Appendix

Proposed changes to discretion's policy (approved by Committee on 24 September 2020)

Discretion	Current Wording	Proposed wording	Reason for change
Allow transfer of pension rights into the Fund (the discretion applies to non-club transfers only)	*"WPF will allow members to transfer in pension rights in subject to the transferring scheme meeting legislative requirements. WPF reserves the right to obtain actuarial advice if the Fund feels that the acceptance of a transfer may create a substantial liability to the Fund."*	*"The Fund accepts all non-club transfers in unless it is agreed otherwise in the terms of the employer's admission agreement or in a separate, formal written agreement between the Fund and employer (and its guarantor, if deemed necessary by the Fund)."*	The Fund is obliged to accept all club transfers in (and some, rare types of non-club transfers) but it has discretion of most non-club transfers (generally, private sector pensions). The assets received for non-club transfers tend to be less the estimate liabilities, which can materially impact funding levels, and hence one employer in the Fund has requested that we alter our discretion policy to provide some room for restrictions. Following advice from the LGA, we have altered the discretion in such a way that the default is the member still has this benefit but
Decide to whom death grant is paid LGPS Regulations 40(2), 43(2) and 46(2) (Amongst other transitional and historical equivalent ones)	*"WPF will endeavour to comply with the members wishes by taking into consideration the nominee(s) stated on a completed WPF 'expression of wish' form. However, if WPF has a reasonable reason to believe the member would have no longer wished the stated person(s) to be the nominee(s), or because their nomination is no longer valid*	*"Wiltshire Pension Fund (WPF) has absolute discretion when deciding to whom any death grant shall be paid upon the member's death. In exercising this discretion, WPF will endeavour to comply with the member's wishes by taking into consideration the nominee(s) stated on a completed 'expression of wish' form, where one exists. Where WPF reasonably believes any expression of wish to be invalid or inappropriate for any reason, including if it believes the expression of wish may*	Whilst the general approach is unchanged, there are some technical and logical flaws in the existing wording which we have sought to rectify. Furthermore, it is highly unusual to pay a death grant to the estate directly as this could trigger an inheritance tax-charge so the final position has been amended to become less rigid and to reflect current practice.

	(i.e. they have died), or WPF have reasons to believe that alternative beneficiaries should be taken into consideration then WPF reserves the right to use its absolute discretion when deciding to whom any death grant is to be paid upon the members' death. Where WPF is unable to pay the death grant to a stated nominee, either because none is stated or for the reasons above, WPF will make payment to the person's estate."	*not have reflected the member's final wishes, it reserves the right, in accordance with its absolute discretion, to ignore any such wishes as expressed. Where no expression of wish has been made, WPF will consider the claims of anyone appearing to be a relative or dependant of the member and exercise its absolute discretion accordingly, taking into account the contents of the Will (if one exists). In exceptional circumstances, WPF also reserves the right to pay the death grant to the estate via the personal representatives, if it considers this an appropriate form of action*	
Decide to treat child as being in continuous education or training despite a break Regulations Schedule 1	*"WPF will treat a child as being in continuous education or training in all cases where the child is under age 18. Where the child is aged between 18 and 23, WPF will ignore all breaks up to 6 months.*	*"WPF will treat a child as being in continuous education or training in all cases where the child is under age 18. Where the child is aged between 18 and 23, WPF will ignore all breaks up to 6 months and will ignore longer breaks in exceptional circumstances."*	We have come across a couple of occasions where the gap in education has been due to reasons such as sickness or care for a relative, rather because the person has permanently left education and has become financial independent. Therefore, we propose this discretion is altered to give officers' greater flexibility.
Whether to require a satisfactory Medical before agreeing to an application to pay an Additional	*WPF will require that any member wishing to take up APC/SCAPC where the contributions will be paid monthly, obtains a medical*	*WPF will require that a medical certificate from a GP, or another appropriate qualified practitioner, is provided to the Fund by any member wishing to take up an APC/SCAPC for*	The current discretion has caused some confusion in that it has been applied to cases whereby the member is buying back service for a period of time when they were on unpaid leave (e.g. maternity).

| Pension Contribution (APC) or Shared Cost APC | *certificate from a GP or another appropriate qualified medical practitioner at the cost of the member stating that as far as they are aware, or can reasonably assess, that they have no reason to believe that the member will retire on health grounds before the age of 65 or the members State Pension Age if later."* | *extra pension which would buy upon completion at least £500 of annual pension (in one or more APCs). The certificate must state that as far as GP or appropriate qualified practitioner are aware, or can reasonably assess, that there is no reason to believe that the member will retire on ill health grounds before the age of 65 or the member's State Pension Age if later. Any costs obtaining the certificate will be paid for the member.*

For the avoidance of doubt, all APCs for "lost pension" do not require a medical certificate" | Further it seems disproportionate to ask for a certificate where the amount of pension being purchased is small and hence a £500p/a minimum threshold is proposed. |