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STATUTORY INSTRUMENTS

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**2008 No. 239**

**The Local Government Pension Scheme  
(Administration) Regulations 2008**

**PART 7**

**POLICY STATEMENTS AND INFORMATION**

**Exchange of information by authorities**

- 64.**—(1) An employing authority which is not an administering authority must—
- (a) inform the appropriate administering authority of all decisions made by the employer under Part 6 or this Part concerning members; and
  - (b) give that authority such other information as it requires for discharging its Scheme functions.
- (2) If—
- (a) an administering authority makes any decision under Part 6 or this Part about a person for whom it is not the employing authority; and
  - (b) information about the decision is required by his employing authority for discharging that employer's Scheme functions,

that authority must give that employer that information.

**Pension administration strategy**

**65.**—(1) An administering authority may prepare a written statement of the authority's policies in relation to such of the matters mentioned in paragraph (2) as it considers appropriate ("its pension administration strategy") and, where it does so, paragraphs (3) to (7) apply.

- (2) The matters are—
- (a) procedures for liaison and communication with employing authorities in relation to which it is the administering authority ("its employing authorities");
  - (b) the establishment of levels of performance which the administering authority and its employing authorities are expected to achieve in carrying out their Scheme functions by—
    - (i) the setting of performance targets,
    - (ii) the making of agreements about levels of performance and associated matters, or
    - (iii) such other means as the administering authority considers appropriate;
  - (c) procedures which aim to secure that the administering authority and its employing authorities comply with statutory requirements in respect of those functions and with any agreement about levels of performance;
  - (d) procedures for improving the communication by the administering authority and its employing authorities to each other of information relating to those functions;

- (e) the circumstances in which the administering authority may consider giving written notice to any of its employing authorities under regulation 43(2) on account of that authority's unsatisfactory performance in carrying out its Scheme functions when measured against levels of performance established under sub-paragraph (b);
  - (f) the publication by the administering authority of annual reports dealing with—
    - (i) the extent to which that authority and its employing authorities have achieved the levels of performance established under sub-paragraph (b), and
    - (ii) such other matters arising from its pension administration strategy as it considers appropriate; and
  - (g) such other matters as appear to the administering authority, after consulting its employing authorities and such other persons as it considers appropriate, to be suitable for inclusion in that strategy.
- (3) An administering authority must—
- (a) keep its pension administration strategy under review; and
  - (b) make such revisions as are appropriate following a material change in its policies in relation to any of the matters contained in the strategy.
- (4) In preparing or reviewing and making revisions to its pension administration strategy, an administering authority must consult its employing authorities and such other persons as it considers appropriate.
- (5) An administering authority must publish—
- (a) its pension administration strategy; and
  - (b) where revisions are made to it, the strategy as revised.
- (6) When an administering authority publishes its pension administration strategy, or that strategy as revised, it must send a copy of it to each of its employing authorities and to the Secretary of State.
- (7) An administering authority and its employing authorities must have regard to the current version of any pension administration strategy when carrying out their Scheme functions.
- (8) In this regulation references to the functions of an administering authority include, where applicable, its functions as an employing authority.

### **Statements of policy about exercise of discretionary functions**

- 66.**—(1) Each employing authority must prepare a written statement of its policy in relation to the exercise of its functions under regulations 12 (power of employing authority to increase total membership of active members), 13 (power of employing authority to award additional pension), 18 (flexible retirement) and 30 (choice of early payment of pension) of the Benefits Regulations.
- (2) Before the expiry of the period of three months beginning with the commencement date, each employing authority must send a copy of its statement to each relevant administering authority and must publish its statement.
- (3) An employing authority must—
- (a) keep its statement under review; and
  - (b) make such revisions as are appropriate following a change in its policy.
- (4) Before the expiry of the period of one month beginning with the date any such revisions are made, each employing authority must send a copy of its revised statement to each relevant administering authority and must publish its statement as revised.

(5) In preparing, or reviewing and making revisions to, its statement, an employing authority must have regard to the extent to which the exercise of any of the functions mentioned in paragraph (1) in accordance with its policy could lead to a serious loss of confidence in the public service.

(6) In this regulation, a relevant administering authority, in relation to an employing authority, is any authority which is an appropriate administering authority for that employer's employees.

### **Statements of policy concerning communications with members and employing authorities**

**67.**—(1) This regulation applies to the written statement prepared and published by an administering authority under regulation 106B of the 1997 Regulations (1).

(2) The authority—

- (a) must keep the statement under review,
- (b) make such revisions as are appropriate following a material change in its policy on any of the matters mentioned in paragraph (3); and
- (c) if revisions are made, publish the statement as revised.

(3) The matters are—

- (a) the provision of information and publicity about the Scheme to members, representatives of members and employing authorities;
- (b) the format, frequency and method of distributing such information or publicity; and
- (c) the promotion of the Scheme to prospective members and their employers.

### **Annual benefit statements**

**68.**—(1) An administering authority must issue an annual benefit statement to each of its active, deferred and pension credit members.

(2) The first such statement must be issued on or before 1st April 2010 and subsequent statements must be issued on or before 1st April in each year after that year.

(3) A statement must contain an illustration of the amount of benefit entitlement, in respect of the rights that may arise under the Scheme, which—

- (a) has been accrued by the member at the relevant date; and
- (b) in the case of an active member, is capable of being accrued by him if he remains in the Scheme until his normal retirement age.

(4) The illustration must be calculated—

- (a) in the case of active members, on the member's pay (or, as respects part-time employees, the whole-time equivalent) for the 12 month period ending with the relevant date;
- (b) in the case of deferred members, on the member's final pay; and
- (c) in the case of pension credit members, in accordance with regulation 153 of the 1997 Regulations, but with the substitution in paragraph (1) of that regulation of "the relevant date" for "normal benefit age".

(5) The relevant date is—

- (a) 31st March before the date that the statement is issued; or
- (b) such later date as the authority may choose.

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(1) Regulation 106B was inserted by [S.I.2005/3199](#).

**Information to be supplied by employees**

**69.**—(1) Before the expiry of the period of three months beginning with the date a person becomes a member, the employing authority must ask him in writing for the documents specified in paragraph (2).

(2) Those documents are—

- (a) a statement in writing listing all the person’s previous periods of employment; and
- (b) copies of all notifications previously given to him under these Regulations and the Earlier Regulations.

(3) It must also ask for those documents before the expiry of the period of three months beginning with the occurrence of any change as respects his employment which is material for the Scheme.

(4) A request under paragraph (1) or (3) must include a conspicuous statement that it is important that the member gives full and accurate information, especially for ascertaining his rights under the Scheme.

(5) The employing authority need not request any documents if satisfied that it, or the appropriate administering authority (if different), already has all material information.