



LGPS Employer Discretions

Cucina and Innovate – Admission BODY LGPS MANDATORY Discretions

Specific discretions under the LGPS Regulations 2013 and the LGPS

Transitional Regulations 2014

The Employer referred to below in all cases is the admission body which is Innovate or Cucina

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1. Shared Cost Additional Pension Contribution (SCAPC)- Regulation 16 (2)(e) and 16 (4)(d)

The employer does not consider contributions towards additional pension contributions to be an essential part of its employment strategy. However, **the employer** will consider applications made under these specific provisions having regard to **the employer’s** general policy from time to time, on the employee pay strategy and the particular circumstances surrounding each case.

It is likely that decisions will be made on the merits of each case having particular regard to factors such as:

- **the employer's** ability to meet the cost of granting such a request; and/or
- the member's personal circumstances.
- Agreement with school who has outsourced the catering service who will ultimately bear any cost associated with the benefit.

2. Awarding Additional Pension - Regulation 31

The employer will consider applications made under this *Regulation* having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to the following:

- the member's personal circumstances.
- the interests of **the employer**;
- the additional contributions due to the Fund by **the employer** in respect of the exercise of this discretion;
- any potential benefits or savings to **the employer** arising from the exercise of this discretion;
- other options that are, from time to time, available under **the employer's** severance arrangements;
- the funding position of **the employer** within the Fund;
- the ability of **the employer** to meet the cost of granting such an award.
- Agreement with school who has outsourced the catering service who will bear the cost of this benefit.

3. Flexible Retirement - Regulation 30(6)

The employer will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:

- the operating requirements of the employing department.
- **the employer's** ability to meet the cost of granting such a request.
- whether any demonstrable cost saving in excess of potential savings available under any severance arrangements in place **from** time to time can be made.
- the member's personal circumstances.
- whether to permit the member to choose to draw all, part or none of the pension benefits they have built up after 1 April

2008. Your flexible retirement policy should set out your position on this matter.

- Agreement with the school who has outsourced the catering service who will bear the cost of this benefit.

4. Waiving actuarial reductions - Regulation 30(8)

The employer, will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:

- **the employer's** ability to meet the cost of granting such a request.
- whether any demonstrable cost saving in excess of potential savings available under any severance arrangements in place from time to time can be made.
- the member's personal circumstances.
- Agreement with the school who has outsourced the catering service , who will bear the cost of this benefit.

Applications for the payment of unreduced benefits for service before 1 April 2014 on the grounds of compassion will be granted if:

- in **the employer's** sole opinion, the special extenuating circumstances surrounding the application, along with the supporting evidence provided justify approval and
- **the employer** can meet the cost of granting such a request.

5. Waiving actuarial reductions for a member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement – TP3(1), TPSch 2, para 2(!), B30(5) & B30A(5)

The employer, will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:

- **the employer's** ability to meet the cost of granting such a request;
- whether any demonstrable cost saving in excess of potential savings available under any severance arrangements in place from time to time can be made;
- the member's personal circumstances.

- Agreement with the school who has outsourced the catering service, who will bear the cost of this benefit.

6. Switching on the 85 rule – Schedule 2 - 1(1)(c) of the LGPS Transitional Regulations 2014

The employer, will consider applications made under this Regulation having regard to the particular circumstances surrounding each case. Decisions will be made on the merits of each case having particular regard to:

- **the employer's** ability to meet the cost of granting such a request;
- whether any demonstrable cost saving in excess of potential savings available under any severance arrangements in place from time to time can be made;
- the member's personal circumstances.
- Agreement with the school who has outsourced the catering service, who will bear the cost of this benefit.