

Caterlink

**LOCAL GOVERNMENT PENSION
SCHEME REGULATIONS 2014**

**EMPLOYER DISCRETIONS
POLICY STATEMENT**

Discretions of the Employing Authority

COMPULSORY DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
Funding of Additional Pension through a Shared Cost Additional Pension Contribution - Where an active Scheme member wishes to purchase extra annual pension up to the maximum by making Additional Pension Contributions (APCs), the employer may choose to (voluntarily) contribute towards the cost of purchasing that extra pension via a Shared Cost Additional Pension Contribution (SCAPC).	Regulation 16 (2)(e) and/or 16 (4)(d)	<p>Cater Link Ltd will not typically contribute to a shared cost APC scheme - Cater Link Ltd will not typically contribute to a shared cost APC scheme Cater Link Ltd will only exercise this discretion in exceptional circumstances.</p> <p>Decisions will be made on the merit of each case with particular regard to –</p> <ul style="list-style-type: none"> • A member's personal circumstances. • The economic interests of the company • Other options that are available under the companies severance arrangements. • The ability of the company to meet the cost of awarding the discretion.
Flexible Retirement - This regulation allows the employer to consent to the early release of all, or part, of a member's LGPS benefits provided they have also consented to the reduction of hours worked or grade in which the member is employed. The member must be aged 55 or over.	Flexible retirement, Regulation 30 (6)	<p>Cater Link Ltd does not generally consider requests for flexible retirement in these circumstances. Cater Link Ltd will consider employee requests to take flexible retirement on a case by case basis.</p> <p>Decisions will be made on the merits of each case having particular regard to –</p> <ul style="list-style-type: none"> • A member's personal circumstances. • The operating requirement of the Company. • The economic interests of the Company. • Whether to permit the member to choose to draw all, part or none of

COMPULSORY DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
		the pensions benefits accrued after 1st April 2008.
Waiving of actuarial reduction - This regulation allows the employer to consent to the early release of all, or part, of a member's LGPS benefits provided they have also consented to the reduction of hours worked or grade in which the member is employed. The member must be aged 55 or over.	Regulation 30 (8)	<p>Cater Link Ltd will not generally waive the actuarial reduction Cater Link Ltd will only waive the actuarial reduction on early retirement in exceptional circumstances.</p> <p>Decisions will be made on the merit of each case with particular regard to –</p> <ul style="list-style-type: none"> • A member's personal circumstances. • The economic interests of the Company. • The ability of the Company to meet the cost of awarding the discretion.
<p>Switching on the 85-year rule for members voluntarily drawing benefits on or after age 55 and before age 60 -</p> <p>Whilst the 85-year rule does not automatically apply in full if the employee decides to voluntarily draw benefits on or after age 55 and before age 60, this regulation allows the employer to switch the rule back on.</p> <p>If the employer switches on the 85-year rule they</p>	Schedule 2 of the Transitional Regulations.	<p>Cater Link Ltd will typically not switch on the 85 year rule Cater Link Limited will only agree to "switch on" the rule of 85 in exceptional circumstances. .</p> <p>Decisions will be made on the merit of each case with particular regard to –</p> <ul style="list-style-type: none"> • A member's personal circumstances. • The economic interests of the Company.

COMPULSORY DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
will pick up any strain on Fund cost.		
The power of employing authority to award additional pension - this regulation allows an employer to resolve to award a member an amount of additional pension, up to the LGPS maximum, to an active scheme member or within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency.	Regulation 31	<p>Cater Link Ltd will not generally grant additional pension - Cater Link Ltd will only exercise this discretion in exceptional circumstances. Decisions will be made on the merit of each case with particular regard to</p> <ul style="list-style-type: none"> • A member's personal circumstances. • The economic interests of the Company • Other options that are available under the companies severance arrangements. • The ability of the Company to meet the cost of awarding the discretion

OPTIONAL DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
Whether to waive any actuarial reduction for a member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement (where the member has both pre	TP3(1), TPSch 2, para 2(1) & B30(5) & B30A(5)	<p>Where there is a clear advantage, Cater Link Ltd will (for members with no protected membership for Rule of 85) consider on the merit of each case:</p> <p>Waiving all of the reductions in respect of pre 1 April 2014 benefits but only on compassionate grounds and / or waiving all or some of the</p>

<p>1/4/14 and post 31/3/14 membership) a) on compassionate grounds (pre 1/4/14 membership) and / or, in whole or in part on any grounds (post 31/3/14 membership) if the member was not in the Scheme before 1/10/06, b) on compassionate grounds (pre 1/4/14 membership) and / or, in whole or in part on any grounds (post 31/3/14 membership) if the member was in the Scheme before 1/10/06, will not be 60 by 31/3/16 and will not attain 60 between 1/4/16 and 31/3/20 inclusive c) on compassionate grounds (pre 1/4/16 membership) and / or, in whole or in part on any grounds (post 31/3/16 membership) if the member was in the Scheme before 1/10/06 and will be 60 by 31/3/16 d) on compassionate grounds (pre 1/4/20 membership) and / or, in whole or in part on any grounds (post 31/3/20 membership) if the member was in the Scheme before 1/10/06, will not be 60 by 31/3/16 and will attain 60 between 1/4/16 and 31/3/20 inclusive</p>		<p>actuarial reductions in respect of post 31 March 2014 on any grounds. For members with protected membership for Rule of 85 (as described under C and D) Cater Link Ltd will consider waiving the actuarial reductions but will do so only on compassionate grounds as per the LGPS regulations.</p>
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Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30 (member)	B30(5), TPSch 2, para 2(1)	<p>Cater Link Ltd will generally not waive the actuarial reduction applied to benefits paid early.</p> <p>Cater Link Ltd will only consider this discretion in exceptional circumstances.</p> <p>Decisions will be made on the merit of each case with particular regard to –</p> <ul style="list-style-type: none"> • A member's (former member) personal circumstances. • The economic benefits to the company
Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30A (pensioner member with deferred benefits, i.e. a suspended tier 3 ill health pensioner)	B30A(5), TPSch 2, para 2(1)	<p>Cater Link Ltd will generally not waive the actuarial reduction applied to benefits paid early.</p> <p>Cater Link Ltd will only consider this discretion in exceptional circumstances.</p> <p>Decisions will be made on the merit of each case with particular regard to –</p> <ul style="list-style-type: none"> • A member's (former member) personal circumstances. • The economic benefits to the company
Grant application for early payment of deferred benefits on or after age 50 and before age 55	L31(2)	<p>Cater Link Ltd may consider an application for early payment of benefits.</p> <p>Cater Link Ltd will only consider this discretion in exceptional circumstances.</p> <p>Decisions will be made on the merit of each case with particular regard to –</p> <ul style="list-style-type: none"> • A member's (former member) personal circumstances.
Waive, on compassionate grounds, the actuarial reduction	L31(5) & TPSch 2, para 2(1)	<p>Cater Link Ltd will not typically waive the actuarial reduction applied to benefits paid early.</p>

applied to deferred benefits paid early		<p>Cater Link Ltd will only consider this discretion in exceptional circumstances.</p> <p>Decisions will be made on the merit of each case with particular regard to –</p> <ul style="list-style-type: none"> • A member's (former member) personal circumstances. • The economic benefits to the company
Whether to “switch on” the 85 year rule for a member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60	TPSch 2, para 1(2) & 1(1)(f) & R60	<p>Cater Link Ltd may consider an application for early payment of benefits. Cater Link Limited will only agree to “switch on” the rule of 85 in exceptional circumstances.</p> <p>Decisions will be made on the merit of each case with particular regard to –</p> <ul style="list-style-type: none"> • A member's personal circumstances. • The economic interests of the Company.
Grant application for early payment of deferred benefits on or after age 50 on compassionate grounds	TP3(5A)(vi) TL4 & L106(1) & D11(2)(c)	<p>Cater Link Ltd will not normally exercise this discretion but may consider this discretion in exceptional circumstances.</p> <p>Decisions will be made on the merit of each case with particular regard to –</p> <ul style="list-style-type: none"> • A member's (former member) personal circumstances. • The economic benefits to the company

Date Revised	Date Approved	Summary of Changes	Author
01/01/2025	01/01/2025		Chris Thomas

