

GOVERNANCE AND RESOURCES COMMITTEE
09 January 2020

Report of the Chief Executive

AMENDMENT TO THE SCHEME OF DELEGATION

PURPOSE OF REPORT

To amend the Scheme of Delegation to include officers to be the signatory for pension benefits decisions and to adjudicate on appeals.

RECOMMENDATION

- (1) That the Human Resources Manager is delegated authority to act as the signatory for decisions on pension benefits within the agreed Pensions Discretionary Policy
- (2) That the Head of Corporate Services is delegated authority to adjudicate on appeals against decisions on pensions benefits.

WARDS AFFECTED

None

STRATEGIC LINK

None

1 REASON FOR URGENCY

This report has been accepted as an item of urgent business by the Chairman of the Committee in order to make a decision within prescribed timescales which cannot wait until the next meeting of the Committee.

2. REPORT

- 2.1 Derbyshire County Council is the District Council's Administrator for the Local Government Pension Scheme. Under the rules of the scheme the Administrator needs to be notified of signatories to pension benefit decisions e.g. approval for flexible retirement, release of pension on grounds of redundancy. The Administrator also needs to be notified of the officer appointed as the Adjudicator to appeals against pension decisions taken by the employer. The Administrator has its own Adjudicator for appeals against their administration.
- 2.1 Delegated authority is sought for the Human Resources Manager to be the signatory for decisions on pension benefits taken by Corporate Leadership Team in accordance with the agreed discretions policy approved by the Committee.
- 2.2 Delegated authority is also sought for the Head of Corporate Services to be the Adjudicator for appeals against employer pension benefit decisions.

2.3 The role of Adjudicator is to undertake a formal role to determine appeals of a scheme member against employer decisions at stage one of the pension scheme Adjudication of Disagreements Procedure (AADP). If the scheme member remains dissatisfied they have a right to formal appeal at stage 2 to the Derbyshire Pension Fund as the administering authority. Derbyshire County Council Pensions and Investment Committee consider stage 2 appeals. If the scheme member remains unhappy they may then complain to the Pensions Ombudsman.

2 RISK ASSESSMENT

2.1 Legal

The power to delegate decision making is set out in Section 101 of the Local Government Act 1972. The legal risk is therefore low.

2.2 Financial

There is no financial risk in the delegation as the cost of pension release is always sought and considered.

3 OTHER CONSIDERATIONS

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

4 CONTACT INFORMATION

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5 ATTACHMENTS

None