

**Inspire Learning Trust**  
**00233 – Thomas Rotherham College**  
**00554 – Oakwood High School**  
**00562 – Sitwell Junior School**  
**00580 – Winterhill School**

**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 Trust will not exercise its discretion to fund in whole or in part any Additional Pensions Contributions (APCs) other than where the APCs are paid following a period of additional maternity, paternity and adoption leave and other authorised absence on no pay and the application is made within 30 days of returning to work.</p> <p>In exceptional circumstances, the Trust reserves the right to consider shared cost APC's but only where there is a clear specific and demonstrable financial or operational advantage for doing so.</p> <p>Any decision to fund in whole or in part APCs must only be considered and accepted with the approval of the CEO.</p>
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.	Flexible retirement, Regulation 30 (6)	<p>Where an employee aged 55 or over has agreed to reduce their working hours (by 20% or more) or to take a reduction in their grade of employment, the Trust will only consent to the early release of all, or part, of a member's LGPS benefits on a cost neutral basis.</p> <p>Where the early release of benefits is subject to actuarial reduction, the</p>

COMPULSORY DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
The member must be aged 55 or over.		<p>Trust will not usually agree to waive, in whole or part, any such reduction (other than in exceptional circumstances, as noted in the Trust's policy on waiving actuarial reductions – see below).</p> <p>The Trust will not usually give consent to an application that would result in pension fund strain costs being incurred.</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.	Regulation 30 (8)	<p>Where an employee takes all or part of their pension benefits before their age of retirement, and actuarial reductions are applied to the benefits they will receive, the Trust will only waive the actuarial reductions:</p> <ul style="list-style-type: none"> <li>• On compassionate grounds, e.g. severe financial hardship; or</li> <li>• Where it will not have a detrimental financial impact on the Trust</li> </ul> <p>The Trust will not usually waive any actuarial reductions to an employee's pension benefits received upon granting flexible retirement.</p> <p>In exceptional circumstances, particularly where there are demonstrable financial or operational reasons for doing so, or where the request is linked to a severance scheme or the management of a change process, and with the approval of the CEO, the Trust may consider an employee's case for</p>

COMPULSORY DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
		waiving this reduction and agree to waive the actuarial reduction; otherwise, however, requests to waive the actuarial reductions will not normally be granted.
<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>Where an employee is retiring between the ages of 55 and 60, and is not moving to flexible retirement, the LGPS 2014 regulations allow the Trust to waive actuarial reductions.</p> <p>The Trust will exercise the discretion to 'switch on' the 85-year rule in the following circumstances only:</p> <ul style="list-style-type: none"> <li>• On compassionate grounds, e.g. severe financial hardship; or</li> <li>• Where it will not have a detrimental financial impact on the Trust</li> </ul> <p>In exceptional circumstances, where there is financial or operational advantage for doing so, and with the approval of the CEO, the Trust may agree to 'switch on' the 85-year rule. Otherwise, the Trust will not 'switch on' the 85-year rule.</p>
The power of employing authority to award additional pension - this regulation allows an employer to resolve to award a member an amount of additional	Regulation 31	Regulation 31 allows an employer to grant additional pension up to a maximum allowed by the scheme rules provided that the member is within 6 months of leaving for reasons of redundancy or business efficiency or whose employment was

COMPULSORY DISCRETIONS		
Main Purpose of Regulation	Regulation	Discretion Exercised
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.		<p>terminated by mutual consent on grounds of business efficiency.</p> <p>The Trust will not exercise its discretion to award additional pension unless a specific advantage to the Trust, is identified, and reserves the right to consider cases subject to actuarial costs and interests of equity when considering if there is a specific advantage.</p> <p>Where an active member is dismissed by reason of redundancy or business efficiency, additional pension will only be awarded in exceptional circumstances following consideration of the individual case and the cost implications, and with the approval of the CEO.</p> <p>No decision to award additional pension will be made until the source of funding the additional costs of the pension fund has been identified.</p>

Date Revised	Date Approved	Summary of Changes	Author
February 2025	February 2025	N/A	Lawrence Youel, Trust Head of HR with external review Accountants and Legal Advisors. Operational responsibility: Payroll Manager, Katherine Bullivant

