

# Employer Pension Discretions Policy Statements for Employees

I confirm that should any of the decisions change in the future the Pensions Fund will be notified immediately.

I have read the attached statements and certify that they are correct on behalf of:

**Employer name: Miquill Catering Ltd**

**Effective date of discretions: 01 January 2020**

**Completed by: Lisa Seeley**

**\*Signed: Lisa Seeley**

**Date: 01/01/2020**

## **Local Government Pension Scheme, (LGPS), Regulations Policy statement on all eligible employees**

Under Regulation 60 of the LGPS Regulations 2013, (as amended), each scheme employer must publish and keep under review a Statement of Policy to explain how it will apply certain discretions allowed under the Pensions Regulations.

This statement is applicable to all employees of Miquill Catering Ltd who are eligible to be members of the LGPS.

In this policy, defined terms have the following meanings:

<b>"2013 Regulations"</b>	the Local Government Pension Scheme Regulations 2013
<b>"TP Regulations"</b>	the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014
<b>"Benefit Regulations"</b>	the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended)

<b>Mandatory policies</b>			
<b>Type</b>	<b>Discretion(s)</b>	<b>Statutory Reference</b>	<b>Policy</b>
<b>Funding of additional pension contributions (APCs)</b>	Whether, how much, and in what circumstances to contribute to a shared cost APC scheme.	Regulations 16(2)(e) and 16(4)(d) of the 2013 Regulations	Miquill Catering Ltd has not adopted this discretion.
<b>Flexible retirement</b>	Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement).	Regulation 30(6) of the 2013 Regulations and Regulation 11(2) of the TP Regulations	Miquill Catering Ltd will consider employee requests to take flexible retirement on a case by case basis after taking into account factors such as service delivery and any costs that may apply. The Board members will be responsible for agreeing (or otherwise) to all requests to take flexible retirement.
<b>Waiving actuarial reduction on flexible retirement and other grounds</b>	<p>Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement.</p> <p>Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member only has post 31 March 2014 membership).</p> <p>Whether to waive any actuarial reduction for a member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1 April 2014 and post 31 March 2014 membership) on compassionate grounds for if the member has pre-1 April 2014, pre-1 April 2016 and pre-1 April 2020 membership; and in whole or in part on any grounds dependent on the date the member had reached, or will reach, age 60.</p>	<p>Regulation 30(8) of the 2013 Regulations</p> <p>Regulation 3(1) of the TP Regulations</p> <p>Para 2(1) of Schedule 2 of the TP Regulations</p> <p>Regulations 30(5) and 30A(5) of the Benefits Regulations</p>	<p>Miquill Catering Ltd will not apply these discretions unless there are exceptional circumstances.</p> <p>The Board Members will consider such cases and will decide whether the actuarial reductions should be waived. In all cases the financial position of Miquill Catering Ltd must be considered.</p>
<b>“Switching on” the Rule of 85</b>	Whether to “switch on” the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60 (other than on the grounds of flexible retirement).	Para 1(2) & 1(1)(c) of Schedule 2 of the TP Regulations	Miquill Catering Ltd will not apply either discretion, unless there is a business case to support this as an alternative to a redundancy situation.
<b>Augmentation</b>	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. on 1 April 2014 - this figure is inflation proofed annually).	Regulation 31 of the 2013 Regulations	Miquill Catering Ltd will only exercise this discretion in exceptional circumstances. This discretion will only be exercised with the expressed position of the Board Members after consideration of the costs that would apply.

<b>Non-mandatory policies</b>			
<b>Type</b>	<b>Discretion(s) / description</b>	<b>Statutory Reference</b>	<b>Policy</b>
<b>Employee Contributions</b>	Determine rate of employees' contributions.	Regulation 9 of the 2013 Regulations	Base pay on actual pay in April plus dependent on any actuary reports received.
<b>Shared-cost APCs</b>	Whether, how much, and in what circumstances to contribute to shared cost AVC arrangements.	Regulation 17 and definition of shared cost AVC of the 2013 Regulations	Miquill Catering Ltd will only exercise this discretion in exceptional circumstances. This discretion will only be exercised with the expressed position of the Board Members after consideration of the costs that would apply.
<b>Assumed Pensionable Pay</b>	<p>In determining Assumed Pensionable Pay (APP), whether a lump sum payment made in the previous 12 months is a "regular lump sum".</p> <p>Where in the Employer's opinion, the pensionable pay received in relation to an employment (adjusted to reflect any lump sum payments) in the 3 months (or 12 weeks if not paid monthly) preceding the commencement of Assumed Pensionable Pay (APP), is materially lower than the level of pensionable pay the member would have normally received, decide whether to substitute a higher level of pensionable pay having had regard to the level of pensionable pay received by the member in the previous 12 months.</p>	Regulation 21(5), (5A) and (5B) of the 2013 Regulations	To determine in individual cases where necessary to establish in a fair, equitable and justifiable way what the members likely pay would have been but for the absence, and in cases where this pay is to be used for future enhancements whether that level of pay would have been received every year to normal retirement age.
<b>Right to Aggregate Previous LGPS Membership</b>	Whether to extend the 12 month option period for a member to elect that post 31 March 2014 deferred benefits should not be aggregated with a new employment.	Regulation 22(7)(b) and (8)(b) of the 2013 Regulations	Miquill Catering Ltd will not normally extend this 12 month time limit.
<b>Transfers</b>	Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS.	Regulation 100(6) of the Regulations	Miquill Catering Ltd will not normally allow an extension of the 12 month limit, but will consult the Administering Authority in making a decision.