

**Diocese of Norwich St Benet's Multi Academy Trust**

**LOCAL GOVERNMENT PENSION SCHEME**

**Employer's Policy Statement Exercise of Discretionary Powers**

As required by Local Government Pension Scheme (LGPS) Regulations 2013 and the LGPS (Administration) Regulations 2008, set out below is the policy statement on Pensions for The Diocese of Norwich St Benet's Multi-Academy Trust (St Benet's).

This policy has been approved by St Benet's Board of Trustees at its meeting on 14 December 2020.

A copy of this policy is available from Howard Nelson and has also been lodged with the Norfolk Pension Fund.

In all references to agreement by St Benet's any decisions must be placed before a full meeting of the Trustees and be subject to an agreed resolution.

<b>Name of Employer</b>	The Diocese of Norwich St Benet's Multi-Academy Trust adopted the policies shown on the following pages
<b>Name of authorised signatory</b>	Howard Nelson
<b>Date</b>	14 December 2020

**POLICY STATEMENT**

**Compulsory Items:**

**Funding of Additional Pension: Regulations 16(2e) 16(4d)**

St Benet's may fund (either wholly or in part) an active members Additional Pension Contribution (APC) contract. Requests will be assessed on a case-by-case basis and should be made in writing to the Chief Executive Officer.

However, where an APC is used to cover a period of unpaid leave, St Benet's is required to automatically pay 2/3rds of the cost with the member paying the rest, providing the APC request is made within 30 days of the member returning from leave.

St Benet's will not normally make awards under this Regulation but may do so in wholly exceptional circumstances where other factors outweigh the cost.

**Awarding Additional Pension: Regulation 31**

St Benet's may increase a member's benefits by awarding additional pension up to a maximum of £6,500 (from April 2014) on agreement of the Trustees. St Benet's will consider exercising this discretion only in exceptional cases where it can see a clear financial or administrative advantage.

### **Flexible Retirement: Regulation 30(6)**

St Benet's may give consent for a member aged 55 or more who reduces their grade or hours of work (or both) to receive all or part of their benefits immediately, "even though they have not left the Trusts employment on agreement of the Trust. St Benet's will consider exercising this discretion only in cases where it can see a clear financial or administrative advantage.

If the benefits payable on flexible retirement would normally be reduced for early payment St Benet's may agree to waive all or part of the reduction on agreement of St Benet's.

St Benet's will consider exercising this discretion only in exceptional cases where it can see a clear financial or administrative advantage.

### **Waiving of Actuarial Reduction: Regulation 30(8)**

In circumstances where it can see a clear financial or administrative advantage, St Benet's may give consent for a member aged 55 or more who leaves its employ without an entitlement to immediate LGPS benefits to receive them straight away regardless on agreement of St Benet's.

If the benefits payable would normally be reduced for early payment, St Benet's may agree to waive all or part of the reduction. Any request will be determined on a case-by-case basis and must be backed by reports from the employee's line manager and the chairman. In the case of the clerk, reports will be required from the chairman and vice-chairman.

St Benet's will not normally make awards under this Regulation but may do so in wholly exceptional circumstances where other factors outweigh the cost.

### **Non-Compulsory Items:**

#### **Shared cost AVCs: Regulation 17(1)**

An employer may share the cost of an Additional Voluntary Contributions scheme. St Benet's will not exercise this discretion.

#### **Forfeiture of pension rights: Regulations 91, 92**

#### **Recovery or retention of monetary obligations: Regulation 93**

In certain circumstances such as employment-related convictions, pension rights may be forfeited, or other measures taken by the employer in respect of the employee's pension account.

St Benet's may exercise the discretions provided under these regulations depending on the circumstances of the case. This power is delegated to the Chair and Chief Executive Officer.

#### **Appointment of adjudicator for member disagreements: Regulation 74(1)**

Each Scheme employer is required to appoint an adjudicator who will consider applications from any person whose rights or liabilities under the Scheme are disputed and to decide regarding such applications.

The Chief Executive Officer will act on behalf of St Benet's.

### **Transfers of non-LGPS pension rights: Regulation 100(6)**

A member who has previous pension rights in a non-LGPS scheme may transfer them into the LGPS provided they opt to do so within 12 months of joining the LGPS in that employment. The employer has discretion to extend the twelve-month limit.

St Benet's will extend the 12-month period only in exceptional circumstances or where the delay was beyond the member's control.

### **Members' contribution rates: Regulation 9(3)**

The employer must decide how frequently it will reassess the pay and contribution levels for staff.

New starters will be allocated to the appropriate contribution banding on commencement of employment with St Benet's, provided they are eligible for the scheme.

St Benet's will reassess the appropriate contribution bandings for employees:

- when a member receives an increase or decrease in their salary and this involves them moving into a new salary grade,
- where a member's contractual working hours change by five hours or more per week, and
- on an annual basis, with effect from 1 April each year.

Mid-year changes in salary due to pay awards or incremental progression within a grade will not trigger reassessment.