

Amey LG 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)	<p>The Employer will enter into a shared cost Additional Personal Contribution (APC) where a member has opted to purchase lost service as a result of authorised unpaid absence or child related leave, provided the election is made within 30 days of returning to work. The Employer will contribute two thirds of the cost and the member one third. The 30-day deadline may be extended where there is evidence of administrative shortcomings.</p> <p>In any other circumstance there is no provision for a voluntary shared cost APC scheme under the Employer's reward strategy and the Employer will not enter into this type of arrangement other than where there is a commercial or legal obligation to do so.</p>

COMPULSORY DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
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>The member must submit a written request to the People Services Helpdesk at least one month prior to the proposed flexible retirement date. Each application will be considered on its own merits, taking into account commercial and service delivery requirements, the member's personal circumstances and any financial costs to the Employer.</p> <p>Where flexible retirement is granted any pension linked to service before 1 April 2008 must be drawn in full with effect from the member's flexible retirement date. The member may elect to partially draw benefits relating to service from 1 April 2008. The pension will be released subject to:</p> <ul style="list-style-type: none"> • Contractual working hours or rate of pay following flexible retirement being reduced by a minimum of 20%. • The employer's policy relating to waiving actuarial reduction under Regulation 30(8). • The Employer will not generally agree to flexible retirement in the event of any additional strain cost as a result of the 85 year rule.

COMPULSORY DISCRETIONS		
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<p>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.</p>	Regulation 30 (8)	<p>The Employer's policy relating to waiving actuarial reduction will apply whereby the Employer will not generally agree to exercise any discretion in the event of any additional cost.</p>
<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.	<p>The Employer will not 'switch on' the 85 year rule other than in exceptional circumstances where there is a demonstrable cost saving in excess of the additional pension costs incurred by the Employer.</p>

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	Additional awards of extra annual pension will not be granted under Regulation 31, other than in exceptional circumstances when such cases will be judged equally and fairly and on their own merits taking into account any operational or financial costs to the Employer.

Date Revised	Date Approved	Summary of Changes	Author
May 2025	July 2025	Updating previous version	Jack Fairlie