



Local Government Pension Scheme (LGPS) Discretions Policy

June 2021 (Version 1.0)

Document Control

Changes History

Version	Date	Amended by	Recipients	Purpose
1.0	July 2021	Adelle Pope- HR Manager	All Plymouth CAST Employees under the LGPS Scheme	New Policy

Approvals

This policy requires the following approvals:

Board	SEL	CEO	Date Approval	Version	Date for Review
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	July 2021	1.0	September 2024

National/Local Policy

This policy must be localised by Academies

This policy must not be changed, it is a CAST/National Policy

Position with the Unions

Does the policy require consultation with the National Unions under our recognition agreement?

☒ Yes ☐ No

If yes, the policy status is: ☒ Consulted and Approved ☐ Consulted and Not Approved ☐ Awaiting Consultation

Distribution

This document has been distributed to:

Position	Date	Version
All CAST Central employees, CAST Headteachers, CAST Directors, JCC	September 2021	1.0

Contents

Vision and Values	4
Introduction	4
Purpose	5
Scope	5
Equal Opportunities	5
Responsibilities	6
Power of employing authority to award additional pension	6
Power of employing authority to award additional pension - Shared cost	6
Flexible retirement (reducing hours or grade after reaching 55)	6
Early Payment of Pension for member who have opted out or left before 1 April 2014	6
Waiving of actuarial reductions	7
Power to turn on the 85 year rule to pre 1 April 2014 accrued benefits	7
Optional Discretion within the Local Government Pension Scheme	7
Membership aggregation regulation	7
Transfer of Pension Rights for new members	7
Determination of employees' contributions	7
Lump sums in relation to Assumed Pensionable Pay	7
Shared Cost Additional Voluntary Contributions (SCAVC)	7
Review	7

1. Vision and Values

- 1.1. Plymouth CAST is a multi-academy trust of Catholic schools which is part of the mission of the Catholic Church dedicated to human flourishing and the building of a kingdom of peace, truth and justice. The Trust is to be conducted in all aspects in accordance with canon law and the teachings of the Roman Catholic Church and at all times to serve as a witness to the Catholic faith in Our Lord Jesus Christ.
- 1.2. Our vision and values are derived from our identity as a Catholic Trust. Central to our vision is the dignity of the human person, especially the most vulnerable. Our academies are dedicated to providing an education and formation where all our pupils and young people flourish in a safe, nurturing, enriching environment. All governors in our academies are expected to be familiar with the vision, mission, values and principles of the Trust and not in any way to undermine them. They should support and promote the vision and conduct themselves at all times in school and on school business according to the vision and principles of the Trust.
- 1.3. Plymouth CAST expects all its employees to recognise their obligations to each school within the Multi-Academy Trust, the public, pupils and other employees and to provide consistently high standards of education and performance at all times and in accordance with Plymouth CAST's vision, mission and principles.

2. Introduction

- 2.1. Under the rules of the Local Government Pension Scheme ("LGPS") the employer has the right to authorise discretion on a number of matters regarding the administration of the pension scheme.
- 2.2. For a number of discretions there is a statutory requirement to publicise the approach the employer will take.
- 2.3. 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.
- 2.4. In formulating and reviewing its policy statements the employer is required to:
 - 2.4.1. 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.
 - 2.4.2. Be satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs.

- 2.5. Any complaints relating to decisions in these matters that cannot be resolved informally at a local level will need to be raised under the pension scheme's Internal Disputes Resolution Procedure, details of which are available from the pension scheme administrator.
- 2.6. This policy confers no contractual rights.
- 2.7. Plymouth CAST retains the right to change this policy at any time, however will be reviewed every 6 years or as the need arises.
- 2.8. 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.

3. Purpose

- 3.1. To provide a clear approach in which the Trust will take with regards to discretions available under the Local Government Pension Scheme.

4. Scope

- 4.1. This policy applies to employees who are enrolled in the Local Government Pension Scheme.

5. Equal Opportunities

- 5.1. This policy must always be applied fairly and in accordance with employment law and Plymouth CAST Equal Opportunities Policy.

6. Responsibilities

- 6.1. The Trust, as the employer, has overall responsibility for the policy and for ensuring it is applied consistently and fairly.

7. Power of employing authority to award additional pension

- 7.1. It is not the Trust's general policy to grant additional pension to scheme members under this regulation. Any exceptional cases that were of overall benefit to the Trust would require the agreement of the CEO of the Trust.

8. Power of employing authority to award additional pension - Shared cost

- 8.1. It is not the Trust's general policy to grant additional pension to scheme members under this regulation. Any exceptional cases that were of overall benefit to the trust would require the agreement of the CEO of the Trust. The above does not apply where a scheme member has had a period of child related leave and elects, within

30 days of return to work, to pay an additional pension contribution to cover the amount of pension 'lost' during the period of absence, the Trust will contribute 2/3rds of the cost. If an election is made after the 30 day time limit the full costs will be met by the employee. Where it is not possible to provide the employee with the information they need to make their election within the 30 day deadline, the Trust will extend the limit. However, the scheme member must contact the Trust to request this information within 30 days of returning to work and respond within 30 days of the information being provided.

9. Flexible retirement (reducing hours or grade after reaching 55)

- 9.1. It is not the policy of the Trust to agree to the flexible retirement of a scheme member unless consent has been given by the Chief Operating Officer in conjunction with the CEO. If consent has been given under this regulation, it is not the Trust's general policy to waive, in whole or part, any actuarial reduction to the scheme member's benefits. Any exceptional cases would need the consent of the Chief Operating Officer in conjunction with the CEO.

10. Early Payment of Pension for member who have opted out or left before 1 April 2014

- 10.1. Where a scheme member has previously been awarded a preserved benefit, it is not the policy of the Trust to give consent under this regulation to the early payment of benefits.

11. Waiving of actuarial reductions

- 11.1. It is not the Trust's general policy to waive the actuarial reductions. However it may consider waving the actuarial reductions in exceptional circumstances, this would need the consent of the Chief Operating Officer in conjunction with the CEO.

12. Power to turn on the 85 year rule to pre 1 April 2014 accrued benefits

- 12.1. It is not the Trust's general policy to turn this rule on for members. Any exceptional cases that were of overall benefit to the trust would require the agreement of the Chief Operating Officer in conjunction with the CEO.

13. Optional Discretion within the Local Government Pension Scheme

13.1. Membership aggregation regulation

- 13.1.1. The Trust will not extend the default 12 month period for members to decide if they wish to combine their previous and new LGPS membership.

13.2. Transfer of Pension Rights for new members

- 13.2.1. The Trust will not extend the default 12 month period for new members to decide if they wish to transfer previous pension rights into the LGPS.

13.3. Determination of employees' contributions

- 13.3.1. The Trust will apply the nationally determined employee contribution rates and bands. These are subject to change and may be varied. The Trust will determine the appropriate national contribution band for an employee but using the pensionable pay received each month.

13.4. Lump sums in relation to Assumed Pensionable Pay

- 13.4.1. It is not the policy of the Trust to pay lump sums on a regular basis, as such lump sums will not be included in Assumed Pensionable Pay.

13.5. Shared Cost Additional Voluntary Contributions (SCAVC)

- 13.5.1. It is not the policy of the Trust to contribute to Additional Voluntary Contributions or enter into Shared Cost AVC arrangements.

14. Review

- 14.1. The content of this policy and procedure may be subject to revision from time to time following consultation with the recognised trade unions.
- 14.2. History of changes

Date	Page	Details of the change	Agreed by