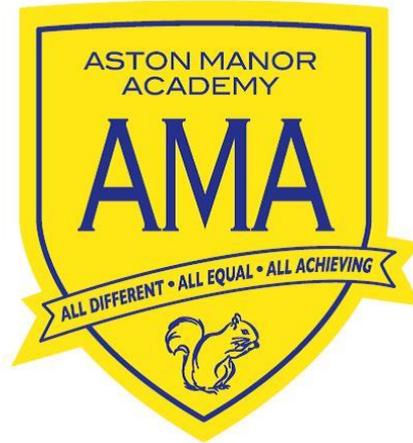


EQUITAS ACADEMIES TRUST



Chilwell Croft
Academy

LOCAL GOVERNMENT PENSION SCHEME POLICY

Review Date: March 2020
To be Reviewed: March 2022
Agreed: F & GP Board
Policy Lead: Chief Operations Officer
(Trust)

LOCAL GOVERNMENT PENSION SCHEME (LGPS) DISCRETIONS POLICY

SCHEME EMPLOYER DECLARATION

The Scheme employer known as Equitas Academies Trust has prepared this written statement of policy in relation to its exercise of certain discretionary functions available under the Local Pension Scheme Regulations 2013. The Scheme employer declares that it will keep this statement under review and publish the statement (and any amendments made thereto) in a place that is easily accessible to all of its eligible Scheme employees and that it will provide to the administering authority the most up to date version of the statement at all times.

1. DISCRETIONS

Equitas Academies Trust, as a LGPS Employer, is legally required to provide employees and LGPS scheme members with information regarding their decision to include or omit many of the following discretions in their LGPS scheme. Additional discretions are also included which are non-mandatory but have been included as best practice and for transparency.

2. KEY ROLES AND RESPONSIBILITIES

Equitas Academies Trust has overall responsibility for the implementation and monitoring of the LGPS Discretionary Policy at schools with the Trust (at the time of writing Aston Manor Academy and Chilwell Croft Academy).

The Trust Board has responsibility for ensuring that the LGPS Discretionary Policy, as written, does not discriminate on any grounds, including but not limited to: age, ethnicity/national origin, culture, religion, gender, disability or sexual orientation.

The Trust Board has overall responsibility for handling complaints regarding this policy as outlined in the Complaints Policy.

In the first instance, complaints should be directed to the Chief Operations Officer (COO).

The COO has responsibility for the day-to-day implementation and management of the LGPS Discretionary Policy at Equitas Academies Trust.

Staff members enrolled on the LGPS will be responsible for following the LGPS Discretionary Policy.

3. REGULATION 31: WHETHER TO GRANT ADDITIONAL PENSION TO A MEMBER (UP TO £7,026 P.A.- figure as at April 2019).

The LGPS 2014 Regulations state that the Trust may agree, at its own cost, to award a member additional membership up to a maximum of ten years. The Trust will only consider doing so in cases where there is a clear financial or administrative advantage to the Trust and with the expressed permission of the F&GP Committee.

Note: The figure of £6,675 p.a. will be increased each April under the Pension (Increase) Act 1971 and the current figure, at the time of writing, is stated here.

4. REGULATIONS 16 (2)E AND 16 (4)D: WHETHER TO MAKE EITHER A REGULAR OR LUMP SUM ADDITIONAL PENSION CONTRIBUTION (APC) TO A MEMBER'S ACCOUNT (FUNDED IN PART OR WHOLLY BY THE TRUST

The Trust will only consider doing so in exceptional circumstances and with the approval of the F&GP Committee.

5. REGULATION 30 (6): WHETHER ALL OR SOME BENEFITS CAN BE PAID IF A MEMBER AGED 55 OR OVER REDUCES THEIR HOURS/PAY GRADE AND CONTINUES TO WORK (FLEXIBLE RETIREMENT).

The LGPS 2014 Regulations state that the Trust may agree, at its own cost (if there is any) for a member aged 55 or over, who reduces their grade, hours of work, or both, to receive all or part of their LGPS benefits immediately, even though they have not left the Trust's employment. The Trust will only consider doing so in cases where there is a clear financial or administrative advantage to the Trust and with the approval of the F&GP Committee.

6. REGULATION 30 (8): WHETHER TO WAIVE, IN WHOLE OR IN PART, ACTUARIAL REDUCTION ON BENEFITS PAID ON FLEXIBLE RETIREMENT.

The LGPS 2014 Regulations state that if the benefits on flexible retirement would normally be reduced for early payment, the Trust may agree, at its own cost, to waive all or part of the reduction. The Trust will only consider doing so in exceptional circumstances and with the approval of the F&GP Committee.

7. REGULATION 30 (8): WHETHER TO WAIVE ACTUARIAL REDUCTION ON EARLY RETIREMENT (AGE 55+) FOR BOTH ACTIVE AND DEFERRED MEMBERS AND SUSPENDED TIER 3 ILL HEALTH PENSIONS.

The Trust may agree, at its own cost, for a member aged 55 or over, who leaves its employment without an automatic entitlement to immediate LGPS benefits, to receive their benefits immediately. The Trust will only consider doing so in exceptional circumstances and with the approval of the F&GP Committee.

8. LGPS TRANSITIONAL PROVISIONS, SAVINGS AND AMENDMENT REGULATIONS 2014 REGULATION 1 (1)C: WHETHER TO ALLOW THE RULE OF 85 TO BE "SWITCHED ON" FOR

MEMBERS WHO WOULD NORMALLY MEET THE RULE BUT WHO WILL NOT IF THEY DRAW THEIR BENEFITS AGED 55-59.

The Trust will only consider “switching on” the rule of 85 in cases where there is a clear financial or administrative advantage to the Trust and with the approval of the F&GP Sub-Committee.

9. REGULATIONS 22 (8 AND 9): WHETHER TO EXTEND THE 12-MONTH PERIOD TO SEPARATE PREVIOUS LOCAL GOVERNMENT SERVICE.

The Trust will only allow an extension to the 12-month period to combine previous non-local government service where it can be shown that the member was not provided with the required information within 6 months of starting at the trust.

10. REGULATION 9 (3): DETERMINATION OF THE RATE OF EMPLOYEE’S CONTRIBUTION.

The Trust will only review all employees’ contribution bands as at 1 April each year, except if the member has been promoted on a permanent basis. When a member’s salary or hours change during the year, the member will remain on the same employee contribution rate until the following April, except where they have progressed to a higher contribution band, in which case the change will take immediate effect.

11. REGULATION 100 (6): WHETHER TO EXTEND THE 12-MONTH PERIOD TO ALLOW A TRANSFER-IN OF NON-LOCAL GOVERNMENT PENSION RIGHTS.

The trust will only allow an extension to the 12-month period to combine previous non-local government service where it can be shown that the member was not provided with the required information within 6 months of starting at the trust.

12. REGULATION 33 TO 38: WHETHER TO AWARD AN INJURY ALLOWANCE FOLLOWING THE LOSS OF EMPLOYMENT OR REDUCTION IN PAY OR DEATH IN SERVICE THROUGH PERMANENT INCAPACITY AFTER SUSTAINING AN INJURY OR CONTRACTING A DISEASE AS A RESULT OF ANYTHING HE/SHE WAS REQUIRED TO DO IN CARRYING OUT THE DUTIES OF THE ROLE.

The Trust will not exercise this function.

13. LOCAL GOVERNMENT PENSION SCHEME (Transitional Provisions and Savings) Regulations 2014. SCHEDULE 2 – PARAGRAPHS 2 AND 3

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.

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.

The Trust will only be considered on compassionate grounds in exceptional circumstances, subject to the employee's exceptionally difficult personal and domestic circumstances and with the approval of the F&GP Committee.

14. SUPPORT

The West Midlands Pension Fund provides support for the LGPS scheme locally.

They can be contacted using the phone number 0300 111 1665 or on their website www.wmpfonline.com

SCHEME EMPLOYER CONFIRMATION

It is understood that the discretions contained within this statement of policy are applicable to all eligible members of the Scheme. The Scheme rules allow for a revised statement to be issued at least one month in advance of the date that any new policy takes effect. The revised statement must be sent to the administering authority and the employer must publish its statement as revised in a place that is accessible to all of its eligible scheme members.

Signed on behalf of the Scheme Employer Simon Dilkes

Name: Simon Dilkes

Position: Chief Operations Officer

Scheme Employer's Name: Equitas Academies Trust

Date: 23rd March 2020

Date of next review: March 2022

Policy confirmed:

Signed by

Member of Trust Board: Wadim Wesolek, Chair F&GP Committee Date: 23rd March 2020

Review Date: March 2022

Statement of Intent

Equitas Academies Trust is required to compose, publish and keep under review a policy statement in relation to the exercising of a number of discretions under the LGPS 2014.

To ensure value for money and financial stability, Equitas Academies Trust has adopted an approach that befits the size, finances and current staffing levels at its Academies. In addition, the decisions regarding the discretionary powers have been taken to ensure the affordability of the scheme to all members.

Equitas Academies Trust is committed to equality and this policy has been created in accordance with anti-discrimination laws, the Equality Act 2010 and with regard to Age Regulations.

Signed by

Member of Trust Board: Wadim Wesolek, Chair F&GP Committee Date: 23rd March 2020

Review Date: March 2022