

**Aspens Services Limited**

**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)	Aspens Services Limited will not generally make use of this 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)	Aspens Services Limited will not normally make use of this discretion, unless there is a business case to support this as an alternative to a redundancy situation

COMPULSORY DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
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)	Aspens Services Limited will not generally make use of this discretion, unless there are exceptional circumstances. The Board Members will consider any cases and will decide whether the actuarial reductions should be waived. In all cases the financial position of Aspens Services Limited would be considered. In addition, these regulations also allow you to waive reductions or otherwise and / or, in whole or in part on any grounds to compassion.
<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 will pick up any strain on Fund cost.</p>	Schedule 2 of the Transitional Regulations.	Aspens Services Limited will not generally make use of this discretion, unless there are exceptional circumstances. The Board Members will consider any cases and will decide whether the actuarial reductions should be waived. In all cases the financial position of Aspens Services Limited must be considered

COMPULSORY DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
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	Aspens Services Limited will only exercise this discretion in exceptional circumstances. This discretion will only be exercised with the expressed position of the Board Members after consideration of the costs that would apply.

RECOMMENDED DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
This discretion allows the Employer to maintain and contribute to an employee's Additional Voluntary Contribution Scheme.	Regulation 17	Aspens Services Limited will not generally make use of this discretion. This will not have any effect on the existing AVC facility available where the employee only is able to make such contributions.
This discretion allows the Employer to extend the 12 month limit a member has in which to elect to transfer other pension	Regulation 100 (6)	Aspens Services Limited will not normally allow an extension of the 12 month limit, but will consult the Administering Authority in making a decision.

RECOMMENDED DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
rights into the LGPS. This has to be with the agreement of the Administering Authority		
This discretion allows the Employer to extend the 12 month time limit a member has within which they must elect not to have deferred benefits aggregated with their new LGPS employment	Regulation 22 (7) and (8)	Aspens Services Limited will not normally extend this 12 month time limit
This discretion allows the Employer to determine which contribution band is allocated on joining the scheme and at each April. It also determines the circumstances when an employee's band may be reviewed.	Regulation 9	Aspens Services Limited would determine the contribution band based on basic pay every April and at the time of joining the scheme, as appropriate.
This discretion allows the Employer to determine whether to include in the calculation of assumed pensionable pay the amount of any "regular lump sum payment". This is in cases where an employee's pay needs to be calculated where their pay has been reduced due to certain absences in order that they are not unduly advantaged or disadvantaged.	Regulation 21	Aspens Services Limited would determine in individual cases where necessary to establish in a fair, equitable and justifiable way what the members likely pay would have been but for the absence, and in cases where this pay is to be used for future enhancements, whether that level of pay would have been received every year to normal retirement age.

Date Revised	Date Approved	Summary of Changes	Author
23/07/2025	23/07/2025		Ayub Mamoojee