

RULE OF 85 APPLICATIONS

Report of the Finance Director & Company Secretary

1. SUMMARY

- 1.1 This report updates Governance Committee on Rule of 85 applications that have been approved and declined since the last meeting on 21 April 2022.

2. RECOMMENDATION

- 2.1 To note the report.

3. REASON FOR RECOMMENDATION

- 3.1 In accordance with Minute 20/08 to bring a 6 monthly report on applications that have been approved and declined.

4. MATTER FOR CONSIDERATION

- 4.1 The Employer Pension Discretions Policy was approved on 30 May 2019 and updated at the 21 April 2022 meeting.

Governance Committee approval if required where Rule of 85 requests are made and there is a cost to Derby Homes. The general position is that “Derby Homes will not normally exercise this discretion but may consider it under exceptional circumstances, taking into account the business case and foreseeable costs to the employer.”

- 4.2 Rule of 85 date applies when the employees age plus LGPS membership in whole years equals 85. This becomes effective between ages 60 and 65 unless an employer decides to allow it to be between 55 and 60. It enables the pre 2008 service to be awarded without deduction of an early retirement penalty.

For requests when the employee is aged between 55 and 60 there would be a cost to Derby Homes to meet any pension shortfall.

- 4.3 At the Governance Committee meeting on 21 September 2020, it was agreed to report cases to the Governance Committee where applications had been declined by management. Subsequently, the Committee asked to be kept informed on any application approved.

- 4.4 Since the last meeting, there has been one application which was refused on the grounds that there was no business case to support the request. The employee subsequently resigned, and we are in the process of recruiting to the vacant post. There have been no other applications received or approved.

5. OTHER OPTIONS CONSIDERED

5.1 None.

IMPLICATIONS

The areas listed below have no implications directly arising from this report:

Consultation
Financial and Business Plan
Legal and Confidentiality
Council
Personnel
Environmental
Equalities Impact Assessment
Health & Safety
Risk
Policy Review

For more information please contact:

Michael Kirk / Finance Director & Company Secretary / 01332 888703 / Email
michael.kirk@derbyhomes.org

Background information: Reports to Governance Committee (21/9/20) & Derby Homes Board 30/5/2019

List of appendices None

This report has been approved by the following

Finance Director & Company Secretary	Michael Kirk	25.08.2022
Managing Director	Maria Murphy	26.08.2022