actuarial reduction on benefits paid on flexible retirement. <b>Note: any resultant strain cost from the exercise of this discretion will be charged to the employer regardless of the member's age at date of retirement.</b>	Renfrewshire Council may waive, in whole or in part, the actuarial reduction on the benefits paid on flexible retirement where the sound business case for granting payment of benefits on flexible retirement in R29(6)* & TP11(2) above includes such a recommendation.
<b>R29(8)*</b>	Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age, other than on the grounds of flexible retirement (where the member only has post 31/3/15 membership) <b>Note: any resultant strain costs due to the exercise of this discretion will be charged to the employer regardless of the employee's age.</b>	Renfrewshire Council will not generally waive the actuarial reduction applied to benefits paid early under regulation R29(5) & (13) above. Renfrewshire Council may consider waiving the actuarial reduction where exercising that discretion can be justified in terms of the sound businesses case made for initially paying those benefits or where other exceptional circumstances arise that make payment of those



		benefits justifiable. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.
<b>TPSch 2, paras 1(2) and 2(1)*</b>	Whether to apply the 85 year rule for a member voluntarily drawing benefits, with employer consent, on or after age 55 and before age 60 (other than on the grounds of flexible retirement).	Renfrewshire Council will not have a general policy of exercising this discretion but may exercise this discretion where a sound business case can be made to the Chief Executive for consideration in consultation with the Head of People and OD.
<b>TP3(1), TPSch 2, para 2(1) *</b>	Whether to waive, in whole or in part, any actuarial reduction on pre and post April 2015 benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1/4/15 and post 31/3/15 membership and is subject to the 85 year rule)	Renfrewshire Council will not have a general policy of exercising this discretion but may exercise this discretion where a sound business case can be made to the Chief Executive for consideration in consultation with the Head of People and OD.
<b>TP3(1), TPSch 2, para 2(1) and B30(5)*</b>	Whether to waive on compassionate grounds any actuarial reduction on pre April 2015 benefits and to waive, in whole or in part, any actuarial reduction on post April 2015 benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1/4/15 and post 31/3/15 membership and is <b>not</b> subject to the 85 year rule)	Renfrewshire Council will not have a general policy of exercising this discretion but may exercise this discretion where a sound business case can be made to the Chief Executive for consideration in consultation with the Head of People and OD.
<b>R30*</b>	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 £5,000 p.a.)	Renfrewshire Council will not have a general policy to grant additional pension to a member (by up to £5,000p.a.) but may consider doing so where a sound business case can be made for exercising this discretion. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.

<b>TP12(4)</b>	Whether to use a certificate produced by an IRMP under the 2009 Scheme for the purposes of making an ill health determination under the 2015 Scheme.	Renfrewshire Council will exercise this discretion.
<b>R89(1) &amp; (8) R89(4)</b>	Whether to apply to Scottish Ministers for a forfeiture certificate (where a member is convicted of a relevant offence) and subsequently whether to direct that benefits are to be forfeited (other than rights to GMP – but see <b>R92</b> below)	Renfrewshire Council may apply for a forfeiture certificate where a member is convicted of a relevant offence and, following the issue of the certificate, direct that benefits are to be forfeited. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.
<b>R90(2)</b>	Whether to recover from the 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 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 the employment.	Renfrewshire Council may recover from Strathclyde Pension Fund the amount of loss in cases of criminal, negligence or fraudulent acts by a member, provided that other means of recovery have been exhausted. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.
<b>R92</b>	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 <b>R89</b> or recovery of a monetary obligation under <b>R90</b> should deprive the member or the member's surviving spouse or civil partner of any GMP entitlement	Renfrewshire Council may apply for a forfeiture certificate where a member is convicted of a relevant offence and, following the issue of the certificate, direct that benefits are to be forfeited. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.
<b>R96(1)(b)</b>	Agree to bulk transfer payment	Renfrewshire Council may exercise this discretion and agree to the bulk transfer of the pension value and consult with SPFO and the fund actuaries in this regard. Each case will be considered on its individual merits by the Chief

		Executive in consultation with the Head of People and OD.
<b>R98(6)</b>	Extend normal time limit for acceptance of a transfer value beyond the 12 month time limit from joining the LGPS	Renfrewshire Council will not generally extend the normal time limit for acceptance of a transfer value beyond 12 months from joining the scheme but may do so where exceptional circumstances can be proved. In any event the maximum extension will be a period of two years from the member's date of joining the scheme. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.
<b>TP3(6), TP4(6)(c), TP8(4), TP10(2)(a), TP17(2)(b) &amp; B11(2)</b>	Whether to allow a member to select final pay period for fees to be any 3 consecutive years ending in the 10 years prior to leaving and ending on the anniversary of the date of leaving	Renfrewshire Council will allow a member to select final pay for fees to be any three consecutive years ending 31 <sup>st</sup> March in the 10 years prior to leaving. Renfrewshire Council agree that this will automatically be done by SPF.
<b>TP3(1)(a), A43(5)</b>	Issue a certificate of protection of pension benefits where eligible non-councillor member fails to apply for one (pay cuts / restrictions occurring pre 01 04 15)	Renfrewshire Council will issue a certificate of protection of pension benefits if requested by the employee within twelve months of the date of reduction. A certificate may be issued on application from the member outwith the 12 month period specified in the regulations if exceptional circumstances can be proved such as the employee being unaware of this facility. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.

**TABLE 2**

**The following table details our discretions in relation to scheme members who ceased active membership on or after 01 04 09 and before 01 04 15, being discretions under:**

- the Local Government Pension Scheme (Administration) (Scotland) Regulations 2008 [prefix **A**]
- the Local Government Pension Scheme (Benefits, Membership and Contributions) (Scotland) Regulations 2008 (as amended) [prefix **B**]
- the Local Government Pension Scheme (Transitional Provisions) (Scotland) Regulations 2008 [prefix **T**]
- the Local Government Pension Scheme (Transitional Provisions and Savings) (Scotland) Regulations 2014 [prefix **TP**]
- the Local Government Pension Scheme (Scotland) Regulations 2014 [prefix **R**]
- the Local Government Pension Scheme (Scotland) Regulations 1998 (as amended) [prefix **L**]

<b>Regulation</b>	<b>Discretion</b>	<b>Employer's Policy on the exercise of this discretion</b>
<b>A42(2)</b>	No right to a return of contributions due to an offence of a fraudulent character or grave misconduct unless the employer directs a total or partial refund is to be made	Renfrewshire Council will not normally direct a return of contributions in the event of an offence of a fraudulent character or grave misconduct. The Chief Executive, in consultation with the Head of Human Resources and Organisational Development may decide to exercise this discretion where a sound business case can be made for exercising this discretion and will be considered on a case-by-case basis.
<b>A43(5)</b>	Employer may issue a certificate of protection where an employee fails to apply for one.	Renfrewshire Council will normally issue a certificate of protection of pension benefits at the time of the reduction. A certificate may also be issued on application from the member outwith the 12 month period specified in the regulations if exceptional circumstances can be proved such as the employee being unaware of this facility. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.

<b>A45 (1) &amp; (2)</b>	Whether Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions can be recovered from the Pension Fund	Renfrewshire Council will consider each case subject to individual merits by the Chief Executive in consultation with the Head of People and OD.
<b>A66 (2) &amp; (6) A67 (1) &amp; (2)</b>	Whether to apply for a forfeiture certificate (where a member is convicted of a relevant offence) and subsequently whether to direct that benefits are to be forfeited.	Renfrewshire Council may apply for a forfeiture certificate where a member is convicted of a relevant offence and following the issue of the certificate, direct that benefits are to be forfeited. The Chief Executive, in consultation with the Head of Human Resources and Organisational Development may decide to exercise this discretion where a sound business case can be made for exercising this discretion and will be considered on a case-by-case basis.
<b>A68(2)</b>	Whether to recover from the 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 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 the employment.	Renfrewshire Council may recover from the Strathclyde Pension Fund the amount of loss in cases of criminal, negligence or fraudulent acts by a member. The Chief Executive, in consultation with the Head of Human Resources and Organisational Development may decide to exercise this discretion where a sound business case can be made for exercising this discretion and will be considered on a case-by-case basis.
<b>A70(2) &amp; (3)</b>	Whether to recover from the fund any financial loss caused by fraudulent offence or grave misconduct of an employee(who has left because of that) or amount of refund if less	Renfrewshire Council may recover from Strathclyde Pension Fund the amount of loss caused by fraudulent offence or grave misconduct of an employee/member who has left the Council for this reason, or the amount of refund if less. The Chief Executive, in consultation with the Head of

		Human Resources and Organisational Development may decide to exercise this discretion where a sound business case can be made for exercising this discretion and will be considered on a case-by-case basis.
<b>B11(2)</b>	Whether to allow a member to select a final pay period for fees to be any three consecutive years ending with 31 <sup>st</sup> March in the 10 years prior to leaving.	Renfrewshire Council will normally select the best of the last three years ending with 31 <sup>st</sup> March and this will be considered on a case-by-case basis by the Chief Executive in consultation with the Head of People and OD.
<b>B30(2)*</b>	Whether to grant application for early payment of benefits on or after age 50/55 and before age 60	Renfrewshire Council will not have a general policy of granting early payment of benefits on or after age 50/55 and before age 60 but will consider requests on a case by case basis. Renfrewshire Council may exercise this discretion where a sound business case can be made for doing so or where other exceptional circumstances arise that make payment of those benefits justifiable and each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.

**TABLE 3**

**The following table details our discretions under the Local Government Pension Scheme (Scotland) Regulations 1998 (as amended) in relation to pre 01 04 09 scheme leavers.**

<b>Regulation</b>	<b>Discretion</b>	<b>Employer's policy on the exercise of this discretion</b>
<b>30(2)*</b>	Grant application from a post 31 03 98 / pre 01 04 09 leaver for early payment of benefits on or after age 50 and before age 60	Renfrewshire Council will not have a general policy of granting early payment of benefits on or after age 50/55 and before age 60 but will consider requests on a case by case basis. Renfrewshire Council may exercise this discretion where a sound business case can be made for doing so or where other exceptional circumstances arise that make payment of those benefits justifiable and each individual case will be considered by the Chief Executive in consultation with the Head of HR and Organisational Development.
<b>30 (5)*</b>	Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early for a post 31 03 98 / pre 01 04 09 leaver <b>Note: any resultant strain cost from the exercise of this discretion will be charged to the employer regardless of the member's age at date of retirement</b>	Renfrewshire Council may waive, in whole or in part, the actuarial reduction on the benefits paid on flexible retirement where the sound business case for granting payment of benefits on flexible retirement in 30(2)* above includes such a recommendation. Each individual case will be considered by the Chief Executive in consultation with the Head of HR and Organisational Development.
<b>30 (7A)*</b>	Pre 01 04 09 optants out only to get benefits paid from NRD if employer agrees	Renfrewshire Council will not have a general policy to exercise this discretion but may do so and the Chief Executive in consultation with the Head of People and OD will consider each individual case.
<b>33 (1)(b)</b>	Decide, in the absence from a post 31 03 98 / pre 01 04 09 leaver of an election	Renfrewshire Council will not have a general policy to



	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	exercise this discretion but may do so and the Chief Executive in consultation with the Head of People and OD will consider each individual case.
<b>70(7)(a)</b>	Consent to a member's former employer assigning to the new employer rights under any SCAVC life assurance policy	Renfrewshire Council will not have a general policy to exercise this discretion but may do so and the Chief Executive in consultation with the Head of People and OD will consider each individual case.
<b>87 (2)</b>	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 (pre 01 04 09 leavers)	Renfrewshire Council will not normally direct a return of contributions in the event of an offence of a fraudulent character or grave misconduct. The Chief Executive, in consultation with the Head of Human Resources and Organisational Development may decide to exercise this discretion where a sound business case can be made for exercising this discretion and will be considered on a case-by-case basis.
<b>91</b>	Contribution Equivalent Premium (CEP) in excess of the Certified Amount (CA) recovered from a refund of contributions can be recovered from the Pension Fund (pre 01 04 09 leavers)	Renfrewshire Council will not have a general policy to exercise this discretion but may do so and the Chief Executive in consultation with the Head of People and OD will consider each individual case.
<b>111(2) &amp;(5) 112(1)</b>	Forfeiture of pension rights on issue of Secretary of State's certificate (pre 01 04 09 leavers)  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 (pre 01 04 09 leavers)	Renfrewshire Council may apply for a forfeiture certificate where a member is convicted of a relevant offence and following the issue of the certificate, direct that benefits are to be forfeited. The Chief Executive, in consultation with the Head of Human Resources and Organisational Development



		may decide to exercise this discretion where a sound business case can be made for exercising this discretion and will be considered on a case-by-case basis.
<b>113(2)</b>	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) (pre 01 04 09 leavers)	Renfrewshire Council may seek recovery from Strathclyde Pension Fund in these circumstances provided that other means of recovery have been exhausted. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of HR and Organisational Development.
<b>115(2) &amp; (3)</b>	Recovery from Fund of financial loss caused by employee, or amount of refund if less (pre 01 04 09 leavers)	Renfrewshire Council may seek recovery from Strathclyde Pension Fund in these circumstances provided that other means of recovery have been exhausted. Each case will be considered on its individual merits by the Chief Executive in consultation with the Head of People and OD.

**TABLE 4**

The following table details our discretions under the Local Government Pension Scheme (Scotland) Regulations 1987 (as amended) in relation to pre 01 04 98 scheme leavers.

Regulation	Discretion	Employer's policy on the exercise of this discretion
<b>E2(6)(b)</b>	Grant application from a pre 01 04 98 leaver for early payment of benefits on or after age 50 and before age 60	Renfrewshire Council will not have a general policy of granting early payment of benefits on or after age 50/55 and before age 60 but will consider requests on a case by case basis. Renfrewshire Council may exercise this discretion where a sound business case can be made for doing so or where other exceptional circumstances arise that make payment of those benefits justifiable. Each individual case will be considered by the Chief Executive in consultation with the Head of HR and Organisational Development.

**TABLE 5**

The following table details our discretions under the Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998 (as amended)

<b>D 4 (1)</b>	Power to increase statutory redundancy payments above statutory weekly pay limit	Renfrewshire Council has authorised the Chief Executive, in consultation with the Head of Human Resources and Organisational Development to base redundancy payments on actual weekly pay.
<b>D 8(1)</b>	Decision on whether to award compensatory added years to an individual on retirement on efficiency / redundancy Grounds	Renfrewshire Council has authorised the Chief Executive, in consultation with the Head of Human Resources and Organisational Development to award up to maximum of 4 years to be added to pension benefits only on the grounds of efficiency. The number of

		added years awarded will be dependent on an employee's age, length of pensionable service and financial implications to the Council.
<b>D 35</b>	Decision to award up to 104 weeks compensation instead of compensatory added years	Renfrewshire Council has authorised the Chief Executive, in consultation with the Head of Human Resources and Organisational Development, to award up to 30 weeks compensation for termination on the grounds of voluntary redundancy/voluntary early retirement in a redundancy situation. The compensatory award will be dependent on an employee's age, length of service and financial implications to the Council. This payment does not apply on the grounds of efficiency where compensatory added years are awarded.

#####ENDS#####