

Local Government Pensions Committee  
Secretary, Terry Edwards

## **LGPC Bulletin 76 – November 2010**

This month's Bulletin contains a number of general items of information.

Please contact Dave Friend with any comments you might have on the contents of this Bulletin or to suggest other items that you would wish to see included in future Bulletins. [LGPC contacts](#) can be found at the end of this Bulletin.

This month [Bits and Pieces](#) includes items on [LGPC Communication](#), [LGPC Circulars](#), [Timeline Regulations](#), a change to way [the Index of Topics](#) document is ordered and a [NAPF survey](#) on the reform of the LGPS.

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## The Government's Independent Public Service Pensions Commission

The Government's Independent Public Service Pensions Commission has issued [an invitation for further evidence](#) before it publishes its final report. The Commission is seeking further evidence on the following matters:

- scheme design;
- risk-sharing;
- adequacy;
- employee understanding and choice;
- pensions and the plurality of provision of public services;
- administration costs; and
- transition issues.

The deadline for responses to the second call for evidence is Friday, 17 December 2010.

The Local Government Pensions Committee (LGPC) will be considering the call for evidence at its meeting on 2 December 2010. The LGPC will make recommendations to the LG Group Executive who meet on 9 December 2010 and who will agree the Local Government Association's submission to the Commission.

## The Public Sector Spending Review

In [Bulletin 75](#), it was reported that in the Public Sector Spending Review the Chancellor of the Exchequer said the Government intends to implement progressive changes to the level of employee contributions by 2014-15, equivalent to three percentage points on average, to be phased in from April 2012.

The article commented that it appeared this increase in employee contributions would be in addition to the projected increase in the yield from employee contributions as a result of cap and share but, following discussions at the Policy Review Group, it appears that this will not be the case.

## The Pensions Policy Institute – The Future of Public Sector Pensions

Following on from its 2008 report, the Pensions Policy Institute has published a further report on [the Future of Public Sector Pensions](#). The PPI says that in publishing the research the PPI is not calling for further reforms of the public sector pensions but aims to provide an evidence base which sets out the potential implications of possible Government reforms.

The research analyses a set of possible reforms to the public service pension schemes and considers the implications of such reforms not just for public sector employees but also for the overall affordability and sustainability of the schemes.

The areas covered are:

- What is the current public sector pension provision?

- Possible objectives and policy options for further reform of public sector pensions
- What would be the impact of the policy options?
- Adequacy of public sector pension schemes
- Fairness in the public sector pension schemes
- The role of public sector pension schemes in recruitment and retention
- Affordability and sustainability of public sector schemes
- Transparency of public sector pension schemes

## LGPS 2008 – GAD guidance: Trivial commutations: lump sums paid on or after 1 April 2009

[Bulletin 70](#) contained an article on the updated GAD guidance with respect to trivial commutation lump sums paid on or after 1 April 2009. The article contained the following observation:

*“Paragraph 2.10 + 2.16 + note to Table A for male members and first note in Table B for male members: These paragraphs / notes are not correct. Regulation 4 of the [Occupational and Personal Pensions Schemes \(Authorised Payments\) Amendments Regulations 2009 \[SI 2009/2930\]](#) made amendments (operative from 1 December 2009) which allow the GMP to be commuted even if the member is under GMP age. For females this makes no particular difference as the commutation rules require that the member is at least age 60 (which coincides with the GMP age for females). However, male members aged 60 or over and under 65 will now be able to commute a trivial pension even though they have not attained GMP age (65).”*

Subsequent to the above observation, a request was made to GAD to supply trivial commutation factors for males between ages 60 and 65. The GAD response included an explanation as to why the factors were not supplied in the first instance:

*“The LGPS revalues GMPs by Section 148 orders, rather than by fixed rate, and based on our (non-legal) interpretation of the legislation it still seems that GMPs revalued by Section 148 orders cannot be commuted before GMP Pension Age by virtue of:*

- (i) Regulation 60(1) (a) of the Occupational Pension Schemes (Contracting-out) Regulations 1996 [SI 1996/1172]; and because*
- (ii) the relaxation to that regulation in cases of early retirement in regulation 60(2) only applies to GMPs revalued by the Fixed Rate method - the reference to sections 16(2) and (3) of the Pensions Schemes Act 1993 being references to fixed rate revaluation by virtue of regulation 62 of the Contracting Out Regulations [SI 1996/1172].*

*I don't think that regulation 4 of the Occupational and Personal Pensions Schemes (Authorised Payments) Amendments Regulations 2009 [SI 2009/2930] which amended 60(1)(b) of the 1996 Contracting-out regulations helps in this respect.*

*I realise that this can be very frustrating for a male pensioner with a trivial pension payable from 60 which includes a S148 revalued GMP. It is also inefficient for scheme administrators, particularly given the recent relaxation on commuting trivial*

*pensions with a capital value of less than £2,000. It appears, though, that trivial pensions with a GMP revalued by Section 148 cannot be commuted until at least 65 so need to be brought into payment. “*

In summary, trivial pensions that include a GMP which is revalued by reference to Section 148 Orders cannot be commuted before the member has attained GMP age (60 for females / 65 for males).

### **The draft LGPS Amendment (Scotland) Regulations 2011**

The SPPA have issued consultation papers in respect of the draft LGPS Amendment (Scotland) Regulations 2011. The closing date for any response to the consultation exercise is 24 December 2011.

The draft SSI includes various amendments including provisions which will:

- permit pension credit members to elect to receive their benefits on or after age 60 and before age 65 at an actuarially reduced rate;
- permit members with nominated co-habiting partners to elect to purchase pre 6 April 1988 membership for inclusion in the contingent surviving partner's pension by paying "additional survivor benefits contributions" (ASBCs);
- insert new provisions in terms of normal retirement age, earliest retirement date etc into the Scottish Benefit Regulations and the Scottish Administration Regulations in respect of staff transferred into the LGPS in Scotland from employment with:
  - Scottish Administration's Learning Connections Division;
  - Learndirect Scotland, Careers Scotland, Scottish Enterprise (SEn) and Highlands and Islands Enterprise (HIE);
  - the Scottish Legal Services Ombudsman;
  - the Care Commission;
  - the Social Work Inspection Agency; and
  - HM Inspectorate of Education.
- remove the provision in the Administration Regulations which prevented the member aggregating membership where the member had previously declined to do so ("leapfrogging") and insert time limits on members' ability to elect to aggregate previous membership in the LGPS (Scotland);
- insert a new provision to permit an administering authority to pay all or part of a child's pension to a person other than the eligible child;
- clarify that a deferred pension can be brought into payment on the grounds of permanent ill health from the date of application or from the date the member becomes incapable, whichever is the later;
- amend the deadline for Governance compliance statements from 31 March 2011 to 30 September 2011;

- amend the provisions in the Scottish Administration Regulations where the member wishes to rely on a Certificate of Protection in the calculation of final pay. The period taken into account for the calculation of final pay can be no more than 3 years prior to the date of the reduction or restriction in pay. Also, a Certificate of Protection will not carry forward to employment with a new employer except in the case of a TUPE transfer or a case which is treated as if it were a TUPE transfer;
- insert a new regulation into the Scottish Administration Regulations to cover the deferment of the GMP by the member;
- prevent an employer from making an award of additional pension (of up to £5,000) as well as an award of lump sum compensation (of up to 104 weeks pay);
- provide that any reduction of Compensatory Added Years benefits following the cessation of a further period of employment in which the person was pensionable (or was eligible to be pensionable) should not take account of any service beyond age 65

## Schedule 2 employers are unable opt out of the LGPS

A more and more frequently asked question received by the LGPS Secretariat is whether employers listed in Part 1 of Schedule 2 to the LGPS (Administration) Regulations 2008 [SI 2008/239], or Schedule 2 of the LGPS (Administration) (Scotland) Regulations 2008 [SSI 2008/228], can opt out of the LGPS.

Section 7 of the Superannuation Act 1972 empowers the Secretary of State to, by way of regulations, make provision for pensions for:

- (a) persons, or classes of persons, employed in local government service; and
- (b) other persons, or classes of persons, for whom it is appropriate, in the opinion of the Secretary of State, to provide pensions, allowances or gratuities under the regulations.

Immediately prior to regulation 1 of the LGPS (Administration) Regulations 2008 there is the following wording:

*"The Secretary of State for Communities and Local Government makes these Regulations in exercise of the powers conferred by section 7 of the Superannuation Act 1972.*

*In accordance with section 7(5) of the Superannuation Act 1972 the Secretary of State consulted such associations of local authorities as appeared to her to be concerned; the local authorities with whom consultation appeared to her to be desirable; and such representatives of other persons likely to be affected by the Regulations as appeared to her to be appropriate."*

This provides a direct link between the Superannuation Act 1972 and the Administration Regulations 2008. There is similar text in the LGPS (Administration) (Scotland) Regulations 2008.

Any employer which is a body listed within Part 1 of Schedule 2 to the LGPS (Administration) Regulations 2008, or listed within Schedule 2 of the LGPS (Administration) (Scotland) Regulations 2008, has a statutory obligation to provide its employees with access to the LGPS.

Regulation 4 of the LGPS (Administration) Regulations 2008 says:

***General eligibility for membership***

***4 - (2) A person may be an active member if he is employed by a body which is listed in Schedule 2.***

And regulation 3 of the LGPS (Administration) (Scotland) Regulations 2008 says:

***General eligibility for membership***

***3 - (2) A person may be a member if the person is employed by a body which is listed in Schedule 2.***

So, an employee of a local authority may be a member. The “may” signifies that it is the employee’s choice to become a member of the LGPS and not an option for the employer to decide whether or not to offer membership.

Furthermore regulation 13 of the LGPS (Administration) Regulations 2008 states:

***Joining the Scheme***

***13.—(1) A person other than an employee of an admission body who is eligible to be an active member of the Scheme on the day his employment begins becomes an active member on that day unless he notifies his employer in writing before his employment begins that he does not wish to become a member on that date.***

And regulation 10 of the LGPS (Administration) (Scotland) Regulations 2008 states:

***Joining the Scheme***

***10.—(1) A person who is eligible to be an active member of the Scheme on the day the employment begins becomes an active member on that day unless the person notifies his or her employer in writing before his or her employment begins that he or she does not wish to become a member on that date.***

Regulation 39 of the LGPS (Administration) Regulations 2008 and regulation 35 of the LGPS (Administration) (Scotland) Regulations 2008 require that an employing authority must contribute to the appropriate fund in each year at a rate which has been actuarially assessed and certified by the scheme actuary.

As a statutory body, a council’s powers to act are limited to those matters for which they have an express or implied power. There is a specific power requiring local authorities to offer membership of the LGPS to its employees and to contribute to the LGPS (see explanation above) and so the Council must offer its employees membership of the LGPS. There is currently no express or implied power to contribute to another pension

arrangement and it is the LGPC's understanding that they cannot do so (see the Court of Appeal decision in *Allsop v North Tyneside MBC* [1992] ICR 639 (CA)).

### **LGPS – Part-time buy-back cases spreadsheet**

Until recently, the Secretariat provided a spreadsheet which made the appropriate calculations following a re-instatement of part-time membership. The webpage used to access the spreadsheets was updated at the beginning of this month with the following text next to the hyperlinks to Circulars 152 and 159:

*“It has been the normal practice to amend these spreadsheets monthly. However, we understand that the Government Actuary has been instructed by DCLG to cease the monthly updates. We are pursuing this matter with GAD and DCLG but, in the meantime, we believe that any urgent cases may be referred direct to [darshan.ruparelia@gad.gov.uk](mailto:darshan.ruparelia@gad.gov.uk) at GAD (although GAD will make a charge to you for this service).”*

Please note that between 9 December 2010 and 10 January 2011 (both dates inclusive) the contact will be [boonchen.yap@gad.gov.uk](mailto:boonchen.yap@gad.gov.uk)

### **Aggregation of membership**

Following questions raised by some administering authorities, DCLG have reconfirmed that their view on the effects of the amendments made to regulation 16 of the LGPS (Administration) Regulations 2008 by SI 2010/2090 remains as quoted in italics in the table shown in [Bulletin 74](#) (page 37).

### **Enhanced protection and aggregation of membership between LGPS funds**

The LGPC has had confirmation in an email from HMRC that a member, who wishes to rely on Enhanced Protection when he or she crystallises benefits in the LGPS, will not lose that protection should the member aggregate membership (as a result of an intrafund or interfund transfer).

### **The Occupational, Personal and Stakeholder Pension Schemes (Disclosure of Information) (Amendment) Regulations 2010 [SI 2010/2659]**

[The Occupational, Personal and Stakeholder Pension Schemes \(Disclosure of Information\) Regulations 2010 \[SI 2010/2659\]](#) were laid before Parliament on 8 November 2010 and will come into force on 1 December 2010.

The SI was accompanied by an [explanatory memorandum](#). SI 2010/2659 contains two main changes. The first permits schemes to use electronic communication methods as their default for communications with members and the second enables DC schemes to “provide more concise annual benefit statements to members” with the proviso that a DC scheme can provide additional information to a scheme member if requested to do so.

The SI also amended the provisions in respect of annual benefit statements so that schemes have to provide less information to members. The amendments permit schemes to make use of electronic means of communication and provide information via a website as long as there is a general statement which identifies

what assumptions have been made in the production of annual benefit statements. Members will be able to request further information.

Where schemes decide to change the way members receive information, the scheme will have to directly tell the member of any necessary guidance such as how to opt out of the electronic method of communications.

### Acceleration in increase of SPA to age 66

Earlier this year, the DWP conducted a consultation on the proposal to increase SPA to age 66. On 3 November, the DWP issued its [response](#) to the evidence submitted during the consultation period.

The Chancellor of the Exchequer announced as part of the Comprehensive Spending Review that the SPA will increase to age 66 for both sexes between 2018 and 2020. The process of equalising women's SPA with that of men has already commenced. The DWP's response confirms that an acceleration in the current schedule to increase women's SPA is required in order to achieve a SPA of 66 for women by 2020.

[Bulletin 73](#) contained a series of tables which detailed the adjusted SPA as per section 13 of and Schedule 3 to the Pensions Act 2007. Schedule 3, in turn, amended section 126 of and Part 1 of Schedule 4 of the Pensions Act 1995. As a result of Annex B to the DWP response, the tables in Part 1 of Schedule 4 to the Pensions Act 1995 will require amendment. The Secretariat expects the updated tables to be as per below.

*(1) A man born before 6<sup>th</sup> December 1953 attains pensionable age when he attains the age of 65 years.*

*(2) A man born on any day in a period mentioned in column 1 of table 1 attains pensionable age at the commencement of the day shown against that period in column 2.*

<b>Table 1</b>	
<i>(1)</i>	<i>(2)</i>
<i>Period within which <b>man's</b> birthday falls</i>	<i>Date pensionable age attained</i>
6th December 1953 to 5th January 1954	6th March 2019
6th January 1954 to 5th February 1954	6th July 2019
6th February 1954 to 5th March 1954	6th November 2019
6th March 1954 to 5th April 1954	6th November 2020
6th April 1954 to 5th April 1968	66 <sup>th</sup> birthday

*(3) A woman born before 6<sup>th</sup> April 1950 attains pensionable age when she attains the age of 60.*

*(4) A woman born on any day in a period mentioned in column 1 of table 2 attains pensionable age at the commencement of the day shown against that period in column 2.*



<b>Table 2</b>	
<i>(1)</i>	<i>(2)</i>
<i>Period within which woman's birthday falls</i>	<i>Date pensionable age attained</i>
6th April 1950 to 5th May 1950	6th May 2010
6th May 1950 to 5th June 1950	6th July 2010
6th June 1950 to 5th July 1950	6th September 2010
6th July 1950 to 5th August 1950	6th November 2010
6th August 1950 to 5th September 1950	6th January 2011
6th September 1950 to 5th October 1950	6th March 2011
6th October 1950 to 5th November 1950	6th May 2011
6th November 1950 to 5th December 1950	6th July 2011
6th December 1950 to 5th January 1951	6th September 2011
6th January 1951 to 5th February 1951	6th November 2011
6th February 1951 to 5th March 1951	6th January 2012
6th March 1951 to 5th April 1951	6th March 2012
6th April 1951 to 5th May 1951	6th May 2012
6th May 1951 to 5th June 1951	6th July 2012
6th June 1951 to 5th July 1951	6th September 2012
6th July 1951 to 5th August 1951	6th November 2012
6th August 1951 to 5th September 1951	6th January 2013
6th September 1951 to 5th October 1951	6th March 2013
6th October 1951 to 5th November 1951	6th May 2013
6th November 1951 to 5th December 1951	6th July 2013
6th December 1951 to 5th January 1952	6th September 2013
6th January 1952 to 5th February 1952	6th November 2013
6th February 1952 to 5th March 1952	6th January 2014
6th March 1952 to 5th April 1952	6th March 2014
6th April 1952 to 5th May 1952	6th May 2014
6th May 1952 to 5th June 1952	6th July 2014
6th June 1952 to 5th July 1952	6th September 2014
6th July 1952 to 5th August 1952	6th November 2014
6th August 1952 to 5th September 1952	6th January 2015
6th September 1952 to 5th October 1952	6th March 2015
6th October 1952 to 5th November 1952	6th May 2015
6th November 1952 to 5th December 1952	6th July 2015
6th December 1952 to 5th January 1953	6th September 2015
6th January 1953 to 5th February 1953	6th November 2015
6th February 1953 to 5th March 1953	6th January 2016
6th March 1953 to 5th April 1953	6th March 2016
6th April 1953 to 5th May 1953	6th July 2016
6th May 1953 to 5th June 1953	6th November 2016
6th June 1953 to 5th July 1953	6th March 2017
6th July 1953 to 5th August 1953	6th July 2017
6th August 1953 to 5th September 1953	6th November 2017
6th September 1953 to 5th October 1953	6th March 2018
6th October 1953 to 5th November 1953	6th July 2018
6th November 1953 to 5th December 1953	6th November 2018
6th December 1953 to 5th January 1954	6th March 2019
6th January 1954 to 5th February 1954	6th July 2019
6th February 1954 to 5th March 1954	6th November 2019

<b>Table 2</b>	
(1)	(2)
<i>Period within which <b>woman's</b> birthday falls</i>	<i>Date pensionable age attained</i>
6th March 1954 to 5th April 1954	6th March 2020
6th April 1954 to 5th April 1968	66 <sup>th</sup> birthday

(5) A person born on any day in a period mentioned in column 1 of table 3 attains pensionable age at the commencement of the day shown against that period in column 2.

<b>Table 3</b>	
(1)	(2)
<i>Period within which <b>person's</b> birthday falls</i>	<i>Date pensionable age attained</i>
6th April 1968 to 5th May 1968	6th May 2034
6th May 1968 to 5th June 1968	6th July 2034
6th June 1968 to 5th July 1968	6th September 2034
6th July 1968 to 5th August 1968	6th November 2034
6th August 1968 to 5th September 1968	6th January 2035
6th September 1968 to 5th October 1968	6th March 2035
6th October 1968 to 5th November 1968	6th May 2035
6th November 1968 to 5th December 1968	6th July 2035
6th December 1968 to 5th January 1969	6th September 2035
6th January 1969 to 5th February 1969	6th November 2035
6th February 1969 to 5th March 1969	6th January 2036
6th March 1969 to 5th April 1969	6th March 2036
6 <sup>th</sup> April 1969 to 5 <sup>th</sup> April 1977	67 <sup>th</sup> birthday

(6) A person born on any day in a period mentioned in column 1 of table 4 attains pensionable age at the commencement of the day shown against that period in column 2.

<b>Table 4</b>	
(1)	(2)
<i>Period within which <b>person's</b> birthday falls</i>	<i>Date pensionable age attained</i>
6th April 1977 to 5th May 1977	6th May 2044
6th May 1977 to 5th June 1977	6th July 2044
6th June 1977 to 5th July 1977	6th September 2044
6th July 1977 to 5th August 1977	6th November 2044
6th August 1977 to 5th September 1977	6th January 2045
6th September 1977 to 5th October 1977	6th March 2045
6th October 1977 to 5th November 1977	6th May 2045
6th November 1977 to 5th December 1977	6th July 2045
6th December 1977 to 5th January 1978	6th September 2045
6th January 1978 to 5th February 1978	6th November 2045
6th February 1978 to 5th March 1978	6th January 2046
6th March 1978 to 5th April 1978	6th March 2046
6 <sup>th</sup> April 1978 onwards	68 <sup>th</sup> birthday

**As the increase on SPA to age 66 has been brought forward, it is reasonable to assume that the increase in SPA to ages 67 and 68 as shown in tables 3 and 4 above**

**will also be brought forward at some point in the future. Further announcements from the Government are awaited.**

### **Equitable Life**

Bulletin 74 included an article on the Equitable Life (Payments) Bill which stated the level of compensation would be announced as part of the Government's Comprehensive Spending Review.

The Chancellor of the Exchequer stated in the Comprehensive Spending Review that the Equitable Life Payments Scheme would have £1.5 billion available for compensation payments. It is the intention that £1 billion of that sum would be paid out in the first three years of the Spending Review period.

In announcing the size of funds available, the Government said it was seeking to strike a balance between the interests of the Equitable Life policyholders and those of taxpayers. The initial payments from the Scheme will concentrate on those policyholders who are deemed to be particularly vulnerable

### **Pension Industry Stakeholder Forum**

HMRC have set up a new body called the Pension Industry Stakeholder Forum. The body's intention is to assist HMRC in the management of its relationship with stakeholders and representative bodies. The forum will discuss "operational (rather than policy) issues". The aims of the new forum include:

- agree a shared interpretation of Part 4 of the Finance Act 2004 – i.e. pensions tax legislation – where there is "genuine interpretative ambiguity, doubt or complexity exists";
- as much as possible, enable the effective and efficient administration of the pensions tax legislation by HMRC;
- ensure pensions industry practice and HMRC administrative practice actually conform to Part 4 of the Finance Act 2004;
- provide a forum for pensions industry practitioners to voice concerns about possible abuse of the pensions tax legislation; and
- determine whether or not the pensions tax legislation is actually achieving the policy intentions.

The forum membership is comprised of HMRC's pensions business senior management and representatives from a number of industry bodies such as NAPF, the Association of Pensions Lawyers, the Association of Consulting Actuaries etc.

More information is available from [HMRC's Pension Schemes Newsletter 42](#).

### **DWP contracting-out consultation**

The DWP have consulted on the ending of contracting-out for DC schemes which is due to be implemented in April 2012. The original intention of the consultation was to identify where references to DC scheme contracting-out will need removal from existing legislation.

One of the possible consequences of abolishing contracting-out for DC schemes would be to impose a ban on transfers between the remaining contracted-out DB schemes and the contracted in schemes. A potential ban on transfers will lead to additional complications e.g.

- it would increase administrative costs and complexity for pension schemes;
- it would fly in the face of the European Commission's portability agenda; and
- it would limit individual's ability to transfer their pension rights according to their circumstances i.e. they might want to transfer their pension rights to a contracted-out DB scheme because they want to combine all their pension provision in one place or because they have doubts about the financial viability of their sponsoring employer.

### **DWP default retirement age consultation**

The DWP's consultation on the default retirement age has now closed. The Government proposed to remove the default retirement age so that employers can no longer force employees to retire at age 65.

Employees who wish to work beyond age will welcome the removal of a default retirement age. Conversely, the removal of the default retirement age will present some challenges for employers and there could be implications for benefits. As a result, the NAPF suggested in their response to the consultation that the Government should:

- provide guidance on how to manage employees' retirement after the abolition of the default retirement age;
- attempt to limit the number of tribunal cases brought by employees who are over age 65;
- state that employers can still refer to a normal retirement date for the provision of benefits; and
- recognise that the provision of member's benefits, such as life assurance for older employees, will lead to increase in costs.

### **Bits and Pieces**

#### **LGPC Communications**

The LGE website has been updated so that there is now a separate section on "[Communicating the Local Government Pension Scheme](#)". This part of the website covers the central suite of communication materials that the LGPC has produced for Funds to use in communicating the LGPS, including guides and leaflets on the LGPS and a new section on "[Effective communications](#)".

Technical guides, including the tax guide, have been moved to a new "Technical Guides" section headed "[Pensions technical advice](#)".

The "[Guides and Leaflets on the LGPS](#)" section has been split into each group of members they relate to and, for each group, are now available from a matrix which shows "at a glance" what guides and leaflets are available, the latest version dates and previous update dates and, where applicable, the relevant update leaflets that apply.

It is intended users will find the revised layout easier to use and the extra information helpful.

## Updated Guides and Leaflets

### For employees in England and Wales

The LGPC has updated the majority of the guides and leaflets on the LGPS for employees in England and Wales to take account of the LGPS ( Miscellaneous Regulations) 2010, the change from RPI to CPI and the Government's announcement in its October 2010 Spending Review regarding State pension age. In addition to the updated versions, to help Funds identify the updates made, a tracked version is provided which details the changes made from the previous version. The leaflets that still requiring updating are the Designed version of the Brief Guide to the LGPS (the Word and PDF version have been updated) and the leaflet "Options available if you have previous LGPS benefits". Updated versions of these will be supplied as soon as possible.

The LGPC has produced a leaflet on the main changes to the LGPS introduced by the Local Government Pension Scheme (Miscellaneous) Regulations 2010.

**Please note:** The information contained in the guides / leaflets in relation to the new "window of opportunity" to aggregate previous LGPS membership in England and Wales is based on the note from CLG to the LGPC Secretariat as contained in [Bulletin 74](#).

### General update

The LGPC has also produced a leaflet on recent developments in pension provision, covering the Public Service Pension Commission, proposed changes to State pension age and restricting tax relief on pension contributions - October 2010 update.

All guides and leaflets are available from the [LGE website](#).

### LGPC Circular

Since the previous Bulletin was published, the Secretariat has issued [Circular 241](#). The Circular advertises three "Understanding" workshops which will take place between January and April of next year. The topics covered are Retirement Benefits, Pension Sharing on Divorce and Death and Survivor Benefits.

### Timeline Regulations

There was no update of the Timeline Regulations website this month.

### Index of Topics

The format of the index, which accompanies each monthly Bulletin, has been changed as a result of comments by readers. Instead of arranging the topics by the title as used in the Bulletins, the topics will be arranged henceforth by subject matter. In some instances, a few items (application of Pensions Increase with adjusted SPA for example) will be listed twice because they fall naturally into more than one category.

## NAPF Survey

The NAPF have conducted [a survey](#) on the reform of the LGPS. The organisation surveyed members of its Local Authority Pensions Connection and views were submitted between the fourth and ninth of November. 149 members responded to the survey and almost 50% of the respondents are employed by local authorities. The remainder were comprised of pensions consultants and advisers who work in the LGPS industry.

The results of the survey suggest the majority of people believe that the Pension Commission's initial proposals are reasonable and balanced. 75% of respondents agree or strongly agree that there is a strong case for higher employee contributions. There was less agreement, however, with the concept of streamlining administration of the LGPS throughout the United Kingdom. Finally, there was a narrow majority in favour of the idea that LGPS funds should work together in the procurement of fund management services in order to reduce costs.

## Legislation

### United Kingdom

SI Reference	Title
2010/2650	The Up-rating of Basic Pension etc. (Designated Tax Year) Order 2010
2010/2659	The Occupational, Personal and Stakeholder Pensions Schemes (Disclosure of Information) (Amendment) Regulations 2010

## Useful Links

[The LGE Pensions page](#)

[The LGPS members' website](#)

[LGPS Discretions](#) lists all the potential discretions available within the LGPS in England and Wales, and Scotland.

[Qualifying Recognised Overseas Pension Schemes](#) approved by HMRC and who agreed to have their details published.

[Tax Guide \(Version 11\)](#)

[The Timeline Regulations](#)

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