



LGPS Pensions Discretions Policy

Serving the Academies of:

- Our Lady of Lourdes Catholic Multi Academy Trust
- St Ralph Sherwin Catholic Multi Academy Trust
- St Therese of Lisieux Catholic Multi Academy Trust
- St Thomas Aquinas Catholic Multi Academy Trust



A full list of academies covered by this policy, with the corresponding LGPS provider are detailed in Appendix 1

The Local Government Pension Scheme (LGPS) in England and Wales was amended with effect from 1 April 2014. The provisions of the amended LGPS are now contained in the 2013 Regulation and the 2014 Regulations. This policy statement relates to the exercise of the employer discretions contained in the above Regulations.

General Principles to be Adopted in Exercising Discretions

In formulating the policy statements outlined below, the Trust has sought to ensure that its discretionary powers will be exercised reasonably. The discretionary powers;

- Will be exercised in the public interest;
- Will not be used for an ulterior motive;
- Will be used with regard to all relevant factors (costs to the Academy Trust will be balanced against benefit for the Academy Trust);
- Will only be used where there is a real and substantial benefit to the Academy Trust in return for incurring extra costs;
- Will only be used having considered the views of the scheme Actuary; and will be duly recorded when used.

The Academy Trust will also consider the views of the relevant pensions administering authority.

In support of its deliberations regarding requests made on compassionate grounds, the Academy Trust will take into account all relevant factors and require whatever information, documentation and supporting evidence it considers appropriate.

The employer discretionary powers will be exercised having regard to the extent to which the exercise of any policy discretion would lead to a serious loss of confidence in the public service.

The policy statements do not limit or restrict how the Academy Trust exercises any of the discretions afforded by the pension scheme.

Key Roles and Responsibilities

- The Academy Trust Board has overall responsibility for the implementation and the monitoring of the LGPS Discretionary Policy.
- The Academy Trust Board has responsibility for ensuring that the LGPS Discretionary Policy, as written, does not discriminate in relation to protected characteristics.
- The Academy Trust Board has overall responsibility for handling complaints regarding this policy.
- Requests will be considered in the first instance by the Academy Trust HR Committee.

Local Government Pension Scheme Employer Discretions

The schedule below is to be read in conjunction with guidance found in the Local Government Association's guides to discretions: <http://lgpsregs.org/resources/guidesetc.php>

Discretion	Regulation	Catholic Multi Academy Trust Published Discretion
<p>Shared Cost Additional Pension Scheme</p> <p>Whether, how much, and in what circumstances to contribute towards a members Additional Pension Contract via a Shared Cost Additional Pension Contract</p>	<p>R16(2)(e) & R16(4)(d)</p>	<p>The Academy Trust will only exercise this discretion in exceptional circumstances. Any application must be supported by a business case in writing.</p> <p>NB – this does not relate to cases where a member has a period of authorised unpaid leave of absence and elects within 30 days of return to work to pay a shared cost APC to cover the amount of pension ‘lost’ during that period of absence. In these cases the employer must contribute 2/3rds of the cost (Regulation 15(5) of the LGPS Regulations 2013)</p>
<p>Flexible Retirement</p> <p>Employers may allow a member from age 55 onwards to draw all or part of the pension benefits they have already built up while still continuing in employment. This is subject to the member either reducing their hours or moving to a position on a lower grade. In such cases, pension benefits will be reduced in accordance with actuarial tables, unless the employer waives reduction on compassionate grounds or a member has protected rights.</p>	<p>R30(6) & TP11(2)</p>	<p>The Academy Trust will consider employee requests to take flexible retirement on a case by case basis. When exercising its discretion in relation to flexible retirement, the Academy Trust will look at its operating requirements; have regard to pension fund members individual circumstance and the impact on services of granting flexible retirement together with the cost to the Academy Trust.</p> <p>Consent to the payment of benefits on flexible retirement may be given if a member reduces their hours by at least 40% or one grade.</p> <p>Any application by a scheme member must be supported by a business case in writing.</p> <p>The Academy Trust will not as a general rule exercise its discretion to waive any actuarial reduction in benefits.</p>

Discretion	Regulation	Catholic Multi Academy Trust Published Discretion
<p>Waiving Actuarial Reduction</p> <p>Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement.</p> <p>Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age</p>	R30(8)	As a general rule the Academy Trust’s policy is not to exercise these discretions, however it will consider individual cases having regard to the compassionate grounds of the individual member and having regard to the cost to the Academy Trust.
<p>Waiving Actuarial Reduction</p> <p>Whether to waive any actuarial reduction on pre and/or post April 2014 benefits paid early on compassionate grounds.</p>	TP3(1), TPSch 2, paras 2(1), B30(5) and B30A(5)	The Academy Trust will consider individual cases having regard to the compassionate grounds of the individual member and having regard to the cost to the Academy Trust.
<p>Power of Employing Authority to ‘switch on’ the 85 year rule.</p> <p>Whether to “switch on” the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.</p> <p>Whether to ‘switch on’ the 85 year rule upon the voluntary early payment of deferred benefits?</p>	<p>TPSch 2, paras 1(2) and 1(1)(c)</p> <p>TPSch 2, para 1(2) & 1(1)(f) & R60</p>	<p>The Academy Trust’s policy is to not to switch on the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.</p> <p>The Academy Trust’s policy is to not to switch on the 85 year rule upon the voluntary early payment of deferred benefits.</p>

Discretion	Regulation	Catholic Multi Academy Trust Published Discretion
Whether to 'switch on' the 85 year rule upon the voluntary early payment of a suspended tier 3 ill health pension?	TPSch 2, para 1(2) & 1(1)(c)	The Academy Trust's policy is to not to switch on the 85 year rule upon the voluntary early payment of a suspended tier 3 ill health pension.
<p>Power of Employing Authority to grant additional pension.</p> <p>Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £6,500 p.a.)</p>	R31	<p>The Academy Trust's policy is to not to grant any additional pension to an active member or within six months of ceasing to be an active member by reason of redundancy or business efficiency unless there are exceptional and / or compelling business reasons which warrant such consideration.</p> <p>An application for additional pension must be supported by a business case in writing.</p>
<p>Augmentation</p> <p>Whether, for a member leaving on the grounds of redundancy or business efficiency on or before 31st March 2014, to augment membership (by up to 10 years). The resolution to do so would have to be made within 6 months of the date of leaving. Hence this discretion is spent entirely after 30th September 2014.</p>	B12	The Academy Trust's policy is not to grant any augmentation to a member leaving on the grounds or redundancy or business efficiency.
<p>Waiving Actuarial Reduction</p> <p>Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30 / B30A.</p>	B30(5), B30A(5) TPSch 2, para 2(1)	The Academy Trust will consider individual cases having regard to the compassionate grounds of the individual member and having regard to the cost to the Academy Trust.

Discretion	Regulation	Catholic Multi Academy Trust Published Discretion
<p>Waiving Actuarial Reduction</p> <p>Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early for a post 31.3.98. / pre 1.4.08. leaver.</p>	<p>31(5) & TPSch 2, para 2(1)</p>	<p>The Academy Trust will consider individual cases having regard to the compassionate grounds of the individual member and having regard to the cost to the Academy Trust.</p>
<p>Pre 01.04.08 Employee Optants Out.</p> <p>Pre 01.04.08 employee optants out only to get benefits paid from NRD if employer agrees.</p>	<p>31(7A)</p>	<p>The Academy Trust policy is to allow pre 1 April 2008 employee optant outs to only get benefits paid from normal retirement date (NRD).</p>
<p>Determine Rate of Employee's contributions</p> <p>Determine the process to be followed in assigning employee's contribution bands.</p>	<p>R9(1) 7 R9 (3)</p>	<p>Employees will be allocated to a contribution band following an assessment in April each year of their expected actual pensionable pay for the following 12 months.</p> <p>The contribution band ranges will be notified each year by LGPS. The band ranges will be made available for all staff to see.</p> <p>The contribution rate will be based on the employee's annual pay including overtime etc.</p> <p>Where pay is variable an estimate will be made of annual pay and the contribution band determined accordingly.</p> <p>An individual's contribution band may be reassessed partway during the year in the following instances:</p> <ul style="list-style-type: none"> ☐ If a contractual change has occurred requiring the salary to be adjusted ☐ Where an employee has been placed in the wrong contribution band in error or where the original estimate of actual pay is found to be incorrect ☐ A national pay way is applied mid-year of backdated.

Discretion	Regulation	Catholic Multi Academy Trust Published Discretion
Lump Sum and Assumed Pensionable Pay	R21(5)	It will be determined that any lump sum paid in a previous year is not a regular payment for the purposes of calculating AAP

Decision Maker Job Title or name of "Group" responsible	Name (if individuals)
HR Committee	
Academy Trust Board	

Policy Approved by:	Date of Approval
Board of Directors – Our Lady of Lourdes Catholic Multi Academy Trust	27 th March 2019
Board of Directors – St Therese of Lisieux Catholic Multi Academy Trust	1 st April 2019
Board of Directors – St Ralph Sherwin Catholic Multi Academy Trust	4 th April 2019
Board of Directors – St Thomas Aquinas Catholic Multi Academy Trust	4 th April 2019

Appendix 1

Academies by Trust with LGPS Provider

Our Lady of Lourdes Catholic Multi Academy Trust

Academy Name	LGPS Provider
All Saints' Catholic Voluntary Academy, Mansfield	Nottinghamshire
Blessed Robert Widmerpool Catholic Voluntary Academy, Nottingham	Nottinghamshire
Christ the King Catholic Voluntary Academy, Arnold, Nottingham	Nottinghamshire
Holy Cross Catholic Voluntary Academy, Hucknall	Nottinghamshire
Holy Trinity Catholic Voluntary Academy, Newark	Nottinghamshire
Our Lady and St. Edward's Catholic Voluntary Academy, Nottingham	Nottinghamshire
Our Lady of Perpetual Succour Catholic Primary School, a Voluntary Academy, Bulwell	Nottinghamshire
Sacred Heart Catholic Voluntary Academy, Carlton	Nottinghamshire
St. Augustine's Catholic Voluntary Academy, Nottingham	Nottinghamshire
St. Edmund Campion Catholic Primary School, a Voluntary Academy, West Bridgford	Nottinghamshire
St. Joseph's Catholic Voluntary Academy, Boughton	Nottinghamshire
St. Joseph's Catholic Voluntary Academy, Langwith Junction, Mansfield	Derbyshire
St. Margaret Clitherow Catholic Voluntary Academy, Nottingham	Nottinghamshire
St. Mary's Catholic Primary School, a Voluntary Academy, Nottingham	Nottinghamshire
St. Patrick's Catholic Primary School, a Voluntary Academy, Wilford, Nottingham	Nottinghamshire
St. Patrick's Catholic Voluntary Academy, Mansfield	Nottinghamshire
St. Philip Neri with St. Bede Catholic Voluntary Academy, Mansfield	Nottinghamshire
St. Teresa's Catholic Primary School, a Voluntary Academy, Aspley, Nottingham	Nottinghamshire
The Becket School, a Catholic Voluntary Academy, Nottingham	Nottinghamshire
The Good Shepherd Catholic Voluntary Academy, Woodthorpe, Nottingham	Nottinghamshire
The Trinity Catholic School, a Voluntary Academy, Nottingham	Nottinghamshire

St Ralph Sherwin Catholic Multi Academy Trust

Academy	LGPS Provider
St. Alban's Catholic Primary School, Derby	Derbyshire
St. Benedict Catholic Voluntary Academy, Derby	Derbyshire
St. George's Catholic Voluntary Academy, Derby	Derbyshire
St. Joseph's Catholic Primary School, Derby	Derbyshire
St. Mary's Catholic Primary School, Derby	Derbyshire
All Saints Catholic Primary School, Glossop	Derbyshire
Christ the King Catholic Primary School, Alfreton	Derbyshire
English Martyrs' Catholic Primary School, Long Eaton	Derbyshire
St. Anne's Catholic Primary School, Buxton	Derbyshire
St. Charles' Catholic Primary School, Hadfield	Derbyshire
St. Edward's Catholic Voluntary Academy, Swadlincote	Derbyshire
St. Elizabeth's Catholic Primary School, Belper	Derbyshire
St. John Fisher Catholic Voluntary Academy, Derby	Derbyshire
St. John Houghton Catholic Voluntary Academy, Ilkeston	Derbyshire
St. Joseph's Catholic Voluntary Academy, Matlock	Derbyshire
St. Margaret's Catholic Primary School, Gamesley	Derbyshire
St. Mary's Catholic Primary School, Glossop	Derbyshire
St. Mary's Catholic Primary School, New Mills	Derbyshire
St. Philip Howard Catholic Voluntary Academy, Glossop	Derbyshire
St. Thomas' Catholic Primary School, Ilkeston	Derbyshire
St. Thomas More Catholic School, Buxton	Derbyshire
The Priory Catholic Voluntary Academy, Eastwood	Nottinghamshire
Holy Rosary Catholic Primary School, Burton on Trent	Staffordshire
St. Mary's Catholic Primary School, Marple Bridge	Greater Manchester
Blessed Robert Sutton Catholic Sports College, Burton on Trent	Staffordshire

St Therese of Lisieux Catholic Multi Academy Trust

Academy	LGPS Provider
English Martyrs' Catholic Voluntary Academy, Oakham	Leicestershire
Our Lady of Good Counsel Catholic Primary School, a Voluntary Academy, Sleaford	Lincolnshire Pension Fund *
Our Lady of Lincoln Catholic Primary School, a Voluntary Academy, Lincoln	Lincolnshire Pension Fund *
St. Augustine Webster Catholic Voluntary Academy, Scunthorpe	East Riding
St. Augustine's Catholic Voluntary Academy, Stamford	Lincolnshire Pension Fund *
St. Bede's Catholic Voluntary Academy, Scunthorpe	East Riding
St. Bernadette's Catholic Voluntary Academy, Scunthorpe	East Riding
St. Hugh's Catholic Primary, a Voluntary Academy, Lincoln	Lincolnshire Pension Fund *
St. Joseph's Catholic Voluntary Academy, Cleethorpes	East Riding
St. Mary's Catholic Primary School, Boston	Lincolnshire Pension Fund *
St. Mary's Catholic Primary School, Grantham	Lincolnshire Pension Fund *
St. Mary's Catholic Voluntary Academy, Brigg	East Riding
St. Mary's Catholic Voluntary Academy, Grimsby	East Riding
St. Norbert's Catholic Primary School, Spalding	Lincolnshire Pension Fund *
St. Norbert's Catholic Voluntary Academy, Crowle	East Riding
St. Peter and St Paul Catholic Voluntary Academy, Lincoln	Lincolnshire Pension Fund *

* Lincolnshire Pension Fund is administered by West Yorkshire LGPS

St Thomas Aquinas Catholic Multi Academy Trust

Academy	LGPS Provider
Bishop Ellis Catholic Primary School, Leicester	Leicestershire
Christ the King Catholic Primary School, Leicester	Leicestershire
De Lisle College, a Catholic Voluntary Academy, Loughborough	Leicestershire
English Martyrs' Catholic School, Leicester	Leicestershire
Holy Cross Catholic Primary School, Leicester	Leicestershire
Holy Cross School, a Catholic Voluntary Academy, Leicester	Leicestershire
Sacred Heart Catholic Voluntary Academy, Leicester	Leicestershire
Sacred Heart Catholic Voluntary Academy, Loughborough	Leicestershire
St. Charles' Catholic Primary School, Measham	Leicestershire
St. Clare's Primary School, a Catholic Voluntary Academy, Coalville	Leicestershire
St. Francis' Catholic Primary School, Melton Mowbray	Leicestershire
St. John Fisher Catholic Voluntary Academy, Wigston	Leicestershire
St. Joseph's Catholic Voluntary Academy, Leicester	Leicestershire
St. Joseph's Catholic Voluntary Academy, Market Harborough	Leicestershire
St. Martin's Catholic Voluntary Academy, Stoke Golding	Leicestershire
St. Mary's Catholic Primary School, Loughborough	Leicestershire
St. Patrick's Catholic Primary School, Leicester	Leicestershire
St. Paul's Catholic School, Leicester	Leicestershire
St. Peter's Catholic Primary School, a Voluntary Academy, Hinckley	Leicestershire
St. Peter's Catholic Primary School, Earl Shilton	Leicestershire
St. Thomas More Catholic Voluntary Academy, Leicester	Leicestershire
St. Winefride's Catholic Voluntary Academy, Loughborough	Leicestershire