

The Local Government Pension Scheme



Councillors Pension Scheme

A guide to your pension scheme

Introduction

The information in this booklet is based on the Local Government Pension Scheme Regulations 1997 and other relevant legislation. The booklet was up-to-date at the time of publication in April 2007. It is for general use and cannot cover every personal circumstance. In the event of any dispute over your pension benefits, the appropriate legislation will prevail as this booklet does not confer any contractual or statutory rights and is provided for information purposes only.

The booklet explains the benefits available to you when you join the Local Government Pension Scheme. It describes how the Scheme works, what it costs to join and the financial protection that it offers to you and your family.

Where pension terms are used, they appear in bold type. These terms are defined on pages 33 to 40 at the back of this booklet.

The national web site for members of the LGPS can be found at www.lgps.org.uk

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The Choice

Your Pensions Choice

Your retirement is a goal to look forward to. However, if your retirement is to meet your expectations, you will need to plan and secure your retirement income.

Your retirement income and benefits, over and above the basic flat-rate State pension, will in general be provided by the State Second Pension Scheme (S2P), a personal pension plan, a stakeholder pension scheme or by an occupational pension scheme such as the Local Government Pension Scheme. These are described briefly below.

State Second Pension (S2P)

The State Second Pension (S2P) is an element of State Pension payable in addition to the flat rate Old Age Pension.

Benefits are paid by the Department for Work and Pensions (the old DSS) and cannot be paid before State pension age. Initially, S2P will be an earnings related pension but it is proposed that, from some future date to be decided upon by the Government, it will be changed to begin accruing as a flat rate pension for people under age 45 at the date of the change.

Personal Pension Plans and Stakeholder Pension Schemes

Various institutions, such as banks, building societies and life assurance companies provide and administer personal pensions and stakeholder pension schemes. Your chosen organisation would invest your contributions and when you retire the investments are cashed in and the sum of money realised is used to buy retirement benefits from the insurance

market. Your benefits are therefore based on investment returns and are not guaranteed or linked to your earnings. The age from which you may receive them will vary according to the plan, but you may not be able to receive that part which replaces the State Second Pension (S2P) before State pension age.

Local Government Pension Scheme

The Local Government Pension Scheme (LGPS) is a statutory, funded pension scheme. As such it is very secure because its benefits are defined and set out in law. The LGPS is contracted-out of the State Second Pension (S2P) and must, in general, provide benefits at least as good as most members would have received had they been members of S2P.

Highlights of the benefits provided by the LGPS are:

- a tax-free lump sum when you retire
- a pension based on your career average pay
- the ability to increase your pension by paying additional voluntary contributions
- voluntary retirement from age 60
- retirement from age 50 with your authority's consent
- an ill health pension from any age
- a death in service lump sum of two times career average pay
- a widow's, widower's or civil partner's pension
- children's pensions
- the index-linking of benefits to



ensure that they keep pace with inflation.

In addition, as a member of the LGPS, your contributions will attract tax relief at the time they are deducted from your allowances and, up to State pension age, you will also pay lower National Insurance contributions on earnings between the Lower and Upper Earnings Limits unless you have opted to pay the married woman's/widow's reduced rate of National Insurance.

The Guide

Joining the Local Government Pension Scheme (LGPS)

Who can join?

The LGPS is available to all councillors and elected mayors of an English county council, district council or London borough

council or of a Welsh county council or county borough council who are offered membership of the Scheme under the council's scheme of allowances and who are under age 75. Those who are offered membership are termed eligible councillors. If you have been offered membership of the Scheme it will be for you to decide whether or not to opt to join the Scheme. If you make an election to do so you will become a member of the LGPS from the beginning of the first pay period following the receipt of your option (but see the special rules for previous optants out on page 26).

How do I ensure that I have become a member of the LGPS?

To secure your entitlement to the Scheme benefits it is important that you complete and return the joining form if you wish to opt into membership of the Scheme. On receipt of your form, relevant records will

be set up and an official notification of your membership of the Scheme will be sent to you. In addition, you should check your allowance payments to ensure that pension contributions are being deducted.

Can I join the LGPS if I already have a personal pension or stakeholder pension scheme?

If you currently contribute to a personal pension plan or stakeholder pension scheme and decide to join the LGPS, you can, if you wish, still continue to make your own contributions to the personal pension or stakeholder pension scheme from your earnings as a councillor.

From 6th April 2006 you can, if you wish, pay up to 100% of your taxable earnings in any one tax year (or £3600 if greater) into any number of pension arrangements of your choice and be eligible for tax relief. However, unless you

have enhanced protection, there will be a tax charge if in any year, other than the year in which all your pension benefits have become payable, the value of your pension savings increases by more than the annual allowance. There will also be a tax charge if, when you draw your benefits, the value of all your pension savings exceeds the lifetime allowance (or, if you have opted for it, the primary lifetime allowance protection or enhanced protection). Tax will be payable on any excess amount. Most scheme members pension savings will be significantly less than the lifetime and annual allowances. The lifetime allowance and annual allowance covers any pension benefits you may have in all tax-registered pension arrangements – not just the LGPS - but excludes the State Pension.

Contributions

What do I pay?

Your contribution is 6% of the pay you receive.

Your contributions are very secure. As the LGPS is set up by Statute, payment of benefits to its members is guaranteed by law.

What does the council pay?

The council pays the balance of the cost of providing your benefits after taking into account investment returns. Every three years, an independent actuary calculates how much the council should contribute to the Scheme. The amount will vary, but generally the underlying assumption is that you contribute approximately one third of the Scheme's costs and the council contributes the remainder.

Do I receive tax relief on my contributions?

The Scheme is fully approved by HM Revenue and Customs, which means that you receive tax relief on your contributions. To achieve this, your contributions are deducted from your allowances before you pay tax. So, for example, if you pay tax at the rate of 22%, every £1 that you contribute to the Scheme only costs you 78p net.

What about my National Insurance contributions?

As the Scheme is contracted-out of the State Second Pension (S2P) you will, up to State pension age, pay reduced National Insurance contributions on your allowances between the Lower and Upper Earnings Limits, unless you have opted to pay the married woman's/widow's reduced rate of

National Insurance.

Can I make extra contributions to increase my benefits?

Members are able to increase their benefits by making additional voluntary contributions (AVCs). Additionally, you may pay contributions into a personal pension plan or a stakeholder pension scheme. These options are explained in more detail on pages 19 to 20.

Is there a limit to how much I can contribute?

At the present time there is no limit on the amount of contributions you can pay (e.g. in to the Scheme's AVC arrangement). However, tax relief will only be given on contributions up to 100% of your taxable earnings. Additionally, unless you have enhanced protection, there will be a tax charge



if in any year, other than the year in which all your pension benefits have become payable, the value of your pension savings has increased in excess of the annual allowance. There will also be a tax charge if, when you draw your benefits, the value of all your pension savings exceeds the lifetime allowance (or, if you have opted for it, the primary lifetime allowance protection or enhanced protection). Tax will be payable on any excess amount.

Can I transfer pension rights into my current LGPS Fund from a previous pension scheme?

The rules of the Scheme do not permit you to transfer pension rights into the LGPS from another pension scheme or, indeed, from another local authority pension fund.

Points to Note

- If you have a deferred benefit from a previous period of councillor membership in the same LGPS Fund you may opt to aggregate the earlier membership with the current period of councillor membership but only if you opt to do so within 12 months of rejoining the Scheme or such longer period as your council allows. This is a council discretion; you can ask your council what their policy is on this matter.

Retirement Benefits

When can I retire?

You can retire and receive your LGPS benefits in full once you have attained age 65. The Scheme also makes provisions for the early payment of your LGPS benefits and these are detailed

in the sections on Ill Health and Early Retirement on pages 10 to 13.

The State pension age is 65 for men and 60 for women. However, from the year 2020, the Government will have equalised the State pension age for both men and women at 65. The increase in the State pension age for women will be phased in gradually from the year 2010 as shown on page 40.

What are my retirement benefits?

When you retire, you will receive a pension and a tax-free lump sum from the LGPS. At State pension age you will also receive the basic flat-rate State pension if you have paid sufficient National Insurance contributions during your working life.

How much will my pension be?

Your pension is based on your total membership and your career average pay. The example below shows how your pension is calculated by dividing your career average pay into 80ths and multiplying this figure by your total membership to give you your annual pension.

How much will my lump sum be?

The lump sum automatically paid on retirement is three times your annual pension and is tax-free. Like your pension, it is based on your career average pay and your total membership. The calculation for the lump sum is $\frac{3}{80}$ ths of your career average pay for every year of total membership. If you draw your benefits on or after 6 April 2006, you will be able to commute some of your pension to receive a bigger tax-

free lump sum – further information on giving up some of your pension to increase your lump sum is provided on page 8.

Example pension and lump sum calculation

On retirement at age 65, a Scheme member has 30 years and 204 days total membership and has a career average pay of £16,200.

The annual pension is therefore: $\frac{1}{80} \times £16,200 \times 30 \frac{204}{365} = £6,188.18$

The tax-free lump sum automatically paid is therefore:

$\frac{3}{80} \times £16,200 \times 30 \frac{204}{365} = £18,564.53$

Can I give up some of my pension to increase my lump sum?

If you draw your benefits on or after 6th April 2006, you will be able to exchange some of your pension to receive a bigger tax-free lump sum. You will be able to take up to a maximum of 25% of the capital value of your pension benefits as a tax-free lump sum or, if lower, 25% of the lifetime allowance less an adjustment for the value of any other pension benefits you are already drawing. The lump sum automatically paid on retirement as detailed above roughly equates to 15% of the capital value. Any amount you take as a lump sum above the automatic lump sum would be achieved by exchanging part of your annual pension for a one-off tax-free cash payment – for each £1 annual pension given up you will receive £12 lump sum. You may not reduce your pension to below your Guaranteed Minimum Pension.

As your election to commute should be made in writing to your administering authority before your benefits are paid it is important you contact your administering authority well in advance of your intended retirement date so they can provide you with further details about this option and the necessary paperwork.

Your lump sum will be increased and your pension reduced in accordance with any commutation election you make. Any subsequent widow's, widower's, civil partner's and children's long term pensions will be calculated by reference to your pension prior to any reduction to provide an increased lump sum.

Your administering authority will provide you with further details about this option.



How will my pension be paid?

Monthly pension payments will be made direct into your bank or building society account. Similar arrangements can also be made to pay your pension into your account should you move abroad. Further information regarding payment of pensions is provided on retirement.

Will my pension increase?

After age 55, members' pensions in payment will be increased each year in line with the Retail Prices Index. If you retire before age 55, the accumulated effect of inflation since you retired will be added to your pension when you reach age 55 (but see page 11 regarding the increasing of ill health pensions.)

Points to Note

- If your pension benefits are subject to a Pension Sharing Order issued

by the Court following a divorce or annulment of marriage or the making of an order for the dissolution or nullity of a civil partnership, or are subject to a qualifying agreement in Scotland, your benefits will be reduced in accordance with the Court Order or agreement (see pages 28 and 29 for further details).

- Under HM Revenue and Customs rules, if the capital value of your LGPS retirement benefits together with other pension benefits you are receiving (not including any state retirement pension, state pension credit or any spouse's, civil partner's or dependant's pension you may be entitled to) exceeds the lifetime allowance (or your primary lifetime allowance protection or enhanced protection if you have opted for it), the excess will be subject to a recovery tax charge. Your

administering authority will let you know what the value of your LGPS benefits on retirement is and ask you about any other pensions you may have in payment, so they can work out whether there is an excess amount on which the recovery tax charge should be levied. If you do not provide this information promptly it could delay the payment of your pension. Most scheme member's pension savings will be significantly less than the lifetime allowance.

- Under HM Revenue and Custom rules, if the LGPS makes an unauthorised payment or if you recycle your lump sum back into a pension arrangement, there will be a tax charge.
- If, after retiring, you return to employment or office within Local Government or employment with

another organisation that participates in the LGPS, your pension may be reduced or suspended in accordance with the policy adopted by your administering authority. Under the LGPS, this is an administering authority discretion and their policy with regard to it must be included in a policy statement. Further details will be provided on request.

Ill Health Retirement

What happens if I have to retire early due to ill health?

If you have at least three months total membership and an administering authority approved independent registered medical practitioner certifies that you have become permanently unable (until your 65th birthday) to perform the duties of your office efficiently because of ill

health or infirmity of mind or body, you will receive your pension and lump sum immediately. The medical practitioner must be qualified in occupational health medicine and must not have previously been involved in your case.

How is an ill health pension and lump sum calculated?

Ill health pensions and lump sums are calculated in the same way as detailed in the section on Retirement Benefits, except that the total membership used in the calculation will be increased if your total membership is five years or more. This is to reflect that you are having to retire early. The amount by which it will be increased is shown in the table below.

Total Membership
Total Membership after Increase Awarded

Less than 5 years

Actual total membership only

Between 5 and 10 years
Total membership doubled
Between 10 and 13 1/3 years
Total membership increased to 20 years

Between 13 1/3 and 33 1/3 years
Total membership increased by 6 2/3 years
Between 33 1/3 and 40 years
Total membership increased to 40 years

Over 40 years
Actual total membership only

Your increased membership, however, must not exceed the total membership you would have accrued had you continued in service until age 65.

What if I do not qualify for an ill health pension and lump sum?

If you have less than three months total membership you will receive a refund of your contributions.

Points to Note

- If your pension benefits are subject to a Pension Sharing Order issued by the Court following a divorce or annulment of marriage or the making of an order for the dissolution or nullity of a civil partnership, or are subject to a qualifying agreement in Scotland, your benefits will be reduced in accordance with the Court Order or agreement (see pages 28 and 29 for further details).
- Your pension benefits will not be increased if you have previously been awarded an ill health pension under



the Scheme.

- When, at the date of retirement, the administering authority is satisfied that there is a life expectancy of less than a year, the administering authority may commute the pension into a lump sum equal to a lump sum of five times the annual amount of pension given up.
- Ill health pensions are increased each year in line with the Retail Prices Index regardless of age.

Early Retirement

Can I retire early?

If you have at least three months total membership you can, upon retirement from office at any time on or after age 60, elect in writing to your council to receive your LGPS benefits.

Also, upon retirement from office between and including the ages of 50 and 59 you may elect to receive your LGPS benefits, but only if your council gives their consent. This is a council discretion and under the LGPS your council's policy with regard to this must be included on their Policy Statement.

Will my pension and lump sum be reduced if I retire early?

If you join the LGPS after 30th September 2006, retire and elect to receive benefits before age 65 your pension and lump sum, initially calculated as detailed in the section on Retirement Benefits, will be reduced.

The reduction is calculated in accordance with guidance issued by the Government Actuary from time to time. As a guide, the percentage reductions, issued in October 2006, for retirements up to five

years early between and including the ages of 55 and 65 are shown in the table below. Where the number of years is not exact, the reduction percentages are adjusted accordingly.

If you are contributing to scheme on 30th September 2006 some or all of your benefits paid early could be protected from the reduction if you are a protected member.

Your council may determine on compassionate grounds not to apply any reduction. This is a council discretion; you can ask your council what their policy is on this matter.

If you voluntarily retire before age 65 you do not have to receive immediate payment of your benefits and can defer them within the LGPS for payment at a later date as detailed on page 22.

Points to Note

- If your council gives consent to immediate early retirement benefits on or after age 50 and before age 60 your pension will be increased each year in line with the Retail Prices Index except that if the benefits are paid before age 55 your pension will be paid at a flat rate until age 55. At that time it will be increased by the accumulated effect of inflation since you retired.
- If your pension benefits are subject to a Pension Sharing Order issued by the Court following a divorce or annulment of marriage or the making of an order for the dissolution or nullity of a civil partnership, or are subject to a qualifying agreement in Scotland, your benefits will be reduced in accordance with the Court Order or agreement (see pages 28 and 29 for further details).

Late Retirement

What if I carry on working after age 65?

If you carry on in office after age 65 you will continue to pay into the scheme, accruing further benefits. You can receive your pension when you retire, or when you reach the eve of your 75th birthday, whichever occurs first.

If you draw your pension after age 65 the pension you have accrued prior to age 65 will be increased to reflect the fact that it will be paid for a shorter time.

Your pension has to be paid before your 75th birthday.

If your pension benefits are subject to a Pension Sharing Order issued by the Court following a divorce or annulment of marriage or the making of an order

for the dissolution or nullity of a civil partnership, or are subject to a qualifying agreement in Scotland, your benefits will be reduced in accordance with the Court Order or agreement (see pages 28 and 29 for further details).

Protection for your Family

What benefits will be paid if I die in service?

If you die in service as a member of the LGPS, subject to the qualifying conditions detailed, the benefits shown below are payable.

- **A lump sum death grant.**
A lump sum death grant of two times your career average pay is payable no matter how long you have been a member of the LGPS.
- **A widow's, widower's or civil**

partner's pension

A short-term pension, at an annual rate equal to your career average pay, is paid to your widow, widower or civil partner for three months immediately following your death, no matter how long you have been a member of the LGPS. If there are eligible children (any of whom are in the care of your widow, widower or civil partner) this pension is paid for six months.

If you should die in service having accrued three months total membership then the LGPS will also pay a long-term pension to your widow, widower or civil partner commencing when the short-term pension ends. The long-term pension is generally half the pension you would have received if you had retired early due to ill health on the date of death.



Pension Reduction % Years Early	Lump Sum Reduction %		
	Males	Females	All Members
1	6	5	2
2	11	10	5
3	16	15	7
4	20	19	9
5	24	23	12

- **Pensions for eligible children**

Children's pensions are payable for so long as eligible children remain following your death, no matter how long you have been a member of the LGPS. Eligible children include the deceased member's legitimate, adopted or dependent children who are

- under age 17, or
- under age 23 and, since before age 17, have been in full-time education or in training for a trade, profession or vocation, or
- dependent by reason of incapacity which arose whilst a child within the definition in (a) or (b) above

(but does not include children born 12 months or more after the member's death). The administering authority may, if they wish, ignore a break in training or education. This is an administering authority discretion; you can ask your

administering authority what their policy is on this matter.

A long term pension is payable at the rate of one quarter of your notional pension entitlement if there is one child or at the rate of one-half if there are two or more children. If no widow's, widower's or civil partner's long-term pension is payable, the pension is payable at the rate of one-third where there is one eligible child and at the rate of two-thirds where there is more than one eligible child. The pension may be reduced if a child is receiving pay over and above a set level while in full-time training for a trade, profession or vocation.

Your notional pension entitlement is calculated by reference to the lesser of the total membership you would otherwise have accrued by age 65, or 10 years. If at the date of death you have already accrued five or more years total

membership, and you had not previously retired from the LGPS on health grounds, the notional amount will, if higher, be calculated by reference to the total membership you would have had if you had retired due to ill health.

Normally, payment of the children's long-term pension will commence when the widow's, widower's or civil partner's short-term pension ceases. If no widow's, widower's or civil partner's short-term pension is payable, however, a children's short-term pension, equal to the amount that would have been paid to a widow, widower or civil partner, is paid for six months. If the children are not in the care of the surviving spouse or civil partner, a children's short term pension is paid for three months. In both cases, commencement of the children's long-term pension is normally deferred until the short-term pension ceases.

What benefits will be paid if I die after retiring on pension?

If you die after retiring on pension, your benefits will no longer be payable. Your widow, widower, civil partner, next-of-kin or person dealing with your Estate must immediately inform the Pension Section of the administering authority whose address is given on the inside front cover of this booklet of your date of death as otherwise an overpayment could occur.

The following benefits may then be payable:

- **A lump sum death grant**
A lump sum death grant will be payable if the death occurs in the first five years on pension and is the amount by which your annual pension multiplied by five exceeds the pension paid to you up to the

date of death.

- **A widow's, widower's or civil partner's pension**
A widow, widower or civil partner will receive a short-term pension for the three months following your death, or six months if one or more eligible dependent children are in the widow's, widower's or civil partner's care. This will be equal to the pension you were receiving or would have received but for a reduction as a result of early retirement or had it not been paid as a lump sum due to exceptional ill health. After that the widow, widower or civil partner will receive a long-term pension generally equal to half the pension you were receiving or would have received but for a reduction as a result of early retirement or as a result of an exchange of pension for an increased lump sum where the

exchange was made on or after 6th April 2006, or had it not been paid as a lump sum due to exceptional ill health. If you married after retirement and you had retired on the grounds of permanent ill health, the widow's or widower's pension will only be based on half of your basic pension i.e. excluding any enhancement to your pension on account of ill health retirement (see page 10). If you entered into a civil partnership after retirement, the civil partner's pension will be half your pension.

- **Pensions for eligible children**
Children's pensions are payable for so long as eligible children remain following your death, as detailed on page 15. The pension is not calculated, however, against a notional entitlement. It is calculated instead against the pension you



were receiving at the date of your death or would have received but for a reduction as a result of early retirement or as a result of an exchange of pension for an increased lump sum where the exchange was made on or after 6th April 2006, or had it not been paid as a lump sum due to exceptional ill health. If your pension was originally calculated on a total membership of less than the shorter of ten years or the amount you could have accrued had you continued working to age 65, this amount is used to increase your pension for the purpose of calculating the children's pension only.

Points to Note

- Your administering authority has the discretion to pay the lump sum death grant to your nominee or personal representatives or to any person who

appears, at any time, to have been your relative or dependant. If any part of the death grant has not been paid by the second anniversary of your death, it must be paid to your personal representatives, i.e. to your Estate. If you have not already made your wishes known, or you wish to change a previous nomination, an expression of wish form is available from your administering authority.

- Your personal representatives will be required to determine whether, with the lump sum death grant, the capital value of your overall pension benefits (not including any spouse's, civil partner's or dependant's pensions) exceeds the lifetime allowance (or primary lifetime allowance protection if you have opted for it). Under HM Revenue and Customs rules, any excess will be subject to a recovery tax charge.

Most scheme members' pension savings will be significantly less than the lifetime allowance.

- Widows', widowers', civil partners' and children's pensions are increased each year in line with the Retail Prices Index regardless of age.
- Widow's, widower's and civil partner's pensions are payable for life even if your widow, widower or civil partner remarries, enters into a new civil partnership or cohabits.
- If your pension benefits are subject to a Pension Sharing Order issued by the Court following a divorce or annulment of marriage or the making of an order for the dissolution or nullity of a civil partnership, or are subject to a qualifying agreement in Scotland, your benefits will be reduced in accordance with the

Court Order or agreement. In consequence, if you remarry or enter into a new civil partnership, any spouse's pension or civil partner's pension payable following your death will also be reduced (see pages 28 and 29 for further details). Benefits payable to eligible children will not, however, be reduced because of a pension share.

Increasing your Benefits

How can I increase my benefits?

To increase the value of the benefits that you and your dependants receive, you may:

- make an additional voluntary contributions (AVC) arrangement. If you choose to pay into an AVC arrangement, the contributions you make to it are invested separately,

in funds managed by an insurance company or building society. You have your own personal account that, over time, builds up with your contributions and the returns on your investment.

Payments commence from the next available pay day after your election has been accepted and you may cease payment at any time whilst you are contributing to the LGPS.

At retirement the accumulated fund in your account is used to buy you an annuity from an insurance company, bank or building society (but you can defer purchasing an annuity until the day before your 75th birthday at the latest). If you carry on contributing to the LGPS beyond age 65 you will not be able to purchase an annuity until you retire or you reach the eve of your 75th birthday, whichever

occurs first. An annuity is a fixed amount of additional pension benefit, although you may be able to choose to include guaranteed annual increases and dependants' benefits.

Annuities are subject to annuity rates which in turn are affected by interest rates. When interest rates rise, the organisation selling annuities is able to obtain a greater income from each pound in your AVC fund, and therefore can provide a higher pension. Conversely a fall in interest rates reduces the pension which can be purchased.

At retirement, you may elect to take up to 100% of the accumulated fund in your in house AVC as a tax free lump sum if you draw it at the same time as your LGPS pension benefits, provided when added to the

automatic LGPS lump sum detailed on page 7 it does not exceed 25% of the overall value of your LGPS benefits (including your AVC fund) or, if less, 25% of the lifetime allowance less an adjustment for the value of any other pension benefits you are already drawing. If you defer drawing your AVC, you can draw up to 25% of the value of your AVC fund as a tax free lump sum at the time you decide to take benefits from your AVC fund.

You can also pay AVCs to increase your death in service lump sum cover over and above the two times career average pay provided by the LGPS, or to provide additional dependants' benefits.

- contribute to a concurrent personal pension plan or stakeholder pension scheme



You may, if you wish, make your own arrangements to pay contributions to a personal pension plan or stakeholder pension scheme from your earnings as a councillor at the same time as being a member of the LGPS.

If you choose to also pay into a personal pension plan or stakeholder pension scheme, the contributions you make to it are invested in funds managed by an insurance company. You have your own personal account that, over time, builds up with your contributions and the returns on your investment. When the benefits become payable, up to 25% of the accumulated fund in your account can be taken as a tax free lump sum or, if less, 25% of the lifetime allowance less an adjustment for the value of any other pension

benefits you are already drawing. The balance is used to buy you an annuity from an insurance company, bank or building society (but you can defer purchasing an annuity until the day before your 75th birthday at the latest). An annuity is a fixed amount of additional pension benefit, although you may be able to choose to include guaranteed annual increases and dependants' benefits. Annuities are subject to annuity rates which in turn are affected by interest rates. When interest rates rise, the organisation selling annuities is able to obtain a greater income from each pound in your personal pension or stakeholder fund, and therefore can provide a higher pension. Conversely a fall in interest rates reduces the pension which can be purchased.

Points to Note

- From 6th April 2006 you can, if

you wish, pay up to 100% of your taxable earnings in any one tax year (or £3600 if greater) into any number of pension arrangements of your choice and be eligible for tax relief. There are also controls on the pension savings you can have before you pay extra tax – see page 4 for details

- Providing the contribution limits above are not exceeded, your contributions will qualify for full tax relief.
- If you elect to pay AVCs for additional death benefits, you may be required to satisfy certain medical conditions. You may be asked to complete a medical questionnaire and may be asked to undergo a medical examination at your own expense before your election is accepted.

- Further information on increasing your Scheme benefits is available by contacting your administering authority.

Ceasing to be a Councillor before Retirement

What happens to my benefits if I cease to be a councillor participating in the LGPS?

In these circumstances you may choose, from a number of options, what happens to the benefits you have accrued in the LGPS. The options available to you are described in the table below.

If you have:
Less than three months total membership

Either
To take a refund of your contributions less any deductions for tax and the cost

of buying you back into the State Second Pension Scheme (S2P).

Or

To transfer an amount equal to the cash equivalent of your pension benefits into your new employer's scheme provided they are willing and able to accept it, into a personal pension plan, into a stakeholder pension scheme, or into a 'buy-out' insurance policy (but not to the LGPS unless you again participate in the same LGPS fund as a councillor member).

Or

To defer making a decision until you either re-join the same LGPS fund as a councillor member, or join a new pension scheme, or want to take a refund of contributions.

If you have:
At least three months total membership

Either
To leave your accrued benefits in the LGPS. Your pension and lump sum will be calculated as described in the section on Retirement Benefits using the length of your total membership up to the date that you left the Scheme. This is known as having deferred benefits

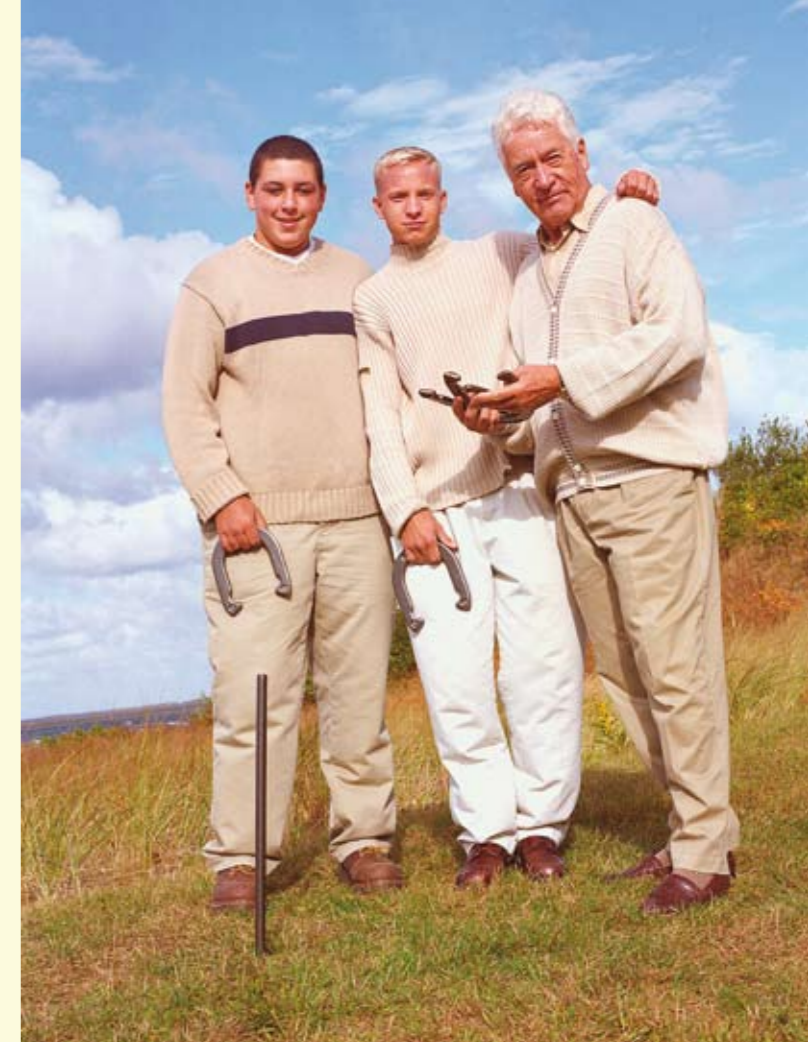
Or

To transfer an amount equal to the cash equivalent of your pension benefits into your new employer's scheme provided they are willing and able to accept it, into a personal pension plan, into a 'buy-out' insurance policy or into a stakeholder pension scheme (but not the LGPS unless you again participate in the same LGPS fund as a councillor member).

Note: it may be possible to make a transfer payment to an overseas pension scheme or arrangement that meets HM Revenue and Customs conditions.

What will happen to my benefits if I choose to defer them?

Your benefits will remain deferred within the LGPS until they become payable or until you decide to transfer them as detailed in the table on page 21. Deferred benefits become payable at age 65 (unless you opt to defer payment beyond that age), but may be put into payment at any age earlier than 65 in the event of ill health, without reduction. You can also elect to receive your benefits early, on or after age 50 and before age 60 with your council's consent as detailed on page 12, or at or after age 60, without your council's consent. Your benefits (unless being paid on the grounds of permanent ill health) will be reduced as



detailed on page 12 if paid before age 65 to take account of early payment (although some or all of your benefits could be protected from the reduction if you joined the LGPS before 1st October 2006 and you are a protected member). Your former council will have discretion to waive any reduction on compassionate grounds. The percentages will differ from those shown where benefits are paid with the former council's consent before age 55. Please contact your administering authority for details of the percentage reductions that apply when deferred benefits are put into payment before age 55 for reasons other than ill health.

What will happen if I die before receiving payment of my deferred benefits?

Should you die while your benefits are deferred your retirement lump sum will be paid as a death grant. Payment will be

made as detailed earlier. A widow's, widower's or civil partner's long-term pension will also become payable. The widow's, widower's or civil partner's pension is payable at the rate of one-half of your deferred pension.

Long-term children's pensions will be payable for so long as eligible children remain following your death, as detailed on page 15. The pension is not calculated, however, against a notional entitlement. It is calculated instead against the pension you would have received had your deferred benefits been put into payment on the date of your death. If your pension would have been calculated on a total membership of less than the shorter of ten years or the amount you could have accrued had you continued in office to age 65, that amount is used to increase your pension for the purpose of calculating the children's pension only.

What will happen if I wish to transfer my accrued pension benefits to another (non LGPS) scheme?

If you are interested in transferring the value of your accrued pension rights to another occupational pension scheme (outside of Local Government), to a personal pension plan, to a stakeholder pension scheme or to a buy-out insurance policy you can ask for a transfer value quotation to be provided (known as the 'cash equivalent' transfer value). Under provisions introduced by the Pensions Act 1995, a quotation must be guaranteed for a period of three months from the date on which it was calculated (the 'Guarantee Date'). A written option to proceed with the guaranteed transfer value must be received within the three month guaranteed period. If you opt to proceed, the normal time limit for the Scheme to pay the guaranteed transfer value will be six months from the

'Guarantee Date'. If the Scheme does not make payment within this period it will need to recalculate the value as at the actual date of payment and pay the recalculated value or, if it is greater, the original value plus interest.

Transfer values are calculated in accordance with the terms and conditions of the Local Government Pension Scheme Regulations 1997 (as amended) which comply with requirements of the Pensions Schemes Act 1993.

Points to Note

- A refund of contributions cannot be paid if you have any other pension rights in the LGPS in England or Wales. If you already have a frozen refund, hold another LGPS employment, have a deferred pension, pension credit or are in receipt of a pension from the LGPS (other than a widow's, widower's,

civil partner's or child's pension) or have transferred LGPS benefits to an overseas scheme you cannot claim a refund of contributions. Your administering authority will ask you to certify whether you have other LGPS pension rights before they can pay a refund of contributions.

- Only Scheme members who leave more than one year before age 65 can transfer their pension rights. The latest an option to transfer can be made is one year before age 65 or six months after leaving the Scheme, if this is later.
- You may wish to obtain independent financial advice before you make a decision to transfer your deferred benefits to a personal pension plan, stakeholder pension scheme or buy-out insurance policy, as you will be bearing all of the investment risk,

which could significantly affect your future pension benefits.

- If you draw your benefits on or after 6th April 2006, you may be able to commute some of your pension to receive a bigger tax-free lump sum (see page 8 for further details).
- Under HM Revenue and Customs rules, if the capital value of your deferred benefits on payment together with other pension benefits you are receiving (not including any state retirement pension, state pension credit or any spouse's, civil partner's or dependant's pension you may be entitled to) exceeds the lifetime allowance (or your primary lifetime allowance protection or enhanced protection if you have opted for it), the excess will be subject to a recovery tax charge. When your deferred benefits become

payable your administering authority will let you know their value and ask you about any other pensions you may have in payment, so they can work out whether there is an excess amount on which the recovery tax charge should be levied. If you do not provide this information promptly it could delay the payment of your pension. Most scheme members pension savings will be significantly less than the lifetime allowance.

- Deferred benefits (including the lump sum benefits) are increased annually in line with the Retail Prices Index. However, should your deferred benefits be brought into payment before age 55 on the grounds of permanent ill health, pensions increase is only payable before your 55th birthday if you are certified as being incapable of engaging in any regular full-time work; if you are not so certified, or



your deferred benefits are brought into payment with your former authority's consent before age 55, the benefits will be paid at a flat rate until age 55. Then, at age 55, the benefits will be increased by the accumulated effect of inflation since they were brought into payment.

- Under HM Revenue and Customs rules your pension savings in all your pension arrangements can increase in any one year up to the annual allowance without incurring an extra tax charge. Unless you have enhanced protection, any increase in the value of your deferred benefits will be taken into account in assessing whether you exceed the annual allowance (other than in the year in which they become payable). Most scheme members' benefits will not exceed the annual allowance.

- Widow's, widower's and civil partner's pensions are payable for life even if your widow, widower or civil partner remarries, enters into a new civil partnership or cohabits.
- Widows', widowers', civil partner's and children's pensions are increased each year in line with the Retail Prices Index regardless of age.
- If your pension benefits are subject to a Pension Sharing Order issued by the Court following a divorce or annulment of marriage or the making of an order for the dissolution or nullity of a civil partnership, or are subject to a qualifying agreement in Scotland, your benefits will be reduced in accordance with the Court Order or agreement. In consequence, if you have deferred benefits and you remarry or enter into a new civil partnership, any spouse's or civil

partner's pension payable following your death will also be reduced (see pages 28 and 29 for further details) but benefits payable to eligible children will not be reduced because of a pension share.

- Further information on the options available on leaving the LGPS will be sent to you on leaving.

Opting-out of the LGPS

Can I opt-out of the LGPS?

You can leave the LGPS at any time by giving your council notice in writing. An election to opt-out becomes effective from the end of the payment period during which you gave notification, unless your notification specifies a later date. You are recommended to obtain advice before opting-out of the LGPS.

If you opt-out the same options are available to you as detailed in the section on Ceasing to be a Councillor before Retirement.

Can I re-join the LGPS at a later date?

If you opt-out once, you can re-join the LGPS at any time whilst you remain an eligible councillor.

If you opt-out of the LGPS more than once, unless you elect to re-join the Scheme within three months of commencing as an eligible councillor with a new council, you will only be allowed to re-join at the discretion of your council. You can ask your council what their policy is on this matter.

Points to Note

- You may wish to obtain independent financial advice before you make a decision to opt-out of the LGPS.

Some other LGPS Provisions

The LGPS requires your administering authority to:

- pay interest on lump sum benefits that are paid more than one month after they should have been paid.
- pay interest on pensions that are paid more than a year after they should have been paid.
- pay interest on refunds of contributions that are paid more than a year after the date you left the LGPS.
- issue annual benefit statements to Scheme members (other than to pensioners).
- have a statement setting out their policy on communicating

with scheme members, members' representatives, prospective members and employers.

The LGPS allows your administering authority to:

- commute small pensions into single lump sum payments. The circumstances where this may happen are restrictive, particularly if you have other pension benefits.

The LGPS allows your authority to:

- reduce pension benefits if a LGPS member leaves as a result of a criminal, negligent or fraudulent act, or omission.
- forfeit a LGPS member's pension rights if the Secretary of State for Communities and Local Government agrees and the member has been

convicted of a serious offence connected with their office.

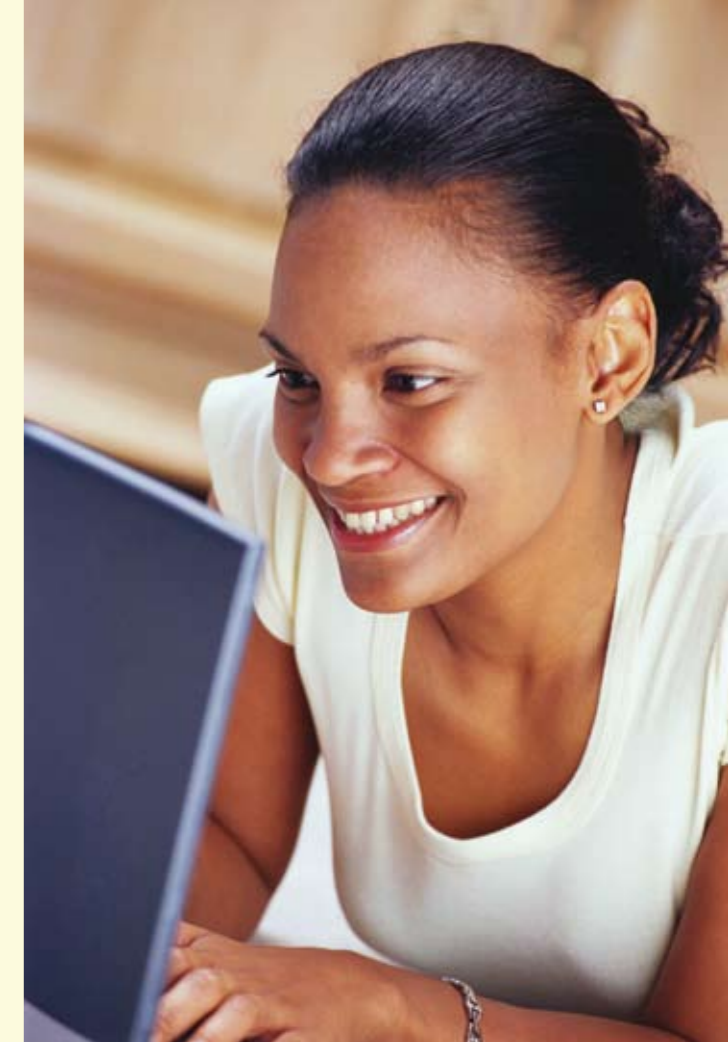
The LGPS does not allow you to:

- assign your benefits. Your LGPS benefits are strictly personal and cannot be assigned to anyone else or used as security for a loan.

Pensions and Divorce or Dissolution of a Civil Partnership

Under the LGPS, if you get divorced or a civil partnership is dissolved, you may wish to note that:

- your ex-wife, ex-husband or ex-civil partner will cease to be entitled to a widow's, widower's or civil partner's pension should you predecease them.
- any children's pension payable in the event of your death will not be affected



by your divorce.

- if you nominated your ex-wife, ex-husband or ex-civil partner to receive any death grant payable, your nomination will remain in force until you change it. The Court may, however, issue an Earmarking Order stating that all or part of any lump sum death grant is payable to your ex-spouse or ex-civil partner.

You should also note that in proceedings for divorce, judicial separation or nullity of marriage, or for dissolution, separation or nullity of a civil partnership, you will be required to obtain the cash equivalent value of your pension rights from the administering authority which the Court will take into account in the divorce or dissolution settlement. In Scottish divorces / dissolution, only the pension rights built up during the period of the marriage / civil partnership are taken into

account.

The Court may offset the value of your pension rights against your other assets in the divorce / dissolution settlement or it may issue a Pension Sharing Order or an Earmarking Order against your pension.

If the Court issues an Earmarking Order, the Order may require that when your benefits come into payment your ex-spouse / ex-civil partner should receive one, or a combination, of the following benefits:

- all, or part, of your pension (this does not apply in Scotland)
- all, or part, of your lump sum retirement grant
- all, or part, of any lump sum paid in the event of your death.

An Earmarking Order against pension

payments, but not lump sums (unless the Order directs otherwise), will automatically lapse if your former spouse or civil partner remarries or enters into a civil partnership and the full pension would be restored to you. Pension payments to your former spouse or civil partner would cease on your death.

If the Court issues a Pension Sharing Order, or you are subject to a qualifying agreement in Scotland, a percentage of your rights will be allocated to your ex-spouse or ex-civil partner at the point of divorce or dissolution. Your pension, your lump sum and the contingent spouse's / civil partner's pension, but not the contingent children's pensions, will be reduced accordingly, and your ex-spouse / ex-civil partner will hold benefits in his / her own right which can be left in the Scheme to be payable from, normally, age 65 or transferred to another qualifying pension scheme. The

reduction to your benefits is known as a Pension Debit. The amount of the Pension Debit will be increased in line with the rise in the Retail Prices Index between the date the Debit was first calculated and the date your benefits become payable. When your benefits become payable, the revalued amount of the Pension Debit will be deducted from your retirement benefits. In assessing the value of your benefits against your lifetime allowance or primary lifetime allowance protection, the reduced value after the Pension Debit will be used, but any primary lifetime allowance protection will be lost if the debit reduces it to below the standard lifetime allowance. You may be able to pay Additional Voluntary Contributions, or contribute to a concurrent personal pension plan or stakeholder pension scheme in order to make up for the benefits 'lost' following a Pension Share.

A separate leaflet providing more

information is available from the administering authority upon request.

All correspondence received by the administering authority in connection with divorce or dissolution proceedings will be acknowledged in writing. If no acknowledgement is received, you should contact the administering authority to ensure that your correspondence has been received.

The cost of supplying information and complying with any court order imposing obligations on the LGPS will be recovered from you and/or your ex-spouse or ex-civil partner in accordance with a schedule of charges published by the administering authority.

Scheme Administration

Who runs the LGPS?

The LGPS is run by administering authorities, for example County Councils, in accordance with regulations approved by Parliament. Each administers their own Fund, into which all contributions are paid. Every three years, independent actuaries carry out a valuation of each Fund and set the rate at which the participating employers must contribute to fully fund the payment of Scheme benefits for that Fund's membership.

How is the Scheme amended?

The Scheme regulations are made under the Superannuation Act 1972. Changes to the rules are discussed at national level by employee and employer representatives but can only be amended with the approval of Parliament. Your

administering authority must keep you informed of any changes that are made.

Are the Scheme benefits protected?

As the Scheme is set up by statute, payment of the Scheme benefits is guaranteed by law.

What other legislation applies to the Scheme?

The Scheme is a registered public service scheme under Chapter 2 of Part 4 of the Finance Act 2004. It achieved automatic registration by virtue of Part 1 of Schedule 36 of that Act (because the Scheme was, immediately before 6th April 2006, both a retirement benefits scheme approved under Chapter I of Part XIV of the Income and Corporation taxes Act 1988 and a relevant statutory scheme under section 611A of that Act). This means, for example, that you receive tax relief



on your contributions. It complies with the relevant provisions of the Pension Schemes Act 1993, the Pensions Act 1995 and the Pensions Act 2004.

How can I check the accuracy of my pension records?

To maintain the security of any information about you, your administering authority is registered under the current Data Protection Acts. You can check that your computerised personal record is accurate, although we may charge a small fee.

What other information am I entitled to?

You are entitled to obtain a copy of the Local Government Pension Scheme Regulations 1997 (Statutory Instrument Number 1997 No.1612) and subsequent amendments. The Regulations are

available from The Stationery Office. A current version, including all amendments, is available on the Local Government Employers' website at <http://timeline.lge.gov.uk/> A copy of the Regulations may be inspected at the offices of your administering authority. In addition, you are entitled to view, and take copies of, your administering authority's Annual Report and Accounts.

Help with Pension Problems

Who can help me if I have a query or complaint?

If you are in any doubt about your benefit entitlements, or have a problem or question about your LGPS membership or benefits, please contact the Pension Section of your administering authority. They will seek to clarify or put right any misunderstandings or inaccuracies as quickly and efficiently as possible.

If you are still dissatisfied with any decision made in relation to the Scheme you have the right to have your complaint independently reviewed under the Internal Disputes Resolution Procedure and, as the Scheme is well regulated, there are also a number of other regulatory bodies that may be able to assist you. The various procedures and bodies are detailed below.

- **Internal Disputes Resolution Procedure**

In the first instance, you should write to the person nominated by the council that made the decision about which you wish to appeal. You must do this within six months of the date of the notification of the decision about which you are complaining. The nominated person will consider your complaint and notify you of his/her decision. If you are still dissatisfied with that person's

decision, you may, within six months of the date of the decision apply to the administering authority to have the decision reconsidered.

A leaflet explaining the Internal Disputes Resolution Procedure in detail is available on request from your administering authority's Pension Section.

To avoid any unnecessary effort on your behalf we would welcome the opportunity to attempt to resolve with you the matter with which you are dissatisfied before you resort to a formal complaint.

- **The Pensions Advisory Service (TPAS)**

TPAS is available at any time to assist members and beneficiaries of the Scheme in connection with any pensions query they may have or any

difficulty which they cannot resolve with their scheme administrators.

TPAS can be contacted at:

11 Belgrave Road, London
SW1V 1RB
Telephone 0845 601 2923

- **Pensions Ombudsman**

In cases where a complaint or dispute cannot be resolved after the intervention of OPAS, an application can be made, within three years of the event, to the Pensions Ombudsman for an adjudication. The Ombudsman can investigate and determine any complaint or dispute involving maladministration of the Scheme or matters of fact or law and his or her decision is final and binding. Matters where legal proceedings have already started cannot be investigated. The Pensions Ombudsman can be

contacted at:

11 Belgrave Road, London
SW1V 1RB
Telephone 0207 834 9144

- **The Pensions Regulator**

From April 2005, the Pensions Regulator replaces the Occupational Pensions Regulatory Authority (OPRA) as the regulator of work-based pension schemes. The Pensions Regulator has powers to protect members of work-based pension schemes and a wide range of powers to help put matters right, where needed. In extreme cases, the regulator is able to fine trustees or employers, and remove trustees from a scheme. You can contact the Pensions Regulator at:
Napier House, Trafalgar Place
Brighton, BN1 4DW
Telephone 0870 6063636

How can I trace my pension rights?

The Pension Tracing Service holds details of pension schemes, including the LGPS, together with relevant contact addresses. It provides a tracing service for ex-members of schemes with pension entitlements (and their dependants), who have lost touch with previous employers. All occupational and personal pension schemes have to register if the pension scheme has current members contributing into their scheme or people expecting benefits from the scheme. If you need to use this tracing service please write to:

The Pension Tracing Service
The Pension Service
Tyneview Park
Whitley Road
Newcastle upon Tyne
NE98 1BA
Telephone 0845 6002 537



Also, don't forget to keep your pension providers up to date with any change in your home address.

Pension Terms Defined

Administering authority

Please see the section entitled Who runs the LGPS? on page 44.

Annual Allowance

This is the amount by which the value of your pension benefits may increase in any one year (disregarding the year that all your benefits become payable) without having to pay income tax at 40% on the excess. The annual allowance is set by the Treasury and for 2007/2008 is £225,000. Most scheme members will not be affected by the annual allowance. For calculating the increase in value of your LGPS benefits, the first year ran from 6th April 2006 to 31st March 2007; subsequent years

run from 1st April to 31st March. If you exceed the annual allowance in any year you are responsible for reporting this to HM Revenue and Customs on your Self-assessment tax return and for paying the annual allowance tax charge. Your administering authority will be able to give you the information you require on the increase in the value of your LGPS benefits including any additional voluntary contribution (AVC) arrangement you may have. The assessment covers any pension benefits you may have in all tax-registered pension arrangements – not just the LGPS. Please note, however, that the annual allowance tax charge will not apply if you have registered to have enhanced protection (but only if you keep enhanced protection throughout the relevant tax year).

Career average pay

Career average pay is the pay for each year or part year ending 31 March

increased (other than the final years pay) by the rise in the Retail Prices Index between the end of the relevant year and the last day of the month in which the councillor member's active membership of the Scheme ends. The aggregate of each years revalued pay is then divided by the total number of years and part years to arrive at the career average pay. This is the figure used to calculate your pension benefits.

Example

Assume that a councillor has been in the Scheme for 3 years, from 1st May 2003 to 30th April 2006. The average pay calculation would be calculated as follows:

Pay from 1st May 2003 to 31st March 2004:

£8,250 plus inflation from 1st April 2004 to 30th April 2006 = £8,781

Pay from 1st April 2004 to 31st March 2005:
£9,300 plus inflation from 1st April 2005 to 30th April 2006 = £9,592

Pay from 1st April 2005 to 31st March 2006:
£9,500 plus inflation from 1st April 2006 to 30th April 2006 = £9,573

Pay from 1st April 2006 to 30th April 2006:
£800 = £800

Career average pay = £8,781 + £9,592 + £9,573 + £800 divided by 3 = £9,582

Should you reach age 65 and continue in employment please refer to page 20.

Civil Partnership

A civil partnership is a relationship between two people of the same sex ("civil partners") which is formed when

they register as civil partners of each other.

Contracted-out

The LGPS is contracted-out of the State Second Pension Scheme (S2P). This means that, up to State pension age, you pay reduced National Insurance contributions between the Lower and Upper Earnings Limits, unless you have opted to pay the married woman's/ widow's reduced rate of National Insurance, and that you do not earn a pension under S2P. Instead, the LGPS must guarantee to pay you a pension that in general is as high as you would have earned had you been in the S2P. The LGPS guarantees that the benefits it provides will, in general, be no less favorable than those provided under a Reference Scheme prescribed under the Pensions Act 1995.

Discretion

This is the power given by the LGPS to enable your council or your administering authority to choose how they will apply the Scheme in respect of certain of its provisions. Under the LGPS your council or your administering authority are obliged to consider certain of these discretionary provisions and to pass resolutions to form a policy of how they will apply the provision. In respect of the remaining discretionary provisions they are advised to do so. They have a responsibility to act with 'prudence and propriety' in formulating their policies and must keep them under review. You may ask your council or your administering authority what their policy is in relation to a discretion. See also 'Policy Statement' on page 36.

Eligible councillor

This is a councillor or an elected mayor (other than the Mayor of London) who

is eligible for membership of the LGPS in accordance with the scheme of allowances published by an English county council, district council or London borough council or by a Welsh county council or county borough council.

Enhanced protection

See under Primary Lifetime Allowance Protection.

Lifetime Allowance

This is the total capital value of all pension benefits you can have without triggering an excess benefits tax charge. If the value of your pension benefits when you draw them (not including any state retirement pension, state pension credit or any spouse's, civil partner's or dependant's pension you may be entitled to) is more than the lifetime allowance, or more than any primary lifetime allowance protection or enhanced protection you may have, you will have to pay tax on the excess benefits. The lifetime



allowance is set by the Treasury and for 2007/2008 is £1.6million. The lifetime allowance covers any pension benefits you may have in all tax-registered pension arrangements – not just the LGPS. Most scheme members pension savings will be significantly less than the lifetime allowance.

When any LGPS benefit, or any other pension arrangement you may have, is brought into payment you use up some of your lifetime allowance – so even if your pensions are small and will not exceed the lifetime allowance you should keep a record of any pensions you receive. If you have a pension in payment before 6 April 2006, this will be treated as having used up part of your lifetime allowance.

When you draw your LGPS pension your administering authority will ask you for the percentage of the lifetime allowance that has been used up by any pensions

you already have in payment, and any benefits you are about to take in other schemes. If you do not provide this information promptly it could delay the payment of your pension.

If your LGPS benefits exceed your lifetime allowance, or your primary lifetime allowance protection or enhanced protection, a recovery tax charge will be made against the excess. The charge on excess benefits paid as a pension will be 25%, with income tax deducted thereafter; excess benefits taken as a lump sum will be taxed once only at 55%.

Lower Earnings Limit

This is the amount of pay that you can receive before you pay any National Insurance contributions. The Lower Earnings Limit for 2007/2008 is £87 per week or £377 per month. It is usually increased annually by Parliament.

Pay

In England, this is your basic allowance or special responsibility allowance, or both, which is specified as being pensionable in your council's scheme of allowances. In Wales it is your basic and special responsibility allowance. It does not include any dependants' carers allowance, travelling and subsistence allowance, or co-optees allowance.

Policy Statement

This is a statement that your council and your administering authority must produce, setting out the policies that they have resolved to follow in exercising certain discretions under the LGPS. Other discretions may also be included. You should be notified of the policies contained on the Statement and, where changes are made, you should be notified within one month of the change occurring. You may ask your council and your administering authority for the latest

copy of their Policy Statements.

Primary lifetime allowance protection and enhanced protection

Primary protection is aimed at protecting benefits earned up to 5th April 2006 in respect of those high earners affected by the introduction of the lifetime allowance from 6th April 2006. Under HM Revenue and Customs rules, if the value of your pension benefits at 5th April 2006 exceeded the 2006/2007 lifetime allowance of £1.5million, you can register for primary protection so that you have an individual lifetime allowance based on how much your benefits at 5th April 2006 exceeded the value of the 2006/2007 standard lifetime allowance. Your individual lifetime allowance increases at the same rate as the standard lifetime allowance. You can also register for enhanced protection, as well as primary protection, if the value of your pension benefits at 5th April

2006 exceeded the 2006/2007 lifetime allowance of £1.5million, or you can register for enhanced protection if you believe they may in the future exceed the standard lifetime allowance. Under enhanced protection you do not pay tax on benefits in excess of the lifetime allowance provided your benefits at 5th April 2006 have not increased since then beyond certain limits (in general terms, by more than the greater of 5% per annum, the increase in the Retail Price Index or increases in your pensionable pay). If the limit is exceeded you will pay tax on the excess. You will lose enhanced protection if you pay contributions into a money purchase pension arrangement (e.g. pay into the LGPS in house AVC facility) or if you start a new pension arrangement, or if you transfer your LGPS benefits to another defined benefit pension scheme. You can also voluntarily give up enhanced protection by giving notice that you no longer wish to keep it.

If you lose enhanced protection you must notify HM Revenue and Customs within 90 days. Failure to do so could result in a fine of up to £30,000.

You have to register with HM Revenue and Customs by 5th April 2009 if you wish to obtain primary or enhanced protection. The relevant forms are available at <http://www.hmrc.gov.uk/pensionschemes/protection.htm>

Protected member

If you were contributing to the Scheme on 30th September 2006 you may have protected rights regarding early payment of your benefits.

- If you will be age 60 or over by 31st March 2016 and choose to retire before age 65 (with employer's consent if retiring before age 60) you may have some protection

from the reductions applied to benefits voluntarily drawn before age 65, as explained below: -

- o If you satisfy the 85-year rule when you start to draw your pension, the benefits you have accrued up to 31st March 2016 will not be reduced. However, the benefits built up after 31st March 2016 will be reduced by the factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than age 65.
- o If you do not satisfy the 85 year rule when you start to draw your pension, but would have satisfied the rule if you had remained in employment until age 65, the calculation of your benefits is split into two parts. Firstly, all the benefits you have built up in the Scheme up to 31st March 2016 will be reduced by the factor shown in the table on page 12 which relates



- to the number of years the benefits are being paid earlier than the date you would have met the 85 year rule. Secondly, any benefits you have built up in the Scheme after 31st March 2016 will be reduced by the appropriate factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than age 65.
- o If you do not satisfy the 85-year rule when you start to draw your pension, and would not have satisfied the rule if you had remained in employment until age 65, all the benefits you have built up in the Scheme will be reduced by the appropriate factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than age 65.
 - If you will be under age 60 by 31st March 2016 and will not be 60 by 31st March 2020 and choose to retire before age 65 (with employer's consent if retiring before age 60) you may have some protection from the reductions applied to benefits voluntarily drawn before age 65, as explained below: -
 - o If you satisfy the 85-year rule when you start to draw your pension, the benefits you have accrued up to 31st March 2008 will not be reduced. However, the benefits built up after 31 March 2008 will be reduced by the factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than age 65.
 - o If you do not satisfy the 85 year rule when you start to draw your pension, but would have satisfied the rule if you had remained in employment until age 65, the calculation of your benefits is split into two parts. Firstly, all the benefits you have built up in the Scheme up to 31st March 2008 will be reduced by the factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than the date you would have met the 85 year rule. Secondly, any benefits you have built up in the Scheme after 31st March 2008 will be reduced by the appropriate factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than age 65.
 - o If you do not satisfy the 85-year rule when you start to draw your pension, and would not have satisfied the rule if you had remained in employment until age 65, all the benefits you have built up in the Scheme will be reduced by the appropriate factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than age 65.
 - If you will be aged 60 between 1st April 2016 and 31st March 2020 and choose to retire before age 65 (with employer's consent if retiring before age 60) you may have some protection from the reductions applied to benefits voluntarily drawn before age 65, as explained below: -
 - o If you satisfy the 85-year rule when you start to draw your pension, the benefits you have accrued up to 31st March 2008 will not be reduced. However, the benefits built up after 31st March 2008 will, if you do not meet the 85 year rule by 31st March 2020, be reduced by the factor shown in the table on page 12 which

relates to the number of years the benefits are being paid earlier than age 65. If you do meet the 85 year rule by 31st March 2020 a smaller reduction factor than that shown on page 12 will be applied to the benefits built up between 1st April 2008 and 31st March 2020.

- o If you do not satisfy the 85 year rule when you start to draw your pension, but would have satisfied the rule if you had remained in employment until age 65, the calculation of your benefits is split into two parts. Firstly, all the benefits you have built up in the Scheme up to 31st March 2008 will be reduced by the factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than the date you would have met the 85 year rule. Secondly, any benefits you have built up in the Scheme after 31st

March 2008 will, if you would not meet the 85 year rule by 31st March 2020, be reduced by the appropriate factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than age 65. If you would meet the 85 year rule by 31st March 2020 a smaller reduction factor than that shown on page 12 will be applied to the benefits built up between 1st April 2008 and 31st March 2020.

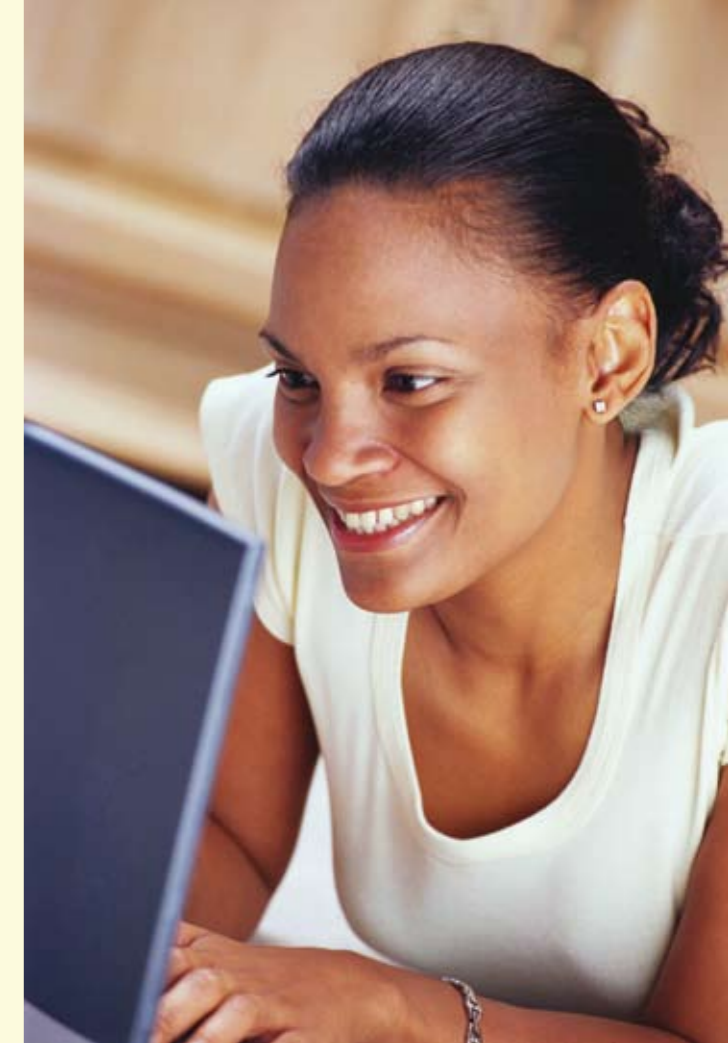
- o If you do not satisfy the 85-year rule when you start to draw your pension, and would not have satisfied the rule if you had remained in employment until age 65, all the benefits you have built up in the Scheme will be reduced by the appropriate factor shown in the table on page 12 which relates to the number of years the benefits are being paid earlier than age 65.

How do I know if I will satisfy the 85-year rule?

The rule is satisfied if your membership (as defined below) and age (each in whole years) adds up to 85.

- **Membership that counts in working out the 85 year rule**

The number of years that you have been a LGPS member as a councillor or elected mayor plus, for deferred benefits, the period between the date of leaving and the date benefits are to be bought into payment, but excluding any membership in respect of which you are already in receipt of a Local Government pension, or in respect of which you hold an earlier Local Government deferred pension which relates to an earlier period of membership of the Scheme as a councillor or elected mayor, or in respect of any other earlier period of membership of the Scheme as a councillor or elected mayor which has



not been aggregated with your current period of membership.

Retail Prices Index

This shows the changes in the cost of living. It reflects the movement of prices covering a range of goods and services over time. The amount by which pensions are increased annually is based on movement in the Retail Prices Index during the 12 months to September.

State pension age

This is currently age 65 for men and 60 for women, but from 2010 will change for women as shown in the table below, so that by 2020 State pension age will have been equalised at age 65.

Date of Birth

Before 6th April 1950
 6th April 1950 - 5th April 1951
 6th April 1951 - 5th April 1952
 6th April 1952 - 5th April 1953
 6th April 1953 - 5th April 1954
 6th April 1954 - 5th April 1955
 After 5th April 1955

State pension age

60
 Between 60 & 61
 Between 61 & 62
 Between 62 & 63
 Between 63 & 64
 Between 64 & 65
 65

Total membership

This is the amount of membership that counts, as detailed below, for:

- working out whether you are entitled to a benefit
 - ~ the number of years and days that you have been a LGPS member as a councillor or elected mayor.

- working out the amount of your personal benefits
 - ~ the number of years and days that you have been a LGPS member as a councillor or elected mayor but excluding any membership in respect of which you are already in receipt of a Local Government pension, or in respect of which you hold a Local Government deferred pension which relates to an earlier period of membership of the Scheme as a councillor or

elected mayor, or in respect of any other earlier period of membership of the Scheme as a councillor or elected mayor which has not been aggregated with your current period of membership.

- ~ any membership granted by way of ill health enhancement (see page 10).

Upper Earnings Limit

This is the amount of pay beyond which you cease to pay the full, contracted-out, rate of National Insurance contributions. The Upper Earnings Limit for 2007/2008 is £670 per week or £2,904 per month. It is usually increased annually by Parliament. On earnings above the Upper Earnings Limit you only pay a 1% National Insurance contribution.

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