



Chiltern Way Academy

Turning Futures Around

LGPS – Chiltern Way Academy Trust’s Discretions within the scheme policy

Responsibility for this policy (job title): Finance Director

Governors’ Committee with responsibility for its review: FPGP

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1. Introduction

1.1 Under the Local Government Pension Scheme (Benefits, Membership and Contributions Regulations 2014), each Employing Authority is required to formulate, publish and maintain a Discretions Policy under the LGPS. This document sets out below the discretions to be applied within Chiltern Way Academy Trust.

2. Scope

2.1 The policy and procedure set out in this document applies to all Chiltern Way Academy Trust employees, who are employed under the terms of Bucks Pay Employment Conditions, who have elected to join the Local Government Pension Scheme (LGPS).

3. Discretions within the Scheme

3.1 Calculation of contribution band

All active members of the LGPS will be allocated to a contribution band based on their full-time equivalent pensionable pay. The contribution band ranges will increase on 1 April each year by the rise in the Consumer Price Index. All active members of the LGPS will be allocated to the relevant contribution band on 1 April each year or at the commencement of their employment with Chiltern Way Academy Trust. Chiltern Way Academy Trust will re-assess and adjust an individual employee's contribution band part way during the financial year in the following instances:

(i) Where there has been a contractual change during the year (e.g. promotion) requiring the salary to be adjusted. This will avoid underpayment of contributions by Chiltern Way Academy Trust and will prevent any potential claims of inequality from a new employee being appointed on the same pay but within a higher employee contribution band.

(ii) Where a pay award is applied mid-year (for example changes as a result of CBP effective from 1 July), or backdated.

(iii) Where an employee has been placed in the wrong contribution band in error, which may result in a shortfall in contribution rates at subsequent evaluations.

3.2 Discretion to permit late inward transfer of pension rights

A request to transfer pension rights into the LGPS must be made within 12 months of joining the scheme. Any request to transfer pension rights after the twelve month limit will be declined unless there are extenuating circumstances for the delay. Further information about the application process is made available to new employees with their contract of employment or can be requested direct from the Pension Team on 01296 383755 or via e-mail pensions@buckscc.gov.uk.

3.3 Discretion to adopt an Injury Benefit Scheme

Chiltern Way Academy Trust will not be adopting this discretion to adopt an Injury Benefit Scheme.

3.4 Additional Pension Contributions (APC's)

Chiltern Way Academy Trust will not contribute towards the cost of any Additional Pension contribution (i.e. enter into a Shared Cost APC) for any employee who elects to do this beyond the requirements of the LGPS legislation.

3.5 Shared cost Additional Voluntary Contributions

Chiltern Way Academy Trust will not contribute towards the cost of any Additional Voluntary Contribution (i.e. enter into a Shared Cost AVC) for any employee who elects to do this.

4. Retirement Pension Discretions

4.1 Whether to grant extra annual pension of up to £6,500 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

CHILTERN WAY ACADEMY TRUST WILL NOT BE ADOPTING THIS DISCRETION

4.2 Whether where an active scheme member wishes to purchase additional pension of up to £6,500 by making Additional Pension Contributions (APC's) to (voluntarily) contribute towards the cost of purchasing that extra pension via a Shared Cost Additional Pension Contribution (SCAPC)

CHILTERN WAY ACADEMY TRUST WILL NOT BE ADOPTING THIS DISCRETION

4.3 Whether to permit flexible retirement for staff age 55 or over who, with the agreement of the employer, reduce their working hours or grade.

CHILTERN WAY ACADEMY TRUST WILL ALLOW THIS DISCRETION TO APPLY IN ACCORDANCE WITH THE RETIREMENT POLICY

CHILTERN WAY ACADEMY TRUST will not consider waiving of actuarial reductions.

4.4 Whether as the 85 year rule does not (other than on Flexible retirement) automatically apply to members who would otherwise be subject to it and who choose to voluntarily draw their benefits on or after age 55 and before age 60, to switch the 85 year rule back on for such members

Waiving of actuarial reductions and the application (“switching back on”) of 85 years rule protections will be considered on a case by case basis and only where there is a clear financial advantage to Chiltern Way Academy Trust. A business case will be made by the relevant Business Director and agreed jointly by the Trustees of Chiltern Way Academy Trust. Any costs attached to such a decision will be met by the Trust.

4.5 Whether to waive any actuarial reductions.

Waiving of actuarial reductions will be considered on a case by case basis and only where there is a clear financial advantage to Chiltern Way Academy Trust. A business case will be made by the relevant Business Director and agreed jointly by the Trustees of Chiltern Way Academy Trust. Any costs attached to such a decision will be met by the Trust.

4.6 Discretion to grant an application for reinstatement of a suspended tier 3 ill health pension on or after 55 and before age 60

Chiltern Way Academy Trust will not be adopting this discretion to allow reinstatement of a suspended tier 3 ill health pension on or after 55 and before age 60.

4.7 Discretion to waive, on compassionate grounds, the actuarial reduction applied to the reinstatement of a suspended tier 3 ill health pension paid early (i.e. on or after age 55 and before age 60

Chiltern Way Academy Trust will not be adopting this discretion to waive, on compassionate grounds, the actuarial reduction applied to the reinstatement of a suspended tier 3 ill health pension paid early.

5. Determination of questions and disputes

- 5.1 Any applications to deal with questions and disputes arising from the administration of the scheme membership must be made to the Accounting Officer Chiltern Way Academy Trust, Wendover Campus, Church Lane, Wendover Bucks. HP22 6NL. In the event of an internal dispute, clients should contact the Chair of Governors.