



# South Kesteven District Council

## Equality Analysis (Stage 1)

### Pensions Policy & Procedures 2014

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|--|---------------------------------------|--|
| <b>Service Area:</b><br>Human Resources &<br>Organisational<br>Development | <b>Lead officer:</b><br>Joyce Slater  | <b>Date of Meeting</b><br><br>29/11/13 |
|  | <b>Assessors:</b><br>Carol Drury      |  |
|  | <b>Neutral Assessor:</b><br>Jo Toomey |  |

## Name and description of policy/service/function/strategy

The Council's Pension Policy 2014 will provide a framework in which decisions regarding retirement and the early release of pensions will be made in line with the Statutory Instrument 2013 No. 2356 the Local Government Pension Scheme Regulations 2013. It will comply with the new regulations, detailing the employer discretions. The procedures detail the sequence of events, documentation and considerations to be made to reach a decision in line with the policy and the principles detailed in it.

Is this a new or existing policy?

**New**

1. Complete the table below, considering whether the proposed policy/service/function/strategy could have any potential positive, or negative impacts on groups from any of the protected characteristics (or diversity strands) listed, using demographic data, user surveys, local consultations evaluation forms, comments and complaints etc.

| Equality Group    | Does this policy/service/function/strategy have a positive or negative impact on any of the equality groups?<br><br>Please state which for each group | Please describe why the impact is positive or negative. If you consider this policy etc is not relevant to a specific characteristic please explain why  |
|-------------------|---|--|
| <b>Age</b>        | Aspects of the policy apply to employees at different stages of their working life.   | All are positive – i.e. for all employees at any age there are options to increase their pension or use the 50/50 option during times of hardship. Older workers have options for retirement from the age of 55, which is set in statute. Access to full pension will be at state pension age – and this will vary for each employee but will be consistent for each age. Actuarial adjustments vary because of differences in life expectancy at different ages of retirement. Actuarial adjustments are determined nationally by the government's actuaries department |
| <b>Disability</b> | This policy benefits those employees who have a disability and who may not be able to work  | The policy has a number of options which benefit disabled employees – from the option to retire early, the option to have a flexible retirement and the options relating to ill health benefits  |

|                                       |  |  |
|---------------------------------------|--|--|
|                                       |  | During long term absence when the employee's pay is reduced, employer contributions continue at the 100% rate and the employee has the same opportunity to make up their pensions contributions at a future date.  |
| <b>Race</b>                           | No direct impact in terms of race  | Policy and procedure applies equally to all employees regardless of race   |
| <b>Gender Reassignment</b>            | No direct impact in terms of gender reassignment   | Policy and procedure applies equally to all employees regardless of gender reassignment  |
| <b>Religion or Belief</b>             | No direct impact in terms of religion or belief  | Policy and procedure applies equally to all employees regardless of religion or belief   |
| <b>Sex</b>                            | No direct impact in terms of gender  | Policy and procedure applies equally to all employees regardless of gender as the access to full pension is determined by individual's state pension age, which is different for all employees. Actuarial adjustments differ between men and women because of differences in life expectancy. Actuarial adjustments are determined nationally by the government's actuaries department |
| <b>Sexual Orientation</b>             | No direct impact in terms of sexual orientation  | Policy and procedure applies equally to all employees regardless of sexual orientation   |
| <b>Pregnancy and Maternity</b>        | The policy and regulations takes into account the specific circumstances of employees on child related leave | The new regulations have explicit provisions for people with absence for a pregnancy or maternity or adoption related reason to allow them to make up their pension contributions  |
| <b>Marriage and Civil Partnership</b> | No direct impact in terms of marriage and civil partnership  | Policy and procedure applies equally to all employees regardless of marriage and civil partnership and employees can nominate spouses or civil partners as beneficiaries   |

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|---|---|--|
| <b>Carers</b>   | There is an indirect benefit to those with caring responsibilities as the new regulations allow employees to draw pension benefits early from age 55 without employer consent with an actuarial adjustment  | In addition flexible retirement is detailed in the policy and the procedure and allows for part time working at a reduced grade and or hours to facilitate such employee needs                   |
| <b>Other Groups (e.g. those from deprived (IMD*) communities; those from rural communities, those with an offending past)</b><br><br>*(IMD = Indices of multiple deprivation) | No direct impact<br>Employees on reserved forces duty have specific arrangements detailed in the regulations.   | Employees on reserved forces duty have specific arrangements detailed in the regulations to ensure contributions to their pension account are continued and paid for by the Ministry of Defence. |
| <b>General comments</b>   | <p>The policy is required to fulfil statutory obligations and national consultation was undertaken on the regulations prior to their implementation. The policy details the Council's discretions and approaches to the range of retirement options and specifically provides a clear set of principles against which decisions can be made. The procedure is designed to enable the consideration of each decision on a case by case basis taking into account the principles in the policy. The procedure ensures that any decision is scrutinised by the relevant service manager, the People and Organisational Development Service Manager, The Head of Finance and the Monitoring Officer and their views are input into a decision making template before the final decision is made by the Chief Executive or the Strategic Director – corporate focus ( &amp; S151 officer).</p> <p>This equality analysis may need to be reviewed once Cabinet has made its decision.</p> |  |

**3. What equality data/information did you use to inform the outcomes of the proposed policy/service/function/strategy? (Note any relevant consultation who took part and key findings)**

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| <p>The Local Government Pension Scheme regulations SI2013 2356<br/> The Local Government Association &amp; their employer briefing<br/> The Lincolnshire pension scheme administrators<br/> Employee information</p> |
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**If there are any gaps in the consultation/monitoring data, how will this be addressed?**

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| <p>Consultation on the policy will be undertaken with the employees forum and the Joint consultative &amp; negotiating group ( the unions)</p> |
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**4. Outcomes of analysis and recommendations (please note you will be required to provide evidence to support the recommendations made): Please check one of the options.**

|  |  |                                      |
|--|--|--------------------------------------|
| a)   | No major change needed: equality analysis has not identified any potential for discrimination or for negative impact and all opportunities to promote equality have been taken | <b>x</b><br><input type="checkbox"/> |
|  | As this policy has not been developed, a stage 2 equality analysis will have to be carried out once it is written.   |                                      |
| <b><i>If you have checked option a) you will need to complete a Stage 3 analysis when your policy/service/function/strategy has been implemented</i></b> |  |                                      |
| b)   | Adjust the proposal to remove barriers identified by equality analysis or to better promote equality.  | <input type="checkbox"/>             |
| <b><i>If you have checked option b) you will need to answer questions b.1 and b.2</i></b>  |  |                                      |
| c)   | Adverse impact but continue  | <input type="checkbox"/>             |
| <b><i>If you have checked option c) you will need to answer questions c.1</i></b>  |  |                                      |
| d)   | Stop and remove the policy/function/service/strategy as equality analysis has shown actual or potential unlawful   | <input type="checkbox"/>             |

**b.1 In brief, what changes are you planning to make to your proposed policy/service/function/strategy to minimise or eliminate the negative equality impacts?**

**b.2 Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.**

Consultation with Management team, Trade union representatives

***If you have checked option b) you will need to complete a Stage 2 equality analysis***

**c.1 Please provide an explanation in the box below that clearly sets out your justification for continuing with the proposed policy/function/service/strategy.**

***If you have checked option c) you will need to complete a Stage 2 equality analysis. You should consider in stage 2 whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.***

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**Signed (Lead Officer):**  
*(Name and title)*

**Joyce Slater HR & OD Service Manager**  
[Click here to enter text.](#)

**Date completed:**

**29/11/13**

**Signed (Neutral Assessor):**  
*(Name and title)*

**Jo Toomey**  
Principal Democracy Officer

**Date signed off:**

**06/12/13**