

I WANT TO KNOW ABOUT.....

Receiving pension payments on behalf of a member who is incapable of managing their own affairs.



Until recently the LGPS Regulations did not provide for any other person to receive payments on behalf of an adult scheme pensioner member. Payments could only be made to the actual member concerned.

LGPS Funds and Government have long recognised that some members, for a variety of reasons, reach a point where they can no longer manager their affairs making life difficult for their family and/or carers who need to continue looking after them and providing for their needs.

Previously the only way for a third party to take control of a member's affairs and have access to their finances was through Lasting, (previously enduring), Power of Attorney or through the Court Of Protection. Changes to the Statutory Regulations governing the LGPS now mean that where a member is incapable of managing their own affairs or signing documentation then a third party can apply to the Administering Authority for payment of the member's pension to be made to them instead.

The aim and spirit of this change is to make life easier for all concerned BUT there have to be safeguards within the procedure to ensure that the member's interests are protected and that all such applications are genuine.

It is important to note that any application will have to be supported by an independent witness to the application and by medical evidence signed as appropriate by the member's GP or Consultant and bearing the practice or hospital stamp.

SYPA will not simply begin making payments to a third party upon request and this should not be an expectation of anyone making enquiries. SYPA will however deal with all applications as quickly and sympathetically as possible to help people in difficult circumstances and to that end will provide all of the documentation necessary to submit the application for approval when an enquiry is made.

Enquiries should be made in the first place either by telephone, e-mail or in writing to:

SYPA, 8th Floor, Gateway Plaza, Sackville Street, Barnsley, S70 2RD.

admin@sypa.org.uk

Tel: 01226 772938.

The process agreed by SYPA to deal with such requests is as follows:

When the Authority receives an initial enquiry from someone about the possibility of receiving pension payments for a member who can no longer manage their own affairs then SYPA will send the enquirer:



- A letter explaining the requirements of the process, detailing the supporting evidence required and providing the forms for completion and a covering letter to enclose with the forms when they are completed and returned
- This letter will also explain that the procedure only applies in respect of pensions paid by South Yorkshire Pensions Authority and that it will not be appropriate for other organisations, pension schemes and funds or for managing other aspects of the member's affairs.
- It will explain that the procedure does not replace "lasting power of attorney" or "Court of Protection" orders both of which might still be appropriate and desirable in certain circumstances.
- Two forms will be enclosed. One will need to be completed by the applicant and will require the support of a family member or a fellow professional worker. It will require the applicant to certify that monies received will be on behalf of and for the sole use and benefit of the member. The letter will explain the statutory nature of the Regulations and the legal implications of completing the declaration.
- The second form will need to be completed and signed by a certified medical practitioner that will usually be the member's GP or Consultant. The signed form will have to carry the stamp of the GP's practice or the Consultant's hospital.
- Upon receipt of the completed documents SYPA will consider the application and notify its decision within 5 working days of receipt. The notification will detail the payments to be made to the applicant if the application is approved, the date from which payments will be directed and the bank to which they will be made.

A copy of the letter, the forms to be completed and the covering letter of return can all be downloaded* from the Authority's Website by following the link to the "Members incapable of managing their own affairs" page through the A - Z index. By reading the initial letter you will obtain a full detailed picture of the procedure and its requirements.

**This facility will be available shortly*