

Policy relating to Requests made under Regulation 31 (The 85 Year Rule) of the Local Government Pension Scheme

Report of the Chief Fire Officer

For further information about this report please contact Lisa Vickers, Human Resources Manager, on 01743 260211 or Alan Taylor, Chief Fire Officer, on 01743 260201.

1 Purpose of Report

This report presents the proposed policy for individuals to make a request under Regulation 31 (The 85 year Rule) of the Local Government Pension Scheme.

2 Recommendations

The Committee is asked to recommend to the Fire Authority that it approve the policy to enable eligible individuals to make a request under Regulation 31 (The 85 year Rule) of the Local Government Pension Scheme to retire early.

3 Background

Following a request by a member of staff to retire early under Regulation 31 (The 85 year Rule) of the Local Government Pension Scheme it was deemed necessary to produce a policy, should any future requests arise. We are advised by the Pensions Department at Shropshire County Council that this will be reviewed nationally in 2008 and eligibility may change or cease.

4 Regulation 31 (The 85 Year Rule)

The Local Government Pension Scheme states that:

“The rule of 85 is satisfied if your age at the date you draw your benefits and your scheme membership add up to 85 or more” and
“You can retire between age 50 and 65, but you must have your employer’s permission to draw retirement benefit before age 60”.



5 Proposed Policy

- An eligible member of staff submits a request under Regulation 31 (The 85 year Rule) by writing to the Human Resources Manager of Shropshire Fire and Rescue Service.
- The eligible member of staff is advised at this stage to submit details of any exceptional circumstance for consideration as to why this request should be accepted. It is not possible to supply specific examples of exceptional circumstances, as each case will be considered on its own merits, but this could include chronic long-term illness of a partner.
- The Human Resources Manager will contact the Pensions Department at Shropshire County Council for a calculation of the financial impact of the request.
- The Human Resources Manager will prepare a report to be presented at the next meeting of the Human Resources Committee. This report will contain the letter supplied by the individual, including details of any exceptional circumstances submitted, the financial cost supplied by Pensions Department and examples of any precedent.
- Members of the Human Resources Committee will consider each case on its own merits and make a recommendation to the Fire Authority.
- The recommendation of the Committee will be taken forward to the next meeting of the Fire Authority.
- The Fire Authority will either accept or reject the recommendation.
- The Human Resources Manager will inform the individual of the outcome and of their right to appeal.

6 Financial Implications

If an individual retires early under Regulation 31 there will be a financial impact on the Fire Authority and this will vary dependant on the individual.

7 Legal Comment

There are no further legal matters other than those set out in this report. The Fire Authority will always have the discretion to approve or reject an application to retire under Regulation 31, regardless of the personal circumstances of the applicant.

8 Equality Impact Assessment

Officers have considered the Service's Brigade Order on Equality Impact Assessments (Personnel 5 Part 2) and have decided that there are no discriminatory practices or differential impacts upon specific groups arising from this report. An Initial Equality Impact Assessment has not, therefore, been completed.

9 Appendices

There are no appendices attached to this report.



10 Background Papers

The Local Government Pension Scheme

Implications of all of the following have been considered and, where they are significant (i.e. marked with an asterisk), the implications are detailed within the report itself.

Balanced Score Card		Integrated Risk Management Planning	
Business Continuity Planning		Legal	*
Capacity		Member Involvement	
Civil Contingencies Act		National Framework	
Comprehensive Performance Assessment		Operational Assurance	
Efficiency Savings		Retained	
Environmental		Risk and Insurance	
Financial	*	Staff	*
Fire Control/Fire Link		Strategic Planning	
Information Communications and Technology		West Midlands Regional Management Board	
Freedom of Information / Data Protection / Environmental Information		Equality Impact Assessment	*

