

Ascend Learning Trust

## **EMPLOYER DISCRETION POLICY**

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Ascend Learning Trust Responsibility:	<b>MAT LT</b>
Date ratified by FGB:	<b>06.2022</b>
Version Number:	<b>1</b>
Committee Reviewed:	<b>Standards</b>

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### **Relevant Legislations**

The Local Government Pension Scheme Regulations 2013

LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014

DISCRETION & REGULATION	POLICY ON INDIVIDUAL DISCRETIONS
1). Reg 31: Whether to grant additional pension to a member (up to £6,755 p.a.)	Ascend Learning Trust will only exercise this discretion in exceptional circumstances. This discretion will only be exercised with the exercised permission of the Staffing Committee after consideration of the costs that would apply.
2). Reg 16(2)e & Reg 16(4)d: Whether to make either a regular or lump sum Additional Pension Contribution (APC) to a member's account (part or whole funding this) [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]	Ascend Learning Trust will only exercise this discretion in exceptional circumstances. This discretion will only be exercised with the expressed permission of the Staffing Committee after consideration of the costs that would apply.
3). Reg 30(6) Whether all or some pension benefits can be paid if a member aged 55 or over reduces their hours/grade and continues to work ("flexible retirement")	Ascend Learning 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 Staffing Committee will be responsible for agreeing (or otherwise) to all requests to take flexible retirement.
4). Reg 30(8) Waiving actuarial reduction on flexible retirement	Ascend Learning Trust will only waive the actuarial reduction on flexible retirement in exceptional circumstances following approval from the Staffing Committee.
5). Reg 30(8) Waiving actuarial reduction on early retirement (age 55+) – for both active, deferred members & suspended tier 3 ill health pensions	Ascend Learning Trust will only waive the actuarial reduction on early retirement in exceptional circumstances and as the result of the expressed permission of the Staffing Committee after considering the costs that would apply.
6). TP Regs 1(1)(c) of Schedule 2: 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	Ascend Learning Trust will only agree to "switch on" the rule of 85 in exceptional circumstances following approval from the Staffing Committee after considering the costs that will apply.

<p>7). Regs B30A(5): Whether to waive actuarial reductions on compassionate grounds when switching on rule of 85.</p>	<p>Ascend Learning Trust will only agree to waive actuarial reductions in exceptional circumstances following approval from the Staffing Sub-Committee after considering the costs that will apply.</p>
<p>8). Regs 22(8 &amp; 9) Whether to extend 12-month period to separate previous LG service</p>	<p>Ascend Learning 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>9). Reg 9(3) Determine rate of employees' contributions</p>	<p>Ascend Learning Trust will review all employees' contribution bands where there has been a contractual change to a member's salary or hours at some point during the year. A member's contribution rate will not be reviewed as the result of one-off additional payments (such as honorariums).</p>
<p>10). Reg 100(6) Whether to extend 12-month period to allow a transfer-in of non-LG pension rights</p>	<p>Ascend Learning 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>
<p>11). Reg 16(16) Whether to extend the 30 day deadline for member to elect for a shared cost APC [Note: this discretion only relates to cases when the member has a period of unpaid authorised leave and wants to pay an APC to recover the pension. For the cost to be shared by the employer and member the member's election must be received by the employer within 30 days of returning to work.]</p>	<p>Ascend Learning Trust will consider each request to extend the 30 day deadline on a case by case basis.</p>

### Abbreviations

“Reg 16(2)e” means Regulation 16(2)e of the Local Government Pension Scheme Regulations 2013 [which apply from 1 April 2014] “TP Regs” means LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014