



**Tudor Grange Academies Trust**

**Local Government Pension Scheme  
Discretions Policy**

## **General Principles**

1. Under the rules of the Local Government Pension Scheme (“LGPS”) the employer (Tudor Grange Academies Trust) has the right to authorise discretion on a number of matters regarding the administration of the pension scheme.
2. For a number of discretions there is a statutory requirement to publicise the approach the employer will take.
3. The approach to exercising discretion in this policy is to allow the employer to make a reasonable decision in individual cases but also to be clear as to the factors it will take into account in making that decision.
4. In formulating and reviewing its policy statements the employer is required to:
  - have regard to the extent to which the exercise of their discretionary powers, unless properly limited, could lead to a serious loss of confidence in the public service; and
  - be satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs.
5. Any complaints relating to decisions in these matters would need initially to be raised under the pension scheme’s Internal Disputes Resolution Procedure, details of which are available from the pension scheme administrator.
6. This policy confers no contractual rights.
7. Tudor Grange Academies Trust retains the right to change this policy at any time.
8. Only the policy which is current at the time a relevant event occurs to the scheme member will be the one applied to that member.

DISCRETION & REGULATION	POLICY ON INDIVIDUAL DISCRETIONS
<p><b>1) Whether to grant additional pension to a member (up to £6,500 pa) - Reg 31</b></p>	<p>Tudor Grange Academies Trust will only exercise this discretion in exceptional circumstances. This discretion will only be exercised with the expressed position of the Board of Directors, after consideration of the costs that would apply.</p>
<p><b>2) Whether to make either a regular or lump sum Additional Pension Contribution (APC) to a member's account (part or whole funding this) - Reg 16(2)e &amp; Reg 16(4)d</b></p> <p><b>[Note: this discretion only relates to cases when the member is working as normal rather than absent from work with permission but no pensionable pay – in the latter scenario, employers must fund it if necessary.]</b></p>	<p>Tudor Grange Academies Trust will only exercise this discretion in exceptional circumstances. This discretion will only be exercised with the expressed position of the Board of Directors, after consideration of the costs that would apply.</p>
<p><b>3) Whether all or some pension benefits can be paid if an member aged 55 or over reduces their hours/grade and continues to work ("flexible retirement") - Reg 30(6)</b></p>	<p>Tudor Grange Academies Trust will consider employee requests to take flexible retirement on a case by case basis after taking into factors such as service delivery and any costs that may apply. The Board of Directors will be responsible for agreeing (or otherwise) to all requests to take flexible retirement. Reduction in hours/grade must be substantial(&gt;40%)</p>
<p><b>4) Waiving actuarial reduction on flexible retirement - Reg 30(8)</b></p>	<p>Tudor Grange Academies Trust will only waive the actuarial reduction on flexible retirement in exceptional circumstances following approval from the Board of Directors.</p>
<p><b>5) Waiving actuarial reduction on compassionate grounds</b></p>	<p>Tudor Grange Academies Trust will only waive the actuarial reduction on flexible retirement in exceptional circumstances following approval from the Board of Directors.</p>
<p><b>6) Waiving actuarial reduction on early retirement (age 55+) – for both active, deferred members &amp; suspended tier 3 ill health pensions - Reg 30(8)</b></p>	<p>Tudor Grange Academies Trust will only waive the actuarial reduction on early retirement in exceptional circumstances and as the result of the expressed permission of the Board of Directors, after considering the costs that would apply.</p>

DISCRETION & REGULATION	POLICY ON INDIVIDUAL DISCRETIONS
<p><b>7) Whether to allow the rule of 85 to be “switched on” for members who would normally meet the rule but who will not if they draw the benefits age 55-59 - TP Regs 1(1)(c) of Schedule 2</b></p>	<p>Tudor Grange Academies Trust will only agree to “switch on” the rule of 85 in exceptional circumstances following approval from the Board of Directors, after considering the costs that will apply.</p>
<p><b>8) Whether to extend 12-month period to separate previous LG service - Regs 22(8 &amp; 9)</b></p>	<p>Tudor Grange Academies Trust will only allow an extension to the 12-month period to separate previous LG service where it can be reasonably shown that the member was not provided with the required information within 6 months of starting.</p>
<p><b>9) Determine rate of employees’ contributions - Reg 9(3)</b></p>	<p>Tudor Grange Academies Trust will only review all employees’ contribution bands as at 1 April each year. Hence, when a member’s salary or hours change (either temporarily or permanently) during the year, the member will remain on the same employee contribution rate until the following April.</p>
<p><b>10) Whether to extend 12-month period to allow a transfer-in of non-LG pension rights - Reg 100(6)</b></p>	<p>Tudor Grange Academies Trust will only allow an extension to the 12-month period to combine previous non-LG service where it can be shown that the member was not provided with the required information within 6 months of starting.</p>

### **Abbreviations**

“Reg 16(2)e” means Regulation 16(2)e of the Local Government Pension Scheme Regulations 2013

“TP Regs” means LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014