



E S East Sussex
P F Pension Fund

FINANCIAL HARDSHIP POLICY

June 2021

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Summary

This policy is to be applied when a member applies for information from the East Sussex Pension Fund (the Fund), that request would normally attract a fee and the member states they are unable to pay the fee due to financial hardship.

In applying this policy due regard shall be taken to The Public Service Equality Duty (PSED). The application of this policy shall ensure the Fund does not discriminate against members of the Fund and will strive to promote equality of opportunity and improve relations.

Policy Statement

a. Introduction and objectives

From time to time the Fund receives requests for information from a member where that member does not have an automatic entitlement to it. Alternatively, the request may state a preference for the information to be provided in a non-standard manner. In both instances the request may attract a fee under the discretionary charging structure applied by the Administrating Authority.

Where a fee is to be levied some members may have a pressing need for the information but not be in a position to pay the fee due to financial difficulties. Where such an application is made, the Fund should ensure the application of a fee does not unreasonably disadvantage the member. This decision needs to be balanced against considering the impact on the generality of the Fund and the PSED.

Hardship Policy

a. Application of this policy

The default position is that a charge indicated on the Fund's list of fees shall be chargeable.

Should a member request information that would incur a fee but state they are unable to pay due to financial difficulties then the member of the Administration Team considering the request shall:-

- a. Inform the person claiming financial difficulties that this is defined as having insufficient income to meet their essential expenditure.
- b. Should the person wish to be considered for financial difficulties having been told this, a request is to be made for up to the last 6 months of bank statements including any saving accounts. This is to be requested using the template in appendix A.
- c. Advise the person claiming financial difficulties that the Trade Unions provide hardship support and members and their families who may be experiencing financial difficulties can reach out to the trade union

representatives. Note the trade unions support active deferred and pensioner members of LGPS employers and not just the current employees of the primary Councils.

- d. Upon receipt consider whether the income indicated is able to meet essential expenditure. Essential expenditure refers to payments such as rent/mortgage, tax, energy, food and essential travel. If in doubt, contact the Finance and Benefits Assessment Team within Adult Social Care Financial Services who will be able to offer assistance. Officers reviewing a financial hardship request can find details of this team on the intranet.
- e. If the person asking for the fee to be waived does not consent to providing the information requested they will not be considered as in financial difficulties and the fee applied.

Once the review of whether the member has sufficient income to meet essential expenditure then a recommendation is to be made to Head of Pensions Administration about next course of action. The recommendation should refer to

- a. Charge to be applied
- b. Reason charge is applicable
- c. Impact of PSED consideration
- d. Proposed course of action – this may be a waiver, discount, payment arrangement, apply the fee or other approach as may be appropriate in the circumstances.

b. Roles and responsibilities

The Head of Pensions Administration shall be the decision maker as to whether the recommendation be accepted. The decision shall be recorded in the Fund Decision and Action log.

Six months after the decision is made by the Head of Pensions Administration, the financial information provided to support the request must be deleted unless a complaint has been received about the decision. This will be done by the officer processing the request.

c. Data Protection

The member data sought through the application of this policy will be stored in a secure folder that has limited access rights. Data will be deleted six months after a decision is made, this is in line with the period available to raise a complaint under the Fund's Internal Dispute Resolution Policy.

Data subjects have the right to refuse to provide this data, but if they do so a financial hardship assessment will not be carried out.

This policy has been through a Data Protection Impact Assessment (DPIA) process.

Appendix A – Template to request data for decision to waive fee

Dear [Name]

Thank you for your request for [request].

As you know the East Sussex Pension Fund would normally apply a fee for providing this information. Where someone is in financial hardship and unable to pay the fee, we are willing to consider waiving the payment. However, we have to act fairly in respect of all our stakeholders; so we need to make sure it appropriate for the costs involved to be borne by the wider membership.

To allow us to review whether you are in financial hardship, please would you provide me with **[a copy of your last 6 month's bank statements]**. This should include any savings accounts you hold. We will use this information to verify your request.

For your information, financial hardship is defined as **having insufficient income to meet essential expenditure**.

Please note, if you do not consent to us obtaining this information we will not be able to consider your request that the fee be waived.

Should you provide these documents we will hold them for 6 months after a decision is made about your request for the fee to be waived.

Please also note, if you or your family are experiencing financial difficulties, you may wish to reach out to the trade unions who are also able to provide hardship support.

Yours sincerely

Note highlighted section dependant on the considered circumstances in the case. 6 months bank statements is the maximum request.