

Local Government Pension Scheme 2014

Statement of Policy on Employer Discretions for Northern Education Trust ("NET")

Made on:	26 th June 2015
Effective from:	26 th June 2015
To be reviewed by:	September 2017
Reference:	[number]
Authorised by:	Northern Education Trust Board
Signature and date:	

This document is the statement of policy required by Regulation 60 of the Local Government Pension Scheme ("LGPS") Regulations 2013. It shall be copied to all NET LGPS administrators and published by way of inclusion on NET's website within one month of the "Made on" date above and any subsequent "To be reviewed by" date.

This document does not confer contractual rights on any person. Only the statement of policy that is current at the time of a relevant event affecting any past or present employee of NET who is a member of the LGPS will be applied to that employee.

NET retains the right to revise the statement of policy at any time subject to the LGPS Regulations 2013.

NET declares that, in accordance with Regulation 60 of the LGPS Regulations 2013 it has had regard to the extent to which the exercise of discretions 1 to 5 in accordance with its policy could lead to a serious loss of confidence in the public service and has determined that its policy will not lead to such loss.

Formulation of compulsory policies in accordance with the LGPS Regulations 2013

Discretion	Reference	Policy
Whether, how much, and in what circumstances to contribute to a shared cost additional pension contribution scheme	Regulations 16(2)(e), 16(4)(d) and 60(1)(a) of the LGPS Regulations 2013	<i>NET will not contribute to a shared cost additional pension contribution scheme</i>
Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement)	Regulations 30(6) and 60(1)(b) of the LGPS Regulations 2013	<i>NET may pay all or some benefits if an employee takes flexible retirement, subject to agreement with the Fund</i>
Whether to waive, in whole or part, actuarial reduction on benefits paid on flexible retirement or on benefits which a member voluntarily draws before normal pension age	Regulation 30(8) and 60(1)(c) of the LGPS Regulations 2013	<i>NET will not waive actuarial reduction on benefits paid on flexible retirement or on benefits which a member voluntarily draws before normal pension age</i>
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.)	Regulation 31 and 60(1)(d) of the LGPS Regulations 2013	<i>NET may grant such additional pension where agreed on a member by member basis</i>
Whether to "switch on" the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60. (Paragraphs 1(2) and 2(2) of Schedule 2 to the LGPS	Paragraphs 1(2) and 2(2) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014	<i>NET will not "switch on" the 85 year rule in such circumstances</i>

Formulation of compulsory policies in accordance with the LGPS (Administration) Regulations 2008, relating to scheme members (excluding councillor members) who ceased active membership between 1 April 2008 and 31 March 2014

Discretion	Reference	Policy
<p>Whether to grant applications for the early payment of deferred pension benefits on or after 55 and before 60.</p> <p>NB: there are exclusions to this discretion but unlikely to apply to staff employed by an Academy.</p>	<p>Regulation 66 of the LGPS (Administration) Regulations 2008 and Regulation 30(2) of the LGPS (Benefits, Membership and Contributions) Regulations 2007</p>	<p><i>NET will not grant such applications except in exceptional circumstances.</i></p>
<p>Whether, on compassionate grounds, to waive any actuarial reduction that would normally be applied to deferred benefits which are paid before age 65.</p>	<p>Regulation 66 of the LGPS (Administration) Regulations 2008 and Regulation 30(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007</p>	<p><i>NET will not authorise such waiver except in exceptional circumstances.</i></p>
<p>Whether to grant applications for the early payment of a suspended tier 3 ill health pension on or after age 55 and before age 60.</p> <p>NB: there are exclusions to this discretion but unlikely to apply to staff employed by an Academy.</p>	<p>Regulation 66 of the LGPS (Administration) Regulations 2008 and Regulation 30A(3) of the LGPS (Benefits, Membership and Contributions) Regulations 2007</p>	<p><i>NET will not grant such applications except in exceptional circumstances.</i></p>
<p>Whether, on compassionate grounds, to waive any actuarial reduction that would normally be applied to any suspended tier 3 ill health pension benefits which are brought back into payment before age 65.</p>	<p>Regulation 66 of the LGPS (Administration) Regulations 2008 and Regulation 30A(5) of the LGPS (Benefits, Membership and Contributions) Regulations 2007</p>	<p><i>NET will not authorise such waiver except in exceptional circumstances.</i></p>

Discretion	Reference	Policy
<p>NB: there are modifications to this discretion but unlikely to apply to staff employed by an Academy.</p>		
<p>Whether, within 6 months of the date of termination, to grant extra membership in the pension scheme to a scheme member whose employment was terminated before 1 April 2014 on the grounds of redundancy or business efficiency.</p> <p>NB: this is a time-limited discretion which expired on 30 September 2014 for those whose employment terminated on 31 March 2014</p>	<p>Not applicable.</p>	<p>Not applicable.</p>

Formulation of compulsory policies in accordance with the Local Government Pension Scheme Regulations 1997, relating to scheme members (including councillor members) who ceased active membership between 1 April 1998 and 31 March 2008

Discretion	Reference	Policy
<p>Whether to grant applications for the early payment of pension benefits on or after 50 and before 60.</p> <p>NB: there are exclusions to this discretion but unlikely to apply to staff employed by an Academy.</p>	<p>Regulation 106 of the LGPS Regulations 1997 and Regulation 31(2) of the LGPS Regulations 2007</p>	<p><i>NET will not grant such applications except in exceptional circumstances.</i></p>
<p>Whether, on compassionate grounds, to waive any actuarial reduction that would normally be applied to deferred benefits which are paid before age 65.</p> <p>NB: there are exclusions to this discretion but unlikely to apply to staff employed by an Academy.</p>	<p>Regulation 106 of the LGPS Regulations 1997 and Regulation 31(5) of the LGPS Regulations 2007</p>	<p><i>NET will not authorise such waiver except in exceptional circumstances.</i></p>

Formulation of compulsory policies in accordance with the Local Government Pension Scheme Regulations 1995, relating to scheme members who ceased active membership before 1 April 1998

Discretion	Reference	Policy
<p>Whether to grant applications for the early payment of pension benefits on or after 50 and before 60.</p> <p>NB: there are exclusions to this discretion but unlikely to apply to staff employed by an Academy.</p>	<p>Regulation D11(2)(c) of the LGPS Regulations 1995</p>	<p><i>NET will not grant such applications except in exceptional circumstances.</i></p>

Formulation of compulsory policies in accordance with the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

Discretion	Reference	Policy
<p>Whether, from 1 October 2006, to base a redundancy payment on an employee's actual week's pay where this exceeds the statutory weeks pay limit of, currently, £464 per week as at 6 April 2014).</p>	<p>Regulation 7(1) of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and Regulation 5 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006</p>	<p><i>NET will base redundancy payment on an employee's actual week's pay where this exceeds the current statutory weeks pay limit.</i></p>
<p>Whether to make a termination payment (inclusive of any redundancy payment) of up to a maximum of 104 weeks' pay to an employee who is, or is eligible to be, a member of the LGPS and whose employment is terminated on the grounds of redundancy or in the interests of the efficient exercise of the employer's functions.</p> <p>NB: such a payment cannot be made if certain discretions above have already been exercised.</p>	<p>Regulation 7(1) of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and Regulation 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006</p>	<p><i>NET will not make such termination payments except in exceptional circumstances.</i></p>

Formulation of compulsory policies in accordance with the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000

Discretion	Reference	Policy
NB: the discretions under this heading only apply where a scheme employer has awarded any Compensatory Added Years before 1 April 2007.	Not applicable.	It is assumed no such awards have been made by NET.

Formulation of compulsory policies in accordance with the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

Discretion	Reference	Policy
<p>Whether to make an injury award to those who sustain an injury or contract a disease as a result of anything they were required to do in performing the duties of their job and in consequence of which they:</p> <ul style="list-style-type: none"> • suffer a reduced remuneration; or • cease to be employed as a result of an incapacity which is likely to be permanent and which was cause by the injury or disease; or • die leaving a surviving spouse, civil partner or dependant; and <p>if the scheme employer has a policy to make such payments, how it will determine the amount of injury allowance to be paid.</p>	<p>Regulation 14(1) of the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011 and Regulations 3 to 7 of the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011</p>	<p><i>NET will not make such injury awards.</i></p>