



**NEW LOCAL GOVERNMENT
PENSION SCHEME
POLICY PROPOSALS FOR EMPLOYER DISCRETIONS**

26 June 2009

1 PURPOSE OF REPORT

- 1.1 To seek Joint Board approval for policy proposals on the employer discretions associated with the new Local Government Pension Scheme (LGPS). Also to outline arrangements to deal with disagreements on pension decisions that may arise and a change in the eligibility criteria for Scheme membership.

2 SUMMARY

- 2.1 The report informs of the main employer discretions and the proposed policy position for Lothian Valuation Joint Board. It also outlines arrangements to deal with disagreements that individuals may have on pension decisions made by the Joint Board and the likely impact of a change in the eligibility criteria for Scheme membership.

3 MAIN REPORT

- 3.1 A new Local Government Pension Scheme (LGPS) came into effect on **1 April 2009**.
- 3.2 Discretions exist in the LGPS and related Discretionary Payment Regulations that employer can choose to exercise. Some are administrative, while other discretions include giving employers scope to pay compensation on termination or allow the early payment of pension.
- 3.3 The Joint Board must formulate, publish and keep under review a statement of its policies on the exercise of these discretions. The introduction of the new Scheme means that the policy decisions must be made and the existing statement revised for issue by **30 June 2009**.
- 3.4 The exercise of these discretions can incur immediate and future costs to the Joint Board and the Lothian Pension Fund. In deciding the policy an employer is required to -:
- a) have regard to the extent to which the exercise of the discretion unless properly limited, could lead to a serious loss of confidence in the public service; and
 - b) be satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs.
- 3.5 /....

3.5 Appendix 1 to this report sets out the discretions and the proposed policy position for the Joint Board. A commentary on certain of the key discretions is provided below.

Discretions – no change

3.6 There will be **no change** to the following discretions in the new Scheme and the Joint Board is recommended to approve that existing policy continues to apply from 1 April 2009:

a) **allowing late applications to pay optional pension contributions**

This discretion allows the Joint Board, in extenuating circumstances, to extend the normal 30-day limit for employees to repay contributions following a period of approved absence.

b) **establishment of a Shared Cost Additional Voluntary Contribution (SAVC) Scheme**

This discretion allows the Joint Board to set up and contribute to an additional voluntary contribution scheme. No authority in the UK has adopted it.

c) **forfeit of pension rights and recovery of money from pension rights**

These discretions permit the Joint Board to seek to recover monies from pension rights where a member is convicted of employment-related offences or loss has been incurred through a fraudulent act.

d) **inward transfer of pension rights**

This discretion allows the Joint Board, exceptionally, to extend the normal 1-year limit for the transfer of pension rights. At present, consideration may be given to requests for the inward transfer of pension rights from other public sector schemes and “non-club” members (that is private sector schemes). It should be noted that the Lothian Pension Fund is exploring the possibility of no longer permitting transfers from “non-club” schemes.

e) **provisions to improve early retirement and/or severance payments**

These provisions permit the Joint Board to award additional pension benefits or to improve lump sum compensation payment in redundancy or efficiency terminations.

The Choice of Early Payment of Pension (Regulation 30)

3.7 Regulation 30 allows a Scheme member leaving Joint Board employment to ask for the early payment of pension (once known as a “rule of 85” retirement). A member must be aged 55 or over (or aged 50 or over for some protected members). A member can also ask for a reduction in pension that would otherwise apply to be waived.

3.8 Regulation 30 will still exist in the new Scheme and it is recommended that the Joint Board’s existing policy continues to apply from 1 April 2009, that is:

a) the Joint Board will **not** have a general release policy but will consider individual requests on their merits with regard to the operational implications of an early release and affordability;

b) that a request for pension not to be reduced will only be considered in exceptional circumstances and on compassionate grounds.

3.9 /....

- 3.9 Former employees with deferred benefits may also request the early payment of pension. Similar to the position above, it is recommended that the Joint Board does **not** have a general release policy but considers individual requests on their merits with regard to affordability. Any request for pension not to be reduced will only be considered in exceptional circumstances and on compassionate grounds.
- 3.10 Appendix 2 is a revised draft Policy on Early Payment of Pension for Joint Board employees. This will form the basis for consultation with the Trade Unions. It has been updated for the new scheme and it now includes the same approval process and robust cost/savings considerations that apply to other early retirement decisions.
- 3.11 A member under the age of 60 can only get access to his/her pension if the Joint Board gives its consent. Giving consent may require the Joint Board to pay a “strain” cost to compensate the Fund for early payment and/or the cost of not reducing pension.

Flexible Retirement

- 3.12 Flexible retirement provides that a Scheme member (aged 55 or over or aged 50 or over for certain protected members) may draw all or part of the pension benefit while continuing in employment on reduced hours or at a lower level of responsibility. A member under age 60 may only reduce the hours or grade of work and access the pension benefits if the Joint Board gives its consent. For members over the age of 60, once a reduction in hours/grade is agreed the member is automatically entitled to access their pension benefits (no Joint Board consent is required).
- 3.13 The provision is part of a wider Government strategy to ease the transition from full-time employment to full-time retirement and to increase the number of older workers who are economically active. There may be benefits such as improved work life balance and the retention of experienced staff with valuable skills. However, an employer’s decision does not solely relate to the release of pension, serious considerations must be given to the organisation’s employment agenda, how resources are managed and if a business efficiency case can be made.
- 3.14 The provision has been adopted by some Scottish Councils but indications are that take-up has been low.
- 3.15 Flexible retirement was introduced to the Scheme in 2006. At that time the Joint Board made a policy decision not to adopt the provision. It is recommended that the Joint Board maintains the current position meantime and the discretion is not adopted for application from 1 April 2009.

Discretions to Award Extra Years of Scheme Membership of Additional Pension

- 3.16 There will be two options for employers to improve a member’s pension position from 1 April 2009:
- a) **the award of extra years scheme membership (known as augmentation)** – an existing provision that has been extended to provide for up to 10 years instead of $6\frac{2}{3}$ years to be awarded at any stage in employment; and/or
 - b) the award of a specific amount of additional pension, this is a new provision where up to £5,000 a year pension can be awarded in the course of employment.
- 3.17 /....

- 3.17 It should be noted that there will also be provisions that Scheme members can themselves use to improve their pension provision, for example purchasing additional pension.
- 3.18 At present, the Joint Board will consider the award of up to a maximum of 5 years augmentation in exceptional circumstances only and at the point of retirement.
- 3.19 Government commentary has suggested that these provisions should be used as recruitment and retention tools rather than incentives for early release. This also links with work that is being done to simplify the Joint Board's severance arrangement so in future compensation is applied fairly to all and targeted at redundancy/efficiency cases that are essential to achieve organisational change.
- 3.20 It is therefore recommended that the Joint Board does not apply the discretion to award additional pension and no longer applies augmentation from 1 April 2009 for the following reasons:
- a) in the case of extra years of membership, it is no longer appropriate to limit access to the provision to older people only in light of age discrimination considerations;
 - b) an award of extra years and/or pension may result in significant costs to the Joint Board;
 - c) the award of compensation should be targeted and limited to redundancy/efficiency situations; and
 - d) there are no indications of immediate recruitment or retention difficulties and should these issues arise there may well be other options that could be applied to all affected staff not just those in the Pension Scheme.

New discretion – Third Tier Ill-health Payment

- 3.21 In future employers will have discretion to make a one-off payment to a Pension Scheme member who is not eligible for ill-health retirement benefits and is being dismissed for capability reasons (i.e. s/he does not meet the definition of permanent incapacity). A payment may be made of up to a maximum of 30 weeks' pay, based on 1 week for every year of service. This would be in addition to entitlement to a payment in lieu of notice and outstanding holiday entitlement.
- 3.22 The final Regulation has yet to be approved, this may not now take place until June 2009. The Joint Board is requested to note that a further report on this issue will be submitted in due course.

Arrangements for disagreements on Pension Scheme decisions

- 3.23 Employers are required to make decisions under the Pension rules that could affect an individual's membership and benefits under the Scheme. These include eligibility to join the Scheme; the rate of member contributions; entitlement to benefits and the application of employer discretions.
- 3.24 The Pension Scheme Regulations set out a two-stage process that should be followed if an individual disagrees with a pension decision the Joint Board has made:
- a) Stage 1 - request a review of the decision by the Joint Board's Appointed Person; and
 - b) /...

- b) Stage 2 – if not satisfied, request that the matter be referred to the Scottish Ministers for reconsideration.

3.25 The Committee is requested to note the outline process developed to deal with queries and formal disagreements, as set out in Appendix 3. The Joint Board is also recommended to approve the Depute Assessor as the Joint Board's 'Appointed Person' to whom formal disagreements may be referred for consideration.

Eligibility for Membership of the Pension Scheme

3.26 The rules on eligibility to join or remain a member of the LGPS will change when the new Scheme comes into effect on 1 April 2009. In future an individual must have a contract of employment for at least 3 months or be offered and accept work every day for at least 3 months.

Consultation with the Trade Unions

3.27 It should be noted that following approval the proposals for employer discretions and associated appendices shall form the basis for consultation with the Trade Unions.

4 FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications arising from this report.

5 ENVIRONMENTAL IMPACT

5.1 There are no adverse environmental impacts arising from this report.

6 RECOMMENDATIONS

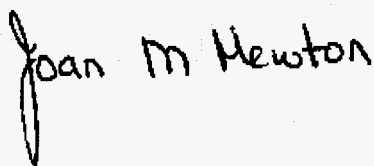
6.1 Lothian Valuation Joint Board is recommended to:

- a) note the contents of this report;
- b) approve the summary of discretions and proposed policy in Appendix 1;
- c) approve the revised draft Policy on Early Payment of Pension in Appendix 2;
- d) note that a further report will be submitted in the second half of 2009 with proposals for retirement policy, including Flexible Retirement;
- e) note that a further report will be submitted on the discretion to make a one-off third tier ill-health payment;
- f) /....

- f) note the outline process to deal with formal disagreements on pension scheme decisions made in Appendix 3;
- g) approve the Depute Assessor as the 'Appointed Person' to consider formal disagreements.

Appendices

1. Draft Policy Statement on Employer Discretions
2. Revised Draft Policy on Choice of Early Payment of Pension
3. Process for Questions on Pension Scheme Decisions



Joan M Hewton
ASSESSOR

26 June 2009

Appendix 1

The Local Government Pension Scheme (Scotland) Regulations 2008

SUMMARY OF EMPLOYER DISCRETIONS AND PROPOSED POLICY POSITION

1 LATE APPLICATIONS TO PAY OPTIONAL CONTRIBUTIONS

- 1.1 Under this regulation, an employee, returning from an **approved** period of absence, is permitted to pay the contributions that would have been payable but for the absence. Lothian Valuation Joint Board will **not** generally agree to extend the time-limit of 30 days under regulation 19(1) within which an election to pay the contributions is made. Exceptionally, where an employee provides evidence of extenuating circumstances, the time-limit will be extended by a further 30 days.

Explanatory Notes: Under this provision, an employee granted a leave of absence must pay pension contributions for the first 30 days of absence so that there is no break in service for pension purposes. Where a period of unpaid absence exceeds 30 days, an employee can elect, within 30 days of a return to work to pay the contributions for that period. An employer may extend the time limit in exceptional circumstances.

2 ESTABLISHMENT OF SHARED COST AVC SCHEMES

- 2.1 This regulation allows Lothian Valuation Joint Board to set up an additional voluntary contribution (AVC) scheme requiring a contribution from Lothian Valuation Joint Board. Scheme members already have access to an AVC arrangement which accepts member-only contributions. Interest in these schemes from members is very low, and for that reason, the policy of Lothian Valuation Joint Board is **not** to establish a shared cost AVC scheme.

Explanatory Notes: no employing authority in the UK has established a shared cost AVC scheme. To do so would result in further costs for the employer.

3 FORFEITURE OF PENSION RIGHTS AFTER CONVICTION OF EMPLOYMENT RELATED OFFENCES

- 3.1 Under this regulation, Lothian Valuation Joint Board may apply to the Scottish Minister to forfeit all or part of a scheme member's pension benefits. This would apply in a case of conviction for a serious offence which was either 'gravely injurious to the State' or 'liable to lead to serious loss of confidence in the public service'. In the interest of maintaining confidence in the public service, Lothian Valuation Joint Board reserves the right to exercise this discretion should the need arise.

Explanatory Notes: This provision allows the employer the option to apply to the Scottish Ministers to forfeit all or part of a scheme member's pension benefits in specific circumstances (such as conviction for a serious crime) and it is recommended that all employers adopt this provision.

4 RECOVERY OR RETENTION WHERE FORMER MEMBER HAS MISCONDUCT OBLIGATION

- 4.1 Under this regulation, Lothian Valuation Joint Board may recover from pension benefits any loss arising from a criminal, negligent or fraudulent act by a former employee. Providing that all other efforts to recover monetary obligations have been exhausted, in the interest of maintaining confidence in the public service, Lothian Valuation Joint Board reserves the right to exercise this discretion should the need arise.

Explanatory Notes: This provision allows employers to recover monies from pension benefits (for example, the theft of a substantial sum of money could be recovered from a scheme member's total benefits in respect of acts of theft or fraud carried out by an employee. This provision can also apply to former employees (for example: the theft of a substantial sum of money could be recovered by deducting this amount from a member's transfer value and only the reduced benefit deferred until retirement age). It is recommended that all employers adopt this provision.

5 INWARD TRANSFERS OF PENSION RIGHTS

- 5.1 Lothian Valuation Joint Board will **not** have a general policy of allowing a late transfer to proceed. Instead it will consider individual applications on their merits and may exercise its discretion to allow a late transfer to proceed when there is no financial impact on Lothian Valuation Joint Board and Lothian Pension Fund.

Explanatory Notes: The Scheme Regulations allow members to transfer previous pension rights into the Local Government Pension Scheme. The Regulations state that all transfers must be requested within 12 months of the member joining the Scheme. However the employer has the discretion to allow transfers to proceed after this time-limit has expired. Employers may wish to consider extenuating circumstances as to why the member did not request the transfer previously. The employer may have a policy not to allow late transfers to proceed where a member is close to retirement or if there is a possibility that early retirement may be considered in the future.

6 EARLY RETIREMENT AND/OR SEVERANCE

6.1 Calculation of Statutory Redundancy Payment

- 6.1.1 The Joint Board will generally waive the upper earnings limit when calculating a statutory redundancy payment and instead make a payment based on an employee's actual earnings level.

6.2 Early Retirement – the Award of “Added Years” Compensation

- 6.2.1 The Joint Board will consider each individual case on its merits and have regard to the operational benefits and affordability of any proposal. An employee does **not** have the right to have an application considered or approved.

- 6.2.2 /....

- 6.2.2 In **voluntary terminations** the Joint Board will generally award up to a maximum of 10 added years, subject to the statutory conditions and the local condition which limits added years to one added year for every two years of Pension Scheme service.
- 6.2.3 In **compulsory redundancies** the Joint Board will apply similar arrangements to those set out above, subject to the local condition which limits added years to one added year for every three years of Pension Scheme service.
- 6.4 Enhanced Compensation for Voluntary Severance**
- 6.4.1 The Joint Board will consider each individual case on its merits and have regard to the operational benefits and affordability of any proposal. An employee does **not** have the right to have an application considered or approved.
- 6.4.2 In **voluntary terminations** the compensation will be calculated on the basis of age and service and be subject to a maximum payment of 66 weeks pay.
- 6.4.3 In **compulsory redundancies** the Joint Board will **not** exercise its discretion to award Enhanced Compensation for Voluntary Severance.

Explanatory Notes: The Discretionary Payments and Injury Benefits Regulations provide for discretionary payments by Schedule Body employers. An Admitted Body employer would require to formally adopt the provisions of the regulations by resolution of their executive body.

7 CHOICE OF EARLY PAYMENT OF PENSION (REGULATION 30)

- 7.1 A Pension Scheme member aged 50¹ or over can ask for the early payment of pension benefits, providing s/he has left employment. Where the member is under age 60, it is at the employer's discretion to agree to payment. This discretion may also apply to former employees with deferred pension rights when they attain age 50¹.
- 7.2 Active Scheme Members**
- 7.2.1 Lothian Valuation Joint Board will **not** have a general release policy but will consider individual applications on their merits. Lothian Valuation Joint Board may consent to voluntary early release under regulation 30 of the Benefits Regulations where it can be demonstrated as being in Lothian Valuation Joint Board's financial and operational interests.
- 7.2.2 In the event that Lothian Valuation Joint Board does consent to a scheme member's early release it may further determine on exceptional and compelling compassionate grounds under regulation 30(5) that a scheme member's benefits should not be reduced. Lothian Valuation Joint Board will only exercise this further discretion in exceptional cases of hardship.
- 7.3 Former Joint Board Employees**
- 7.3.1 Lothian Valuation Joint Board will **not** have a general release policy. Lothian Valuation Joint Board will consider individual applications on their merit; financial hardship will not in itself be considered grounds for consent to be given.

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Explanatory Notes: This is an option in the Scheme Regulations which allows members to retire before the age of 60 provided they are at least 50¹ years old and have their employer's consent. Benefits would be based on the individual's scheme membership to date of leaving (they would not get benefits based on service to their normal retirement date), and they would suffer a reduction both to their lump sum and pension. The amount of the reduction depends on the extent of the protection applicable to the member in respect of the 'Rule of 85'.

The reduction is calculated in accordance with the guidance issued by the Government Actuary's department.

It should be borne in mind that decisions to award early payment of benefits under this regulation put a strain on the pension fund, a cost which is passed on to the employer. However, employers may wish to consent where it could be demonstrated that there were financial or operational benefits in doing so.

8 FLEXIBLE RETIREMENT

- 8.1 Lothian Valuation Joint Board has **not** adopted the flexible retirement provision and will not agree to requests for early payment of retirement benefits from an active member who has attained the age of 50¹ and who, with the consent of the employer, has also reduced the hours and/or grade of employment.

Explanatory Notes: Where certain conditions are met, the Scheme Regulations allow members to draw some or all of their scheme benefits while still in employment. The conditions are:

- *The member must apply for early payment in writing and be at least age 50¹*
- *The member, with the employers consent, reduces the hours worked or the grade of employment and*
- *The employer agrees to the early payment of benefits.*

The benefits would be subject to the same level of reduction which would apply had the member retired from employment, but the employer may, at their cost, waive the reduction. Employers may wish to specify in their policy a minimum reduction in hours or grade required before flexible retirement can be considered.

9 INCREASE IN PENSION MEMBERSHIP

- 9.1 Lothian Valuation Joint Board has **not** adopted the discretion to award additional membership in this way.

Explanatory Notes: This regulation is generally known as 'augmentation'. Although service can be augmented at any time, it can be used as an alternative to compensation when considering early retirement. However, it is an expensive option and the employer must make an appropriate payment into the fund on making a resolution.

The amount of additional service awarded must not exceed 10 years.

10 AWARD OF ADDITIONAL PENSION

10.1 Lothian Valuation Joint Board has **not** adopted the discretion to award additional pension in this way.

Explanatory Notes: An employer may award a member additional pension of not more than £5,000 a year which would become payable from the same date as the member's normal pension. The employer must make an appropriate payment into the fund on making a resolution.

Appendix 2

POLICY ON EARLY PAYMENT OF PENSION

1 INTRODUCTION

- 1.1 Some Local Government Pension Scheme (LGPS) members who leave Joint Board employment before age 65 can choose to have their pension paid early under Regulation 30 of the Pension Regulations.
- 1.2 Where an employee is under the age of 60 the choice of early payment will only take effect if the Joint Board gives its consent. Consent is not required for an employee who is aged 60 or over.
- 1.3 Pension benefit may be reduced if it is paid out early. In special circumstances, the Joint Board may decide not to reduce the pension on compassionate grounds.
- 1.4 Pension Scheme members should seek advice on their position from the Lothian Pension Fund when considering the choice of early payment of pension.

2 SCOPE & KEY RESPONSIBILITIES

- 2.1 To be eligible to have pension paid early, an employee must be a member of the LGPS and -:
 - a) until 31 March 2009 be aged 50 or over;
 - b) from 1 April 2009 onwards be aged 55 or over.

Note: certain employees who are protected members will still be eligible at aged 50 or over providing they are active members on 31 March 2009 and elect for early payment of benefits before 1 April 2010.

- 2.2 The Joint Board will not normally consider a request from an employee where the sole reason relates to attendance, capability or performance. In these circumstances the issues will be dealt with under the relevant Joint Board policy.
- 2.3 The key stakeholders who can help to progress a choice of early payment of pension include the Scheme member and the Assessor.

3 KEY PRINCIPLES

- 3.1 The Joint Board will **not** have a general release policy. It will consider individual requests on their merits with regard to the operational implications of an early release and affordability.
- 3.2 An employee can also make a request for their pension benefit not to be reduced on compassionate grounds. The Joint Board reserves the right to only consider such a request where there are exceptional individual circumstances. It is expected that requests like these will rarely occur and financial hardship will not, in itself, be a basis for consent to be given.
- 3.3 /....

- 3.3 When an employee decides to leave Joint Board employment and receive early payment of pension, their resignation from employment must be made in the normal way (even where consent for release is not required).
- 3.4 The employee must write to the Assessor to give the notice of termination that is required in the contract of employment. There is **no** requirement for the Joint Board to give the employee notice or a payment in lieu of notice.
- 3.5 Where consent is required, the Assessor will consider in the first instance if support can be given. Her decision is final and there is no further right of appeal.

4 **CONSENT PROCESS**

- 4.1 **LGPS members aged 60 or over do not** require the Joint Board's consent for their pension to be paid early.
- 4.2 In the case of LGPS members under age 60, a choice of early payment of pension will not take effect unless the Joint Board gives its consent.
- 4.3 Consent is not given automatically and approval of requests will be entirely at the Joint Board's discretion. The Joint Board will act with prudence and propriety and consider each individual request on its merits, taking into account:-
- a) the personal circumstances of the employee;
 - b) the operational benefits and savings that will arise for the Joint Board;
 - c) whether it can be demonstrated that approval of the request will be in the Joint Board's interest; and
 - d) the need to retain a balanced skills and experience profile in the workforce.
- 4.4 The early release of pension and/or a decision not to reduce pension can result in upfront costs that the Joint Board must meet. In each case, the Assessor will carry out a financial assessment to:-
- identify the actual costs involved
 - the projected future savings (over a period up to max. 5 years)
 - the likely financial benefit
 - overall affordability in terms of resources available to meet costs.
- 4.5 In very exceptional circumstances where there is a compelling business case, the Joint Board may approve the inclusion of "other securable savings" as part of the costs/savings test in support of a request. Such a proposal by the Assessor would require to be considered as part of the approval process.
- 4.6 A case will only go forward for final approval by the Assessor where the financial assessment is satisfactory.
- 4.7 /....

- 4.7 The Assessor is authorised to give final approval to cases on the Joint Board's behalf. Decisions in respect of Chief Officer cases will be made in consultation with the Convener of the Joint Board.
- 4.8 The decision of the Assessor is final and there is no further right of appeal.
- 4.9 The employee will be notified of the outcome of the approval process in writing.

5 GENERAL

- 5.1 The Joint Board will withhold its consent for pension to be paid early where the employee is dismissed for reasons of misconduct after approval has been given.
- 5.2 The Joint Board reserves the right to withhold its consent for pension to be paid early if an employee accepts an offer of another job from the Joint Board (or another body specified in the Modification Order) before their current employment ends and the alternative job is to start within 4 weeks of termination. Employees will be required to give written confirmation that an alternative job has not been offered and accepted.

6 RAISING A CONCERN/APPEAL

- 6.1 An employee who wishes to raise a concern on the application of the Policy on Early Payment of Pension should talk it over informally with the Human Resources Manager as early as possible to see if a solution can be found.
- 6.2 If the matter cannot be resolved informally, the employee can raise the concern formally through the appropriate Joint Board Grievance Procedure.

7 REVIEW

- 7.1 This policy is not intended to be contractually binding on the Joint Board and will be reviewed and revised as required by the Assessor in consultation with the recognised Trade Unions.

KEY RESPONSIBILITIES

The **employee** who is leaving the Joint Board and seeking to have their pension benefit paid early should give serious consideration to the estimate of benefits that is provided and seek independent advice on the implications of leaving employment early before making a final decision.

The **Assessor** will consider a case to decide if support in principle can be given on the basis that it is in the Joint Board's interests, financial and/or operational benefits will be achieved, the financial assessment requirements meets best value. Her decision is final and there is no further right of appeal.

Appendix 3

The Local Government Pension Scheme

PROCESS FOR QUESTIONS ON PENSION SCHEME DECISIONS

1. Employers are required to make certain decisions under the Local Government Pension Scheme rules that could affect an individual's membership and benefits under the Scheme. These include eligibility to join the scheme; the rate of member contributions; entitlement to benefits and the application of employer discretions.
2. The Joint Board will inform you when a decision is made under the Scheme rules. You should check as far as you can that it is based on the correct details.
3. If you want more information on the decision, it is a good idea to look over information that may have already been sent to you and the Lothian Pension Fund website. These sources usually have the answers to the most frequently asked questions.
4. If you have a query about the Joint Board's decision in your case, it may help to make an informal enquiry first as it may be that the matter can be explained or put right by us. In the first instance you should contact the Human Resources Manager.
5. If, having contacted the Human Resources Manager, you still disagree with the decision that has been made you or your representative should complete the "Formal Question" form attached setting out why you disagree with the decision and how you wish the situation to be resolved.
6. The completed Question form (along with a copy of the Joint Board's decision letter and any other relevant documents) should be sent to the person below **within 6 months** of you receiving written notification of the Joint Board's decision -:

Graeme Strachan
Depute Assessor
Lothian Valuation Joint Board
17A South Gyle Crescent
Edinburgh
EH12 9FL

7. You (and your representative) will receive a written notification of the decision on the disagreement from the Depute Assessor **within 2 months** of receipt.
8. If you are not satisfied with the Joint Board's reviewed decision, you or your representative may ask for the matter to be referred to the Scottish Ministers for reconsideration. Such a request should be made **within 6 months** of receiving a written notification of the decision on the disagreement from the Depute Assessor. Further information on the appeal rights under the Scheme are available from:
:

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**Mr John Burns
The Pensions Manager
Lothian Pension Fund
The City of Edinburgh Council
Level 3.3
Waverley Court
4 East Market Street
Edinburgh EH8 8BG**

9. The Joint Board will seek wherever practicable to provide a response within the prescribed timescales. Where this cannot be done an interim reply will be sent to you setting out the reasons for the delay and an expected date for the decision to be made.

Local Government Pension Scheme
FORMAL QUESTION



PERSON'S DETAILS

Full Name	Date of Birth
Home Address	
E-mail Address	Telephone
Payroll Number	N I Number
Department	
Job Title	
Representative's Name/Contact Details	

Please set out the disputed decision and reason for your disagreement:

Please set out how you wish the disagreement to be resolved:

Signed by or on behalf of Person:	Date
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Response/Action Required (FOR OFFICE USE ONLY)