



THE BENTLEY WOOD TRUST

LOCAL GOVERNMENT PENSION SCHEME (LGPS) DISCRETIONS POLICY

Committee Responsible:	Board of Directors
Reviewed by:	Terry Killick
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Next Review Date by:	December 2027

THE BENTLEY WOOD TRUST LGPS DISCRETIONS POLICY

The following table applies to the discretions which may be exercised on and after 1 April 2014 in relation to active scheme members and members who cease active membership after 31 March 2014.

The Local Government Pension Scheme Regulations 2013		
16(2)(e) & 16(4)(d)	This regulation allows employers to fund employees additional pension contributions up to a maximum of £6,500 (as at 1 April 2014) either in whole or in part.	Additional pension contributions will not normally be funded in whole or in part by Bentley Wood Trust. Any such payments would only be granted in exceptional cases.
30(6) 30(8)	Qualifying scheme members who are over age 55 can, with the consent of the employer, continue to work for the employer on different terms and conditions and request to draw their pension entitlements (flexible retirement). Benefits payable pursuant to s30(6) and s30(5) will be adjusted in accordance with guidance issues by the Government Actuary.	Bentley Wood Trust will not have a general policy of exercising this discretion but may exercise this discretion where a sound business case can be made for granting flexible retirement with immediate access to all or part of the member's benefits. The waiving of any early retirement actuarial reduction (either in part or in full) will only be considered in exceptional circumstances.
Rule of 85 protection	From 1 April 2014 it became possible for a scheme member to retire early and receive immediate pension benefits from age 55 onwards without the employer's consent. However, the pension would be actuarially reduced depending on how long before normal pension age the scheme member is retiring irrespective of whether they meet the 85 year rule or not.	Bentley Wood Trust will not have a general policy of waiving, in whole or in part, the actuarial reduction on any benefits paid. It would only be considered in exceptional circumstances
31	Whether to grant extra annual pension of up to £6,500 (as at 1 April 2014) to an active scheme member or within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency.	Bentley Wood Trust policy is not to grant additional sums and will only award in exceptional circumstances.
9 & 10	Active members are required to make contributions on the basis of pensionable pay	Bentley Wood Trust will allocate employees to the

	bands. This policy is made to aid the administration of the scheme – in particular in setting the contribution rates to be applied to each individual. However, nothing in this policy can override the statutory provisions of the LGPS.	appropriate contribution rate according to pay band at 1 April each year and adjust only where there is a contractual change during the year.
100 (6)	Whether, with the agreement of the Pension Fund administering authority, to permit a scheme member to elect to transfer other pension rights into the LGPS if he/she has not made such an election within 12 months of joining the LGPS.	Bentley Wood Trust will only extend the 12 month time limit in exceptional circumstances, subject to the agreement of the Pension Fund administering authority.
17	Whether, how much, and in what circumstances to contribute to a shared-cost Additional Pension Contribution (SCAPC) arrangement entered into on or after 1 April 2014 and whether, how much, and in what circumstances to continue to contribute to any shared cost Additional Voluntary Contribution (SCAVC) arrangement that the employer had entered into before 1 April 2014.	Bentley Wood Trust will not generally contribute to any SCAPC schemes.

The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended)		
5 (1)	Power to increase statutory redundancy payments above statutory weekly pay limit	Bentley Wood Trust will not generally increase statutory redundancy payments above statutory weekly pay limit.
6	Decision to award up to 104 weeks compensation instead of compensatory added years	Bentley Wood Trust will not generally award compensation instead of compensatory added years.

The following table applies in relation to discretions to be exercised on and after 1 April 2014 in relation to scheme members who ceased active membership before 1 April 1998

The Local Government Pension Scheme Regulations 1995		
11(2)(c)	Whether to grant applications for the early payment of deferred pension benefits on or after age 50 and before age 65 on compassionate grounds.	Such applications will not normally be approved by Bentley Wood Trust. Applications may be approved in exceptional circumstances where individuals can show that there are significant compassionate grounds.

The following table applies to discretions which may be exercised on and after 1 April 2014 in relation to scheme members who left the scheme between 1 April 2008 and 31 March 2014

The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2009 (as amended)		
12	Whether to augment membership of an active member (by up to 10 years)	Bentley Wood Trust does not have a general policy to augment membership of an active member by up to 10 years and will only award in exceptional circumstances.
13	Whether to grant additional pension to a member (by up to £5,000 p.a.)	Bentley Wood Trust does not have a general policy to grant additional pension to a member (by up to £5,000 p.a.) and will only award in exceptional circumstances.
18(1)	Whether all or some benefits can be paid if an employee reduces their hours or grade after reaching age 55 (flexible retirement)	Bentley Wood Trust does not have a general policy of exercising this discretion. It would only be awarded in exceptional circumstances.
18(3)	Whether to waive, in whole or in part, any actuarial reduction on benefits paid on flexible retirement.	Bentley Wood Trust does not have a general policy of waiving, in whole or in part, the actuarial reduction on the benefits paid on flexible retirement. It would only be considered in exceptional circumstances.

30(2)	Whether to grant application for early payment of benefits on or after age 50/55 and before age 60	Bentley Wood Trust will not have a general policy of granting early payment of benefits on or after age 50/55 and before age 60. It would only be considered in exceptional circumstances.
30(5)	Whether to waive, on compassionate grounds, the actuarial reduction on benefits paid early.	Bentley Wood Trust will not generally waive the actuarial reduction applied to benefits paid early under regulation s30(2) above. It would only be considered in exceptional circumstances
30 A	Whether to grant early release of pension benefits for former employees who are deemed to be “pensioner members with deferred benefits” under ill health retirement provisions of the LGPS.	Bentley Wood Trust will not have a policy of granting such payments and any payments of this sort will be only granted on exceptional compassionate grounds or in situations where no costs will be charged to the School.

The Local Government Pension Scheme (Administration) Regulations 2008 (as amended)		
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22(2)	Whether to extend the period for a member to elect to pay contributions to cover unpaid leave of absence, maternity, paternity, or adoption leave beyond 30 days after returning to work or leaving.	Bentley Wood Trust will allow the extension of the period in cases where the member was not notified of the right to pay contributions.
83(8)	If a scheme member wishes to transfer pension rights into the LGPS he/she must opt to do so within 12 months of joining the LGPS “or such longer period as the employer may allow”.	Bentley Wood Trust will only extend the 12 months’ time limit in exceptional circumstances.