



*Thinking Schools Academy Trust*  
**“Transforming Life Chances”**

**LGPS Discretion Policy**

This policy was adopted on	November 2020
The policy is to be reviewed on	September 2024

## **1. Introduction**

1.1. 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.

1.2. For a number of discretions there is a statutory requirement to publicise the approach the employer will take.

1.3. 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.

1.4. 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.

1.5. 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.

1.6. This policy confers no contractual rights.

1.7. The Thinking Schools Academy Trust retains the right to change this policy at any time however will be reviewed every 6 years or as the need arises.

1.8. 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.

## **2. Adoption Arrangements and Date**

This procedure was adopted by the Board of Directors of The Thinking Schools Academy Trust on 1st September 2020

This Policy will be reviewed by the Board of Directors every 6 years or earlier if there is a need.

## **3. Power of employing authority to award additional pension**

It is not The Thinking Schools Academy 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 HR & Finance Director of the Trust.

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

It is not The Thinking Schools Academy 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 Head of HR, Head of Finance or the Deputy 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 a SCAPC to cover the amount of pension 'lost' during the period of absence, TSAT 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, TSAT will extend the limit. However, the scheme member must contact TSAT to request this information within 30 days of returning to work and respond within 30 days of the information being provided.

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

It is not the policy of The Thinking Schools Academy Trust to agree to the flexible retirement of a scheme member unless consent has been given by the Head of HR, Head of Finance or the Deputy CEO.. If consent has been given under this regulation, it is not The Thinking Schools Academy 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 Head of HR, Head of Finance or the Deputy CEO.

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

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

**7. Waiving of actuarial reductions**

It is not The Thinking Schools Academy 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 HR & Finance Director.

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

It is not The Thinking Schools Academy 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 Head of HR, Head of Finance or the Deputy CEO.

**Optional Discretion within the Local Government Pension Scheme:**

**9. Membership aggregation regulation**

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

**10. Transfer of Pension Rights for new members**

The Thinking Schools Academy 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.

**11. Determination of employees' contributions**

Thinking Schools Academy Trust will apply the nationally determined employee contribution rates and bands. These are subject to change and may be varied.

Thinking Schools Academy Trust will determine the appropriate national contribution band for an employee but using the pensionable pay received each month.

**12. Lump sums in relation to Assumed Pensionable Pay**

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

**13. Shared Cost Additional Voluntary Contributions (SCAVC)**

It is not the policy The Thinking Schools Academy Trust to contribute to Additional Voluntary Contributions or enter into Shared Cost AVC arrangements.