

The Guide

The following details amend the information in the Scheme Guide. They reflect changes introduced to the Local Government Pension Scheme (LGPS) by the LGPS (Amendment) Regulations 2004. All of the changes come into force from 1st April 2004, with the exception of revised provisions for the resolution of disputes which come into effect from 1st June 2004.

Where pension terms are used, they appear in **bold** type and are defined at the back of the Scheme Guide.

Eligibility - Who can join?

The ability of some LGPS members to remain in the scheme has been extended to include those transferring to an NHS employing authority, where their employer enters into an admission agreement.

General Qualification for Benefits

The general entitlement to LGPS benefits is reduced from two years **total membership** to three months. As a consequence, scheme members leaving without an entitlement to immediate benefits, will only be able to take a refund of contributions if they have less than 3 months **total membership** and have not brought a transfer value into the LGPS.

Ill-Health Retirement

The definition of 'permanent ill-health' has been amended to emphasise that the assessment is made on the balance of probabilities. Scheme members retired due to ill-health cannot now be awarded a second period of enhanced membership on health grounds, if subsequently re-employed.

Right to aggregate previous LGPS membership

The right of an active scheme member to aggregate previous local government membership at any time is now restricted. Any election to aggregate must be made within twelve months of again becoming an active member, or such longer period as their employing authority may allow. Where a member chooses not to aggregate a period of membership, they cannot make a subsequent election to aggregate that period of membership on later re-joining the LGPS. The right of LGPS pensioners who re-join the scheme to aggregate previous local government membership at the point of retirement is removed.

Addendum

Power of an Employing Authority to increase Total Membership

An employing authority may now award a member additional membership at any time during their active membership of the scheme, rather than only on joining or at retirement. Your employer's policy with regard to this **discretion** must be included in their **policy statement**.

Internal Disputes Resolution Procedure (IDRP)

The provisions relating to the settling of a disagreements about a matter relating to the scheme have been simplified. In the first instance you should now write to your employing authority, who will arrange for your complaint to be heard. Following the decision of the person specified by your employing authority to decide disagreements, and if you are still dissatisfied with the decision, you may apply to the appropriate **administering authority** to have it reconsidered.

Protection for current scheme members

*Active members with less than 2 years **total membership** at 1st April 2004, who have not had a transfer value credited to them, may opt on leaving to receive a refund or an ill-health grant under the previous provisions.*

Active members with un-aggregated membership have twelve months from 1st April 2004, or such longer period as their employing authority allow, to elect to aggregate it with their current membership.

*Existing re-employed pensioners may elect, by writing to their **administering authority** within 6 months of 1st April 2004, to retain their right to aggregate their membership at retirement. The election will include the right for their membership to be aggregated for the benefit of their dependants in the event of their death. Such elections will only apply if the member remains in the same employment, unless subject to a transfer, until retirement or their death.*

IDRP cases initiated before 1st June 2004 will be completed under the previous arrangements.

Who can help me if I have a question about the amendments?

If you have any questions about these changes please refer to the contact details in your scheme guide.

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