

Local Government Pension Scheme 2014 (LGPS) - Employer Policy Statement

The new pension scheme rules, which apply from 1 April 2014, require each scheme employer within the LGPS to publish a statement with regards to how the employer will respond to discretionary aspects of the scheme rules and regulations.

This statement will be published on the [Daubney Academy](#) website and will also be made freely available in other ways such as intranet sites, direct notification to staff and trade unions.

The date of this publication is: 18 July 2014

The effective date of this policy is: 1 April 2014

This is the formal employer's policy in respect of the employer that is currently known as: [Daubney Academy](#)

This policy applies to: Prospective members, current contributory members and pensioner members of the Local Government Pension Scheme (LGPS), and their dependants.

Where quoted regulations refer to: The Local Government Pension Scheme Regulations 2013, or The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 or The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 or The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended) or The Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

This statement will be reviewed and may change from time to time. You should obtain the latest version of this document before making any decisions in respect of your retirement provisions as the situation may have changed.

You are advised to read this statement in conjunction with the information provided in respect of the benefits provided by the LGPS – the occupational

pension scheme provided by **Daubeney Academy (The Academy)** for non Teaching staff

This policy does not convey any form of contractual rights for LGPS/staff members. The policy will be reviewed and may be subject to change, only the version of the policy that is 'current' at the time at which an event occurs will be the one applied for the purposes of LGPS benefits or membership.

In publishing this policy the scheme employer is required to pay due regard to the requirement that the formulated policy and its application and the extent to which the exercise of the discretions could lead to a serious loss of confidence in the public service.

Before approving any exercise of any discretion the Governing Body will receive and consider a report from the Head Teacher. This will cover any operational, human resource, financial or other issue the Head Teacher considers appropriate. This report must include details of the cost that will be required to be paid to the Pension Fund by the Academy if the discretion is exercised. Without exception, no exercise of any discretion covered in this Employer Policy Statement will be validly exercised unless the Governing Body has both received and considered the financial implications as detailed in the Head Teachers report.

Daubeney Academy will not use this policy for any ulterior motive, it will ensure that such discretions will be exercised reasonably and where a cost is incurred it will only be used when there is a future benefit to the employer for incurring the extra costs that may arise or be associated with the discretion. It will ensure that where exercised any discretions that incur additional costs, will be applied and recorded as appropriate.

Local Government Pension Scheme 2014 (LGPS) - Employer Policy Statement

Employer discretions required under:

The Local Government Pension Scheme Regulations 2013 [prefix R]

The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 [prefix TP]

Regulation R16 (2)(e) & R16 (4)(d)

Whether, how much, and in what circumstances to contribute to a shared cost APC scheme.

The Scheme employer may resolve to fund in whole or in part any arrangement entered into by an active scheme member to pay additional pension contributions by way of regular contributions in accordance with Regulation 16(2)(e), or by way of a lump sum in accordance with Regulation 16(4)(d).

The Scheme employer may enter into an APC contract with a Scheme member who is contributing to the MAIN section of the Scheme in order to purchase additional pension of not more than the additional pension limit (£6,500 from 1st April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

The amount of additional contribution to be paid is determined by reference to actuarial guidance issued by the Secretary of State.

Consideration needs to be given to the circumstances under which the Scheme employer may wish to use their discretion to fund in whole or in part an employee's Additional Pension Contributions.

Daubeney Academy policy is:

The Academy will not contribute to a Shared Cost Additional Pension Contribution Scheme for any of its employees unless there is a clear operational or financial benefit to be gained by the Academy in making such contributions.

Any contribution to a Shared Cost Additional Pension Contribution Scheme may only be approved by the Governing Body after taking very careful consideration of advice from the Head Teacher in respect of the operational, financial and human resource implications.

R30(6)* & TP11(2)

Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement)

An active member who has attained the age of 55 or over and who with the agreement of their employer reduces their working hours or grade of employment may, with the further consent of their employer, elect to receive immediate payment of all or part of the retirement pension to which they would be entitled in respect of that employment as if that member were no longer an employee in local government service on the date of the reduction in hours or grade (adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State – separate policy required under Regulation 30(8)).

As part of the policy making decision the Scheme employer must consider whether, in addition to the benefits the member may

have accrued prior to 1 April 2008 (which the member must draw), to permit the member to choose to draw all, part or none of the pension benefits they built up after 31 March 2008 and before 1 April 2014 and all, part or none of the pension benefits they built up after 1 April 2014.

Due consideration must be given to the financial implications of allowing an employee to draw all or part of their pension benefits earlier than their normal retirement age.

Daubeney Academy policy is:

Flexible retirement allows for employees who are members of the LGPS (and are aged at least 55) to receive immediate payment of their pension benefits whilst continuing to work either reduced hours and/or in a less senior position. The Academy will only permit flexible retirement where there is a clear operational or financial benefit to the Academy in approving such a request. There is no automatic right to flexible retirement.

Under the LGPS Regulations an employee permitted to take flexible retirement must reduce either their hours worked or grade. In considering requests for flexible retirement the Academy will be aware of its responsibility to act in a prudent manner. The Academy will be mindful of the fact that if the reduction in hours or grade is not substantial there is the potential for the employees' pension benefits plus new salary to be significantly more than before the request for flexible retirement was granted.

Therefore requests for flexible retirement with reduced hours or reduced grade will only be considered where the new working arrangements would reduce the employees' salary by at least 40% per week. In considering any request for flexible retirement the Governing Body must be satisfied that not only will there be a clear operational or financial advantage to the Academy but that also there would be no operational or human resource issues arising or difficulties in satisfactorily filling any vacated hours or post vacated. Once the reduction in hours is agreed the

member of staff will not be permitted to subsequently increase their hours.

If a request for flexible retirement was granted the employee will be eligible to receive immediate payment of all pension and lump sum (if applicable) payments earned to date within the LGPS though these may, in accordance with the LGPS Regulations be actuarially reduced. The amount of the reduction to the pension and lump sum will be determined by Bedford Borough Council, in its role as Administering Authority to the LGPS in Bedfordshire, utilising an actuarial calculation based on a formula determined by the Government Actuary's Department.

Requests for flexible retirement with a supporting case must be submitted in writing to the Head Teacher. Prior to presenting a report on the request for flexible retirement to the Governors the Head Teacher will consult with the Administering Authority of the LGPS (Bedford Borough Council) to determine any costs that would be payable by the Academy to the Pension Fund were the request for flexible retirement to be approved.

In considering any request for flexible retirement the Governing Body will take very careful consideration of advice from the Head Teacher in respect of the operational, financial and human resource implications of approving the request.

R30(8)*

Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement. Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age.

Where a Scheme employer's policy under regulation 30(6) (flexible retirement) is to consent to the immediate release of benefits in respect of an active member who is aged 55 or over, those benefits must be adjusted by an amount shown as appropriate in actuarial guidance issued by the Secretary of State (commonly referred to as

actuarial reduction or early payment reduction).

A Scheme employer (or former employer as the case may be) may agree to waive in whole or in part and at their own cost, any actuarial reduction that may be required by the Scheme Regulations.

Due consideration must be given to the financial implications of agreeing to waive in whole or in part any actuarial reduction.

Daubeney Academy policy is:

The waving of any actuarial reduction will not normally be applied and will only be considered where there is a clear financial or operational advantage to the Academy to do so or in other exceptional circumstances. The cost of waving any actuarial reduction will, under the LGPS Regulations, be borne by the Academy.

Each case will be considered on its own merits. The Governing Body will take careful consideration of advice from the Head Teacher in respect of the operational, financial, human resource, reputational and any other issues the Head Teacher consider should be placed before the Governors.

So as to avoid the member suffering the full reduction to their benefits the Scheme employer can 'switch on' the 85 year rule protections thereby allowing the member to receive fully or partly unreduced benefits but subject to the Scheme employer paying a strain (capital) cost to the Pension Fund

Daubeney Academy policy is:

The Academy will not normally "switch on" the 85 Year Rule for a member voluntarily drawing benefits on or after age 55 and before age 60. If the Academy did in any particular case "switch on" the 85 Year Rule the Academy will, under the LGPS Regulations, have to bear the financial cost of this decision.

Switching on the 85 Year Rule for any individual will only be considered where there is a clear financial or operational advantage to the Academy to do so or in other exceptional circumstances. Each case will be considered on its own merits.

The Governing Body will take careful consideration of advice from the Head Teacher in respect of any operational, financial and human resource issues the Head Teacher considers to be relevant.

TP Sch 2 para 2(2)

Whether to "switch on" the 85-year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.

Where a scheme member retires or leaves employment and elects to draw their benefits at or after the age of 55 and before the age of 60 those benefits will be actuarially reduced unless their Scheme employer agrees to meet the full or part cost of those reductions as a result of the member otherwise being protected under the 85 year rule as set out in previous Regulations.

TP Sch 2 para 2(3)

Whether to waive on compassionate grounds the actuarial reduction applied to benefits from pre 1/4/14 membership where the employer has switched on the 85-year rule for a member voluntarily drawing benefits on or after age 55 and before age 60.

So as to avoid the member suffering the full reduction to their benefits the Scheme employer can 'switch on' the 85 year rule protections thereby allowing the member to receive fully or partly unreduced benefits but subject to the Scheme employer paying a

strain (capital) cost to the Pension Fund

Daubeney Academy policy is:

A request for unreduced benefits on compassionate grounds will normally only be considered where an individual is prevented, in the opinion of the Governing Body, from working by the need to care full time for a close relative or other dependant who through illness requires full time care for the rest of their life expectancy which is normally anticipated to be in excess of 12 months from the date of the medical advice.

Prior to the Governing Body considering any request under this discretion the Head Teacher will obtain a report from the LGPS Administering Authority (Bedford Borough Council) detailing the financial implications to the Academy in exercising this discretion.

Any request for unreduced benefits under this discretion will be determined by the Governing Body taking into account both the medical advice, which will be sourced by the Head Teacher, and the advice of the Head Teacher in respect of any matter the Head Teacher considers should be brought to the attention of the Governing Body which will include financial and human resource implications.

R31

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.)

A Scheme employer may resolve to award

- (a) an active member, or
- (b) a member who was an active member but dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency,

additional annual pension of, in total (including any additional pension purchased by the Scheme employer under Regulation 16), not more than the additional pension limit (£6,500 from 1st April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

Any additional pension awarded is payable from the same date as any pension payable under other provisions of the Scheme Regulations from the account to which the additional pension is attached.

In the case of a member falling within sub-paragraph (b) above, the resolution to award additional pension must be made within 6 months of the date that the member's employment ended.

Daubeney Academy policy is:

The Academy will not normally grant additional pension under R31. The Academy will only consider granting additional pension if there is a very clear operational or financial benefit to be gained by the Academy in incurring the cost of granting such a benefit.

Any grant of additional pension under R 31 may only be approved by the Governing Body after taking careful note of advice from the Head Teacher in respect of the operational, financial and human resource implications.

**Employer discretions required under:
The Local Government Pension Scheme Regulations 2007 (as amended) [prefix B]**

B12

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.

Daubeney Academy policy is:

The Academy will not normally exercise this discretion.

The Academy will not grant any augmentation to any of its employees unless there is a clear operational or financial benefit to be gained by the Academy.

Any award of augmentation to an employee may only be approved by the Governing Body after taking very careful note of advice from the Head Teacher in respect of the operational, financial and human resource implications.

B30(2)*

Whether to grant application for early payment of deferred benefits on or after age 55 and before age 60

Daubeney Academy policy is:

The Academy will consider granting such applications. However unless the Academy agrees to the application on compassionate grounds (see discretion under B30(5) below) such applications may only be approved on the basis that no additional costs will be borne by the Academy.

Any request for benefits under this discretion will be determined by the Governing Body taking into account the advice of the Head Teacher in respect of any matter the Head Teacher considers should be brought to the attention of the Governing Body which will include financial and human resource implications.

B30(5)*

Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30

Daubeney Academy policy is:

A request for unreduced benefits on compassionate grounds will normally only be considered where an individual would be prevented, in the opinion of the Governing Body, from working by the need to care full time for a close relative or other dependant who through illness requires full time care for the rest of their life expectancy which is normally anticipated to be in excess of 12 months from the date of the medical advice.

Prior to the Governing Body considering any request under this discretion the Head Teacher will obtain a report from the LGPS Administering Authority (Bedford Borough Council) detailing the financial implications to the Academy in exercising this discretion.

Any request for unreduced benefits under this discretion will be determined by the Governing Body taking into account both the medical advice, which will be sourced by the Head Teacher, and the advice of the Head Teacher in respect of any matter the Head Teacher considers should be brought to the attention of the Governing Body which will include financial and human resource implications.

B30A(3)*

Whether to grant an application for early payment of a suspended tier 3 ill health pension on or after age 55 and before age 60

Daubeney Academy policy is:

The Academy will consider granting such applications. However unless the Academy agrees to the application on compassionate grounds (see discretion under B30A(5) below) such applications may only be approved on the basis that no additional costs will be borne by the Academy.

Any request for benefits under this discretion will be determined by the Governing Body taking into account the advice of the Head Teacher in respect of any matter the Head Teacher considers should be brought to the attention of the Governing Body which will include financial and human resource implications.

B30A(5)*

Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30A

Daubeney Academy policy is:

A request for unreduced benefits on compassionate grounds will normally only be considered where an individual would be prevented, in the opinion of the Governing Body, from working by the need to care full time for a close relative or other dependant who through illness requires full time care for the rest of their life expectancy which is normally anticipated to be in excess of 12 months from the date of the medical advice.

Prior to the Governing Body considering any request under this discretion the Head Teacher will obtain a report from the LGPS Administering Authority (Bedford Borough Council) detailing the financial implications to the Academy in exercising this discretion.

Any request for unreduced benefits under this discretion will be determined by the Governing Body taking into account both the medical advice, which will be sourced by the Head Teacher, and the advice of the Head Teacher in respect of any matter the Head Teacher considers should be brought to the attention of the Governing Body which will include financial and human resource implications.

Employer discretions required under: The Local Government Pension Scheme Regulations 1997 (as amended) [prefix L]

L31(2)

Grant application from a post 31.3.98. / pre 1.4.08. leaver for early payment of benefits on or after age 50/55 and before age 60

Daubeney Academy policy is:

The Academy will consider granting such applications. However unless the Academy agrees to the application on compassionate grounds (see discretion under L31(5) below) such applications may only be approved on the basis that no additional costs will be borne by the Academy.

Any request for benefits under this discretion will be determined by the Governing Body taking into account the advice of the Head Teacher in respect of any matter the Head Teacher considers should be brought to the attention of the Governing Body which will include financial and human resource implications.

L31(5)

Waive, on compassionate grounds, the actuarial reduction applied to benefits paid early for a post 31.3.98. / pre 1.4.08. leaver

Daubeney Academy policy is:

A request for unreduced benefits on compassionate grounds will normally only be considered where an individual would be prevented, in the opinion of the Governing Body, from working by the need to care full time for a close relative or other dependant who through illness requires full time care for the rest of their life expectancy which is normally anticipated to be in excess of 12 months from the date of the medical advice.

Prior to the Governing Body considering any request under this discretion the Head Teacher will obtain a report from the LGPS Administering Authority (Bedford Borough Council) detailing the financial implications to the Academy in exercising this discretion

Any request for unreduced benefits under this discretion will be determined by the Governing Body taking into account both the medical advice, which will be sourced by the Head Teacher, and the advice of the Head Teacher in respect of any matter the Head Teacher considers should be brought to the attention of the Governing Body which will include financial and human resource implications.

Daubeney Academy policy is:

That benefits to be shared equally amongst the relevant parties/beneficiaries.

Regulation 25(2)

How it will decide to whom any children's annual compensatory added years payments are to be paid where children's pensions are not payable under the LGPS (because the employee had not joined the LGPS) and in such case how the annual added years will be apportioned amongst the eligible children

Daubeney Academy policy is:

That benefits to be shared equally amongst the relevant children.

Regulation 21(7)

Whether in respect of the spouse of a person who ceased employment before 1 April 1998 and where the spouses or civil partner remarries, enters into a new civil partnership or cohabits after 1 April 1998, the normal pension suspension rules should be disapplied i.e. whether the spouse's or civil partners annual compensatory added years payments should continue to be paid.

Daubeney Academy policy is:

That the normal pension suspension rules will be disapplied

The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000]

Regulation 21(4)

How any surviving spouse's or civil partner's annual compensatory added years is to be apportioned where the deceased person is survived by more than one spouse or civil partner.

Regulation 21(5)

{If the decision in 21(7) is to apply suspension of benefits.}

...whether the spouses or civil partners pension should be reinstated after the end of the

remarriage, new civil partnership or co habitation.

Not applicable as Regulation 21(7) is disapplied.

Regulation 21(7)

Whether, in respect of the spouses or civil partner of a person who ceased employment before 1 April 1998 and where the spouses or civil partner remarries or cohabits or enters into a civil partnership on or after 1 April 1998 with another person who is also entitled to a spouses or civil partners annual CAY payment, the normal rules requiring one of them to forgo payment whilst the period of marriage, civil partnership or co habitation lasts, should be disapplied i.e. whether the spouses or civil partners annual CAY payments should continue to be paid to both of them.

Daubeney Academy policy is:

That the normal rules requiring one individual to forgo payment whilst the period of marriage, civil partnership or co habitation lasts, will be disapplied.

Regulation 17

Whether to and to what extent to reduce or suspend the member's annual compensatory added years payment during any period of re-employment in local government.

Daubeney Academy policy is:

That it will not reduce or suspend the annual compensatory added years payment.

Regulation 19

How to reduce the member's annual compensatory added years payment following the cessation of a period of re-employment.

Not applicable as there is no reduction as set out at Regulation 17.

The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended)

Regulation 5

To base redundancy payments on an actual weeks pay where this exceeds the statutory weeks pay limit.

Daubeney Academy policy is:

That the Academy will base redundancy payments on an actual weeks pay where this exceeds the statutory weeks pay limit.

Regulation 6

To award lump sum compensation of up to 104 weeks pay in cases of redundancy, termination of employment on efficiency grounds, or cessation of a joint appointment.

Daubeney Academy policy is:

That the Academy will base the number of weeks compensation in cases of redundancy on the statutory redundancy scheme.

In some cases exceptional circumstances the Academy may consider cases of early retirement in the efficient interest of the service. In these circumstances, the provision to pay up to 30 weeks payment at actual weekly pay may be applied.

If considering whether to approve early retirement in the efficient interest of the service the Governing Body will take careful account of the advice of the Head Teacher in respect of any matter the Head Teacher considers should be brought to the attention of the Governing Body which will include operational, financial and human resource implications

The Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

Formulating and publishing a policy under the Injury Allowances Regulations 2011 Each LGPS employer (other than an Admitted Body) is required to formulate, publish and keep under review the policy that it will apply in the exercise of its discretionary powers to make any award under the Injury Allowances Regulations.

Daubeney Academy policy in respect of all discretions under the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011 is that the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

The Governing Body will however consider, on its own merits, any application for the use of any discretion under these specific Regulations

The use of any discretion under these specific Regulations may only be granted if the Governing Body consider there is a clear financial or operational advantage to the Academy to do. Any cost of exercising a discretion under these Regulations will be borne by the Academy.

The Governing Body will take careful consideration of advice from the Head Teacher in respect of the operational, financial, human resource, and any other issues the Head Teacher consider should be placed before the Governors.

The "ordinary" approach of the Academy in respect of the exercise of discretions under these specific Regulations is stated below after each individual discretion.

Regulation 3(1)

Whether to grant an injury allowance following reduction in remuneration as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job.

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 3(4) and 8

Amount of injury allowance following reduction in remuneration as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job.

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 3(2)

Determine whether person continues to be entitled to an injury allowance awarded under regulation 3(1).

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 4(1)

Whether to grant an injury allowance following cessation of employment as a result of permanent incapacity caused by sustaining an injury or contracting a disease in the course of carrying out duties of the job.

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 4(3) and 8

Amount of injury allowance following cessation of employment as a result of permanent incapacity caused by sustaining an injury or contracting a disease in the course of carrying out duties of the job.

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 4(2)

Determine whether person continues to be entitled to an injury allowance awarded under regulation 4(1).

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 4(5)

Whether to suspend or discontinue injury allowance awarded under regulation 4(1) if person secures paid employment for not less than 30 hours per week for a period of not less than 12 months.

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 6(1)

Whether to grant an injury allowance following cessation of employment with entitlement to immediate LGPS pension where a reg 3 payment was being made at date of cessation of employment but reg 4 does not apply.

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 6(1)

Determine amount of any injury allowance to be paid under regulation 6(1)

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 6(2)

Determine whether and when to cease payment of an injury allowance payable under regulation 6(1)

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 7(1)

Whether to grant an injury allowance to the spouse, civil partner, nominated co-habiting partner or dependent of an employee who dies as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job.

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 7(2) and 8

Determine amount of any injury allowance to be paid under regulation 7(1)

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

Regulation 7(3)

Determine whether and when to cease payment of an injury allowance payable under regulation 7(1)

Daubeney Academy policy is:

That the Academy will not ordinarily consider the discretion due to financial pressures at a time when there is a need to make significant savings in the public sector.

**Further Employer Discretions
Recommended – in accordance
with the Local Government
Pension Scheme Regulations
2013**

R9(1) & (3) – Contributions

Where an active member changes employment or there is a material change which affects the member's pensionable pay during the course of a financial year, the Scheme employer may determine that a contribution rate from a different band (as set out in Regulation 9(2)) should be applied.

Where the Scheme employer makes such a determination it shall inform the member of the revised contribution rate and the date from which it is to be applied.

Daubeney Academy policy is:

The Academy will reassess the contribution band where an active member changes employment or a material change occurs during the course of the financial year. The Academy will inform the member of the revised contribution rate and the date from which it is to be applied.

R17(1) – Additional Voluntary Contributions

An active member may enter into arrangements to pay additional voluntary contributions (AVCs) or to contribute to a shared cost additional voluntary contribution arrangement (SCAVCs) in respect of an employment. The arrangement must be a scheme established between the appropriate administering authority and a body approved for the purposes of the Finance Act 2004, registered in accordance with that Act and administered in accordance with the Pensions Act 2004.

The Scheme employer needs to determine whether or not it will

make contributions to such an arrangement on behalf of its active members.

Daubeney Academy policy is:

The Academy will not contribute to a Shared Cost Additional Voluntary Contribution Arrangement (SCAVCs) for any of its employees unless there is a clear operational or financial benefit to be gained by the Academy in making such contributions.

Any contribution to a Shared Cost Additional Voluntary Contribution Arrangement may only be approved by the Governing Body after taking very careful consideration of advice from the Head Teacher in respect of the operational, financial and human resource implications.

R21(5) – Assumed Pensionable Pay

A Scheme employer needs to determine whether or not to include in the calculation of assumed pensionable pay, any 'regular lump sum payment' received by a Scheme member in the 12 months preceding the date that gave rise to the need for an assumed pensionable pay figure to be calculated.

Daubeney Academy policy is:

That it will include any regular lump sum payments as permitted by the Regulations in the calculation of assumed pensionable pay.

Detriment payments will be excluded as permitted under Regulation 20, Paragraph 2(g) of the 2014 LGPS Regulations.

R22 - Merging of Deferred Member Pension Accounts with Active Member Pension Accounts

A deferred member's pension account is automatically aggregated with their active

member's pension account unless the member elects within the first 12 months of the new active member's pension account being opened to retain their deferred member's pension account.

A Scheme employer can, at their discretion, extend the 12 month election period.

Daubeney Academy policy is:

The Academy will not normally extend the 12 month election period.

There are however possible exceptional circumstances where the Academy may possibly approve an extension, for example:

- Where the available evidence indicates that the member made an election within 12 months of joining the LGPS, but the election was not received by the Pension Fund administering Authority, for example because the form was lost in the post;

- where the available evidence indicates the member had not been informed of the 12 month time limit due to maladministration;

-where the member has pre 1 April 2014 membership and the final pay in the former job is higher (in real terms, after adding on inflation) than in the new job.

The maximum extension period shall normally be 6 months unless there are clear and specific circumstances for an extension.

In exercising this discretion The Governing Body will take careful consideration of advice from the Head Teacher in respect of the operational, financial, human resource, and any other issues the Head Teacher consider should be placed before the Governors.

R74 Adjudication

Each Scheme employer must appoint a person ("the adjudicator") to consider applications from any

person whose rights or liabilities under the Scheme are affected by:

- (a) decision under regulation 72 (first instance decisions); or
- (b) any other act or omission by a Scheme employer or administering authority,

and to make a decision on such applications.

Responsibility for determinations under this **first stage of the Internal Disputes Resolution Procedure (IDRP)** rests with "the adjudicator" as named below by the Scheme employer:

Daubeney Academy 'Adjudicator's' details are:

Name: John Raisin

Job Title: Director

Full Address: John Raisin Financial Services Ltd, c/o The Head Teacher Daubeney Academy, Orchard Street, Kempston, Bedfordshire,

Post Code: MK42 7PS

Tel No: 07873393573

Email

Address: enquiries@jrfspensions.com

Regulation R100(6) –Transfers of Pension Rights into the LGPS

A request from an active member to transfer previously attained pension rights into the LGPS must be made in writing to the administering authority and the Scheme employer before the expiry of the period of 12 months beginning with the date on which the employee first became an active member in an employment

(or such longer period as the Scheme employer and administering authority may allow).

election. If one agrees, and the other does not, the late election cannot be accepted.

Daubeney Academy policy is:

The Academy will not normally extend the 12 month election period.

There are however possible exceptional circumstances where the Academy may possibly approve an extension, for example:

- where the member asked for transfer investigations to be commenced within 12 months of joining the LGPS but a quotation of what the transfer value will purchase in the LGPS has not been provided to the member within 11 months of joining the LGPS. The time limit for such a member to make a formal election to transfer pension rights into the LGPS could be extended to, say, one month beyond the date of the letter issued by the Pension Fund administering authority notifying the Scheme member of the benefits the transfer will buy in the LGPS;

- where the available evidence indicates the member made an election within 12 months of joining the LGPS, but the election was not received by the Pension Fund administering authority (e.g. the election form was lost in the post);

- where the available evidence indicates the member had not been informed of the 12 month time limit due to maladministration.

Accepting an option after 12 months can result in additional cost to the employer (for example where an employee opts to transfer in prior to a large salary rise / promotion / re-grading if the member has any pre 1 April 2014 membership, or where an employee opts to transfer in prior to early retirement on redundancy, business efficiency or ill health.)

Unlike under the 2008 Scheme, where the discretion to allow a late election rested solely with the employer, under the 2014 Scheme both the employer and the Pension Fund administering authority have to agree to the acceptance of a late

