

WELLSPRING ACADEMY TRUST

**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>Because of the costs involved and the likelihood of this provision having any tangible and specific organisational benefit, the Trust would not normally expect to exercise its discretion to fund additional pensions for members, either through regular contributions or lump sum contributions. However, each and every application will be considered in the light of the circumstances of the individual case concerned and a decision reached on the merits of that case having particular regard to factors such as:</p> <ul style="list-style-type: none"> • The interests of the Trust • The operating requirements of the Trust • The Trust's ability to meet any costs • Any demonstrable cost savings • The member's personal circumstances • The funding position of the Trust • Additional contributions due to the Fund.
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>The Trust will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:</p> <ul style="list-style-type: none"> • The interests of the Trust • The operating requirements of the Trust • The Trust's ability to meet any costs

COMPULSORY DISCRETIONS		
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The member must be aged 55 or over.		<ul style="list-style-type: none"> Any demonstrable cost savings The member's personal circumstances The funding position of the Trust in the Fund Additional contributions due to the Fund.
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>The Trust will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:</p> <ul style="list-style-type: none"> The Trust's ability to meet any costs Any demonstrable cost savings. <p>Applications for the payment of unreduced benefits for service before 1 April 2014 on the grounds of compassion will be granted if:</p> <ul style="list-style-type: none"> In the Trust's sole opinion, the special extenuating circumstances surrounding the application, along with the supporting evidence provided justify approval; and The Trust can meet the cost of any request.
Switching on the 85-year rule for members voluntarily drawing benefits on or after age 55 and before age 60 - Whilst the 85-year rule does not automatically apply in full if the	Schedule 2 of the Transitional Regulations.	<p>The Trust will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:</p> <ul style="list-style-type: none"> The Trust's ability to meet any costs Any demonstrable cost savings The member's personal circumstances.

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Main Purpose of Regulation	Regulation	Discretion Exercised
<p>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>		
<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 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>	Regulation 31	<p>Because of the costs involved and the likelihood of this provision having any tangible and specific organisational benefit, the Trust would not normally expect to exercise its discretion to fund additional pensions for members, either through regular contributions or lump sum contributions. However, each and every application will be considered in the light of the circumstances of the individual case concerned and a decision reached on the merits of that case having particular regard to factors such as:</p> <ul style="list-style-type: none"> • The interests of the Trust • The operating requirements of the Trust • The Trust's ability to meet any costs • Any demonstrable cost savings • The member's personal circumstances • The funding position of the Trust • Additional contributions due to the Fund.

Date Revised	Date Approved	Summary of Changes	Author
NA	16/03/2022	NA	Mark Wood (CFO)