

Local Government Pension Scheme Employer’s Policy Statement Exercise of Discretionary Powers

The Board of Trustees, CEO and Strategic team are committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work.

This policy is as recommended by Norfolk Pensions Fund - the only amendments to the model policy are to personalise for the Wensum Trust and its associated Academies	
This policy was created and ratified by the Trust Board in:	November 2020
Responsible for updating:	HR Central Services
This policy will be reviewed by the Trust Board in: (unless earlier review is recommended by the Trust)	November 2023
Policy Version:	V2
Signed by the Chair of the Board of Trustees:	Signed by J Smith, Chair of Trustees

'Since 1997, the LGPS legislation has required every employer to issue a written Pension Policy on how it will exercise the various discretions provided by the scheme; to keep it under review; and to revise it as necessary.

The following Statements contain a number of items, some of which are required by law to be included in the Pension Policy. The requirement is in Reg. 60(1) of the LGPS Regulations 2013 and Reg. 66 (1) of the LGPS (Administration) Regulations 2007.

The LGPS Regulations require all employers to provide an updated Pension Policy which needs to have been published and notified to the Norfolk Pension Fund.'

The Wensum Trust is a separate member of the Norfolk Local Government Pension Scheme and as such publishes its own policy statement on Discretionary Powers.

At the time of conversion to Multi-Academy status, all members of the LGPS were transferred on their existing terms and conditions of employment.

The Trustees see no reason to amend these existing pension arrangements and have based this policy on the Norfolk County Council policy.

THE WENSUM TRUST

Has adopted the policies shown on the following pages

Authorised Signatory on behalf of the Board of Trustees of The Wensum Trust

Name:

Signature:

Date:

POLICY STATEMENT

Compulsory Items:

Funding of Additional Pension: LGPS Regulations 2013, Regulation 16 (2e) 16 (4d)

The Wensum Trust's policy to fund (either wholly or in part), an active member's Additional Pensions contributions contract will be assessed on a case-by-case basis. Any request should be made in writing to the Headteacher/Head of School.

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

Awarding Additional Pension: Regulation 31

The Wensum Trust's policy is to award redundancy pay rather than additional pension unless in exceptional circumstances such as where the financial gain outweighs other factors.

Flexible Retirement: Regulation 30 (6)

Each specific case would be considered in line with the policy and practice of flexible retirements in accordance with The Wensum Trust's Early Retirement procedures.

Waiving of Actuarial Reduction: Regulation 30 (8)

Each specific case would be considered in line with the policy and practice of early retirements in accordance with The Wensum Trust's Early Retirement procedures.

Early Payment of Pension: Regulation 30 of the LGPS (Benefits, Membership Contributions) 2007 (Two decisions to be made)

Where the member is an employee, The Wensum Trust's Retirement procedures will apply. Where the member no longer works for The Wensum Trust, but has a deferred LGPS pension, they can elect to receive their benefits early by placing a request in writing to the Norfolk Pension Fund. Where there is no financial cost to the Academy the employee accepting the actuarial reduction, this is unlikely to be refused. However, where costs are incurred, The Wensum Trust will consider the request taking into account all circumstances.

The Wensum Trust will consider the exercise of this discretion in line with policy and practices on early retirements.

Membership Aggregation: Regulation 22 (7b) (8b)

A member, who transfers from another LGPS employer, either directly or after a break, must have their two periods of membership aggregated provided they do so while still an active member in the new post. The member has twelve months from the aggregation to opt to keep their periods of membership separate. The Wensum Trust may extend the period of 12 months (on the date the member became active again) in exceptional circumstances or where it was beyond the member's control.

Shared Cost AVCs: Regulation 17(1)

The Wensum Trust will not exercise this discretion.

Forfeiture of Pension Rights: Regulation 19(2), 91, 92, 93

The Wensum Trust will exercise this discretion depending on the circumstances of the case.

Appointment of Adjudicator for Member Disagreements: Regulation 74(1)

There is a three-stage dispute procedure for members who disagree with any LGPS decision made by the employer. The first stage is handled by the employer. The Wensum Trust will appoint an adjudicator as and when required.

Transfers of Pensions Rights: Regulation 100(6)

A member who has previous pension rights in a different pension scheme may transfer them into the LGPS provided they opt to do so within twelve months of joining it. The Wensum Trust will extend the period of 12 months (on the date the member became active again) in exceptional circumstances of where it was beyond the member's control.

Members' Contributions Rates: Regulation 9(3)

The Wensum Trust will determine and reassess bands on an annual basis, with effect from 1 April each year. New starters will be allocated to the appropriate contribution banding on commencement of employment with The Wensum Trust, providing they are eligible for the scheme. Where a member receives an increase or decrease in their salary during the course of the year (whether as a result of promotion, change of hours or some other reason) and this involves them moving into a new salary grade, their contribution banding will be reassessed and where appropriate will pay a revised contribution rate. However, changes in salary relating to pay awards granted and incremental progression within a grade will not trigger a change to contribution banding mid-year.

Admission Policy ('designating bodies' only): Regulation 3(5)

Designated bodies are Parish and Town Councils, Internal Drainage Boards and companies under the control of Norfolk County Council/District Council. Therefore, this does not apply to The Wensum Trust.

Absence Contribution Time Limit: LGPS (Administration) Regulations 2008, Regulation 22(2)

A member who has been away from work prior to 31 March 2014 as a result of maternity, paternity or adoption leave, industrial action (mainly strikes) or unpaid leave of absence has the right to pay voluntary pension contributions to cover the period of absence. Their request to do so normally has to be made within 30 days of returning to work (or within 30 days of their last day of service if they don't return). The Wensum Trust has discretion to extend the 30 day time limit for absences starting prior to 1 April 2014.

Membership Aggregation: LGPS (Administration) Regulations 2008, Regulation 16(4)(b)(ii)

A member who transfers prior to 1 April 2014 from another LGPS employer, either directly or after a break, may opt to aggregate the two periods of membership provided they do so while still an active member in the new post and within twelve months of joining. The Wensum Trust may extend the period of twelve months (on the date the member became active again) in exceptional circumstances or where it was beyond the member's control.

