

The Environment Agency

Summary of Administering Authority discretions – effective 16 June 2014

The Environment Agency, as a body responsible for administering the Local Government Pension Scheme (LGPS), has a policy regarding how it will use a number of areas of flexibility in the LGPS. These are called discretions. This summary document sets out at a high level the main discretions in that policy. We have a full policy statement that covers the full range of discretions. If you want a copy please contact info@eapf.org.uk

We will exercise all discretions reasonably and in good faith, and we retain the right to change the policy at any time. If we do make changes, we will republish the updated document within one month of when the change(s) we are introducing come(s) into effect. Whilst we have a published policy setting out how we will use these discretions it does not restrict us in any way from our legal right to use these discretions in other ways.

Discretion	Description of Discretion and Policy
Internal Dispute Resolution Procedure (IDRP)	<p>We must appoint a person for dealing with applications under stage one of the dispute resolution procedures, which is a procedure you can use if you think we, as the administering authority, have not followed the LGPS rules correctly. We must also put in place procedures for dealing with applications under stage two of the dispute resolution procedures, which we use when you are not happy with the stage one outcome, regardless of whether it relates to an employer or an administering authority decision.</p> <p>The Deputy Director Head of Pension Fund Management is our stage one assessor who will consider and determine whether you have been treated within the terms of the LGPS rules. The Chairperson of the Pensions Committee will consider all stage two disputes to determine whether or not we have applied the terms of the LGPS rules correctly.</p>
Key Policies and Strategies	<p>We must develop and publish some key policies and strategies on how we run the fund. These include a Governance Policy, a Funding Strategy and a Communications Policy. We could also choose to have an Administration Strategy.</p> <p>You can find these policies and strategies in the Environment Agency Pension Funds Annual Reports & Financial Statements at www.eapf.org.uk</p>
Determining dependency or interdependency for cohabiting partner	<p>If you die and you have a cohabiting partner, we must determine whether there is financial dependency or interdependency, and if so, we will pay a survivor's pension. Our third party administrators will assess this on a case by case basis using the evidence you provide.</p>
Acceptance of transfers in	<p>We may accept transfer values from other schemes where you make a request.</p> <p>We will generally allow transfers unless you do not make the request within 12 months of joining.</p>
Payment of trivial commutation lump sums	<p>We may pay a one off lump sum to you instead of paying ongoing pension payments where that pension is very low in value. This is known as trivial commutation.</p> <p>If this applies to you we will give you this option. We will pay such a lump sum if you elect to receive it.</p>
Reducing or suspending a pension on re-employment	<p>We are required to decide whether we should reduce or suspend your pension if you are a pensioner and you take up new employment with an LGPS employer (regardless of whether you join the LGPS again). We will only apply this if you left before 1 April 2014 and we will not apply it in flexible retirement cases.</p> <p>We will not reduce or suspend pensions if you are a pensioner and you take up new employment with an LGPS employer.</p>

Discretion	Description of Discretion and Policy
Waiving of an early reduction on voluntary retirement	<p>If your former employer no longer exists, we can choose to waive, in whole or in part, any early retirement reduction that might otherwise apply to your benefits on taking voluntary or flexible retirement. We can only apply these provisions if you are a scheme member and you have reached age 55.</p> <p>We will follow the policy of the employer immediately before it ceased to exist where possible. If not, we will follow the policy of the Environment Agency as the main employer in the Fund.</p>