



Discretions Policy

Policy Reference	
Committee	Finance Audit and Premises
Completed Review Date	February 2025
Policy Owner	Business Manager
Ratified by Governors	March 2025
Next Review Due	February 2026

MONITORING, EVALUATION AND REVIEW

This policy will be reviewed when there are changes in the law or at least every two years.

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1. Local Government Pension Scheme (LGPS) 2014 Discretions Statement of Policy

- 1.2 Under the LGPS Regulations 2013 effective from 1 April 2014, all employers participating in the LGPS are required to prepare and publish a written statement on how it will exercise the various discretions provided by LGPS 2014.
- 1.3 This discretions statement documents the Chiltern Hills Academy's normal approach to applications for the exercise of discretions under regulation 60 of the LGPS Regulations 2013.
- 1.3. Each case will be considered separately and, in exceptional circumstances, a different discretion may be applied. This will particularly apply where there is no other option to resolve an issue not of an individual's making.

2. Discretion & Regulation	2.1. Policy
<p>Regulation 31 (of the LGPS Regulations 2013): Whether to grant extra annual pension of up to £6,822 (figure at 1 April 2018) 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.</p>	<p>2.2. Chiltern Hills Academy will not consider granting additional pension of up to £6,822 unless there are exceptional and/or compelling business reasons which warrant such consideration.</p>
<p>Regulations 16(2)e and 16(4)d (of the LGPS Regulations 2013): Whether, where an active Scheme member wishes to purchase extra annual pension of up to £6,822 (figure at 1 April 2018) by making Additional Pension Contributions (APCs), to (<i>voluntarily</i>) contribute towards the cost of purchasing that extra pension via a Shared Cost Additional Pension Contribution (SCAPC).</p>	<p>2.3. Chiltern Hills Academy will not consider contributing to a shared cost APC unless there are exceptional and/or compelling business reasons which warrant such consideration.</p>

<p>Regulation 30(6) (of the LGPS Regulations 2013): Whether to permit flexible retirement for staff aged 55 or over who, with the agreement of the employer, reduce their working hours or grade and, if so, as part of the agreement to permit flexible retirement:</p> <p>Whether in addition to the benefits the member has accrued prior to 1 April 2008 (which the member must draw), to permit the member to choose to draw:</p> <p>All, part or none of the pension benefits they accrued after 31 March 2008 and before 1 April 2014, and/or All, part or none of the pension benefits they accrued after 31 March 2014 (Regulations 11(2) and 11(3) of the LGPS Transitional Provisions, Savings and Amendment Regulations 2014), and;</p> <p>Whether to waive, in whole or in part, any actuarial reduction which would otherwise be applied to the benefits taken on flexible retirement before Normal Pension Age (NPA) (Regulation 3(5) of the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014, Regulation 18(3) of the LGPS (Benefits, Membership and Contributions) Regulations 2007 and Regulations 30(6) and 30(8) of the LGPS Regulations 2013.</p>	<p>2.4. Chiltern Hills Academy may in certain circumstances, where it is in the operational and business interests of the academy, consider flexible retirement.</p> <p>2.5. Professional advice will be sought in such cases and requests will be considered by the Governing Body's Finance, Audit, and Premises Committee and assessed on the merits of each individual case taking into account service delivery and the academy's ability to fund all costs.</p>
<p>Schedule 2 - 1(1)(c) of the LGPS Transitional Regulations 2014 Whether, as the 85 year rule does not (other than on flexible retirement) automatically fully 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 (paragraph 1(1)(C) of Schedule 2 to the</p>	<p>2.6. Chiltern Hills Academy may in certain circumstances, consider to switch back on the 85 year rule.</p> <p>2.7. Professional advice will be sought in such cases and requests will be considered by the Governing Body's Management Committee and assessed on the merits of each individual case. The academy must have the ability to fund all costs.</p>

<p>LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.</p>	
<p>Regulation 30(5) (of the LGPS Regulations 2013): Whether to waive, upon the voluntary early payment of benefits, any actuarial reduction on compassionate grounds or otherwise. (For Flexible Retirement see discretion in respect of Regulation 30(6).</p>	<p>2.8. Chiltern Hills Academy will only waive actuarial reductions in exceptional circumstances.</p> <p>2.9. Professional advice will be sought in such cases, including an estimate of any costs that will apply. Requests will be considered by the Governing Body's Management Committee and assessed on the merits of each individual case, taking into account the academy's ability to fund all costs.</p>