



LOCAL GOVERNMENT PENSION SCHEME DISCRETIONS POLICY

BACKGROUND

This policy statement is made in accordance with Paragraph 60 of the Local Government Pension Scheme Regulations 2013 ('the 2013 Regulations'), Regulation 66 (1) of the LGPS (Administration) Regulations 2007 and schedule 2 of the LGPS Regulations 2014 (Transitional provisions, savings and amendments). It sets out how the Trust will apply the discretionary provisions available within those Regulations.

POLICY ON INDIVIDUAL DISCRETIONS

Regulation 16 (2e) 16 (4d) – Funding of additional pension

This discretion is unlikely to be exercised by the Trust except in truly exceptional circumstances. Any decision to exercise this discretion will be made by the Finance and Risk Committee of the Board of Trustees on the basis of a written report from the Principal of the relevant Academy.

Regulations 31 – Whether to grant additional pension to a member (up to £6,500 per annum)

This discretion is unlikely to be exercised by the Trust except in truly exceptional circumstances. Any decision to exercise this discretion will be made by the Finance and Risk Committee of the Board of Trustees on the basis of a written report by the Principal of the relevant Academy.

Regulation 30 (6) – Whether all or some pension benefits can be paid if a member aged 55 or over reduces their hours/grade and continues to work (“flexible retirement”).

The Trust does not give blanket consent for staff in the LGPS aged 55 or over to flexibly retire and draw immediate payment of pension benefits.

The Principal of the relevant Academy will be responsible for assessing requests to take flexible retirement on a case by case basis and will approve requests only where it is in the Trust or Academy's interests to do so, where there will be no adverse impact on the service and where the costs are affordable or where there are cost savings to be achieved as a result of the proposal. A request should typically involve a substantial reduction (at least 40%) in salary either through reduced hours or level of responsibility.

Regulation 30 (8) – Waiving actuarial reduction on flexible retirement

This discretion is unlikely to be exercised by the Trust except in truly exceptional circumstances.

The Principal of the relevant Academy will be responsible for assessing requests to take flexible retirement on a case by case basis and will approve requests only where it is in the Trust and Academy's interests to do so, where there will be no adverse impact on the service and where the costs are affordable or where there are cost savings to be achieved as a result of the proposal. A request should typically involve a substantial reduction (at least 40%) in salary either through reduced hours or level of responsibility.

Regulation 40 – Whether to allow early payment of benefits at/after age 55 for staff who left before 1st April 2014.

The Trust does not give blanket consent for former staff in the LGPS aged 55 or over to retire early and draw immediate payment of pensions benefits.

Where any costs to the Trust will be incurred then this discretion is unlikely to be exercised by the Trust except in truly exceptional circumstances. Any decision to exercise this discretion involving costs will be made by the Finance and Risk Committee of the Board of Trustees on the basis of a written report by the Principal of the relevant Academy.

Regulation 30 30(a) and 30(b) – Waiving actuarial reduction on early retirement

This discretion is unlikely to be exercised by the Trust except in truly exceptional circumstances. Any decision to exercise this discretion will be made by the Finance and Risk Committee of the Board of Trustees on the basis of a written report by the Principal of the relevant Academy.

Regulation 30 – Whether to grant an application for reinstatement of a suspended tier 3 ill health pension on or after age 55 and before age 60.

This discretion is unlikely to be exercised by the Trust except in truly exceptional circumstances. Any decision to exercise this discretion will be made by the Finance and Risk Committee of the Board of Trustees on the basis of a written report by the Principal of the relevant Academy.

Schedule 2 of 2014 Regulations – Switching on the 85 year rule for 55 to 60 year olds

This discretion is unlikely to be exercised by the Trust except in truly exceptional circumstances. Any decision to exercise this discretion will be made by the Finance and Risk Committee of the Board of Trustees on the basis of a written report by the Principal of the relevant Academy.

Regulations 22 (7b) (8b) - Membership Aggregation

The Trust will not allow an extension to the 12 month period to combine previous local government service.

Regulation 100 (6) – Transfer of Pension Rights

The Trust will not allow an extension to the 12 month period to transfer previous pension rights into the LGPS.

DATE APPROVED BY BOARD OF TRUSTEES: 20TH September 2017

REVIEW DATE: September 2018