

WILTSHIRE COUNCIL

WILTSHIRE LOCAL PENSION BOARD

18 February 2020

Death Grant Policy

Purpose of the Report

1. To allow the Board the opportunity to consider the key contents of the Fund's internal death grant policy.

Background

2. In various parts of the LGPS Regulations, the Fund is afforded discretion over how the rules of Scheme operate, allowing a degree of localised decision making. The Fund's approach to these discretions is outlined in the administering authority discretions policy (as covered earlier in this agenda).
3. One of the most important discretions given to the Fund is to decide upon the recipient(s) of any death grant following the death of Scheme member (potentially of any status).

Considerations for the Board

4. Due to the significance and materiality of this discretion, the Fund has in place an internal policy which helps guide decision making, whilst still trying to ensure that each decision is still based on the merits of the case which means the approach remains subjective rather than the policy being deterministic (which would fetter away the discretion).
5. As the death grant policy is intended as an internal policy, and because the policy also covers detailed procedural aspects for staff, some sections of the policy have been redacted in the appendix so that only the key principles are publicly disclosed.
6. Whilst a high level approach outlined in the administering authority discretions policy is approved by the Committee, the detail of this policy is approved at officer level (by the Head of Pensions Administration and Relations).
7. The key aspect of the policy is based around three principles:
 - a). The deceased preference:** Either as stated by them or assumed.
 - b). The reasonability of the deceased preference:** This is only intended to be used in exceptional circumstances and to cover rare situations such as where the needs of a financial dependent (such as a young child of the deceased) appears to be ignored without a reasonable justification, such as other arrangements being in place.
 - c). Acting reasonably and professionally:** Ensure that the decision-making process is clear and robust and the appropriate efforts are made to gather all relevant information (which can be difficult in some cases if some potential beneficiaries can need be found)

Environmental Impact of the Proposal

8. Not applicable.

Financial Considerations & Risk Assessment

9. There are no specific financial and risk assessments resulting from this report.

Legal Implications

10. There are no material legal implications from this report although the discretions policy and death grant policy in itself seeks to indirectly reduce the risk of legal challenges to Fund decisions by providing transparency and trying to ensure consistency.

Safeguarding Considerations/Public Health Implications/Equalities Impact

11. There are no known implications at this time.

Reasons for Proposals

12. To rectify the issues relating to each discretion as outlined in the Appendix.

Proposals

13. The Board is asked to note the contents of this policy and to make any recommendations it has for officers for changes.

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Unpublished documents relied upon in the production of this report: NONE