



## **South West Grid for Learning Employers Discretions Policy Effective Date: August 2009**

This document details the South West Grid for Learning Trust Policy Statement on the use of its Discretionary Powers (local Government Pension Scheme Regulation 106 – Employers Policy Statements).

The South West Grid for Learning Trust, in formulating the policy statements outlined below, has considered the policy adopted in the context of:

- the general principles put forward by the then Department for Transport, Local Government and the Regions (DTLR) now the Communities and Local Government (CLG) that the discretionary powers must:
  - ✓ be exercised reasonably;
  - ✓ not be used for ulterior motive;
  - ✓ be used with regard to all relevant factors (cost should be balanced against benefit for the Employer);
  - ✓ only be used where there is a real and substantial future benefit to the Employer in return for incurring extra costs; and
  - ✓ be duly recorded when used
- the views of the Avon Pension Fund's Actuary
- the advice of the Local Government Pensions Committee of the Employers' Organisation
- where applicable the comments made by the Audit Commission in their report on early retirement in local government
- the comments of trade unions recognised by the South West Grid for Learning Trust

The South West Grid for Learning Trust, will, as it sees fit, review the content of its discretionary policy under the Local Government Pension Scheme (Administration) Regulations 2008 to meet its requirements as an employer participating in the Avon Pension Fund.

### **Augmentation of Scheme Membership for an active member Regulation 12**

The South West Grid for Learning Trust will only consider the augmentation of service having regard to the following:

- the member's personal circumstances
- the interests of the South West Grid for Learning Trust
- the additional contributions due to the Fund by the South West Grid for Learning Trust in respect of the exercise of this discretion
- any potential benefits or savings to the South West Grid for Learning Trust arising from the exercise of this discretion
- other options that are, from time to time, available under the South West Grid for Learning Trust severance arrangements
- the funding position of the South West Grid for Learning Trust within the Avon Pension Fund
- the ability of the South West Grid for Learning Trust to meet the cost of granting such an award.



The South West Grid for Learning Trust does not consider the use of this discretion in relation to new hires as an integral part of its recruitment policy. The discretion will only be exercised for recruitment purposes in exceptional circumstances having regard to all the facts in each case though particularly where other elements available within the employee benefits package have not proved successful.

### **Award additional pension**

#### **Regulation 13**

The South West Grid for Learning Trust will only consider the award of additional pension having regard to the following:

- the member's personal circumstances
- the interests of The South West Grid for Learning Trust
- the additional contributions due to the Fund 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 Avon Pension Fund
- the ability of the employer to meet the cost of granting such an award

### **Flexible Retirement**

#### **Regulation 18**

The South West Grid for Learning Trust 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 South West Grid for Learning Trust 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

Applications for the payment of unreduced benefits in these circumstances will be granted if:

- in the South West Grid for Learning Trust sole opinion, the special extenuating circumstances surrounding the application, along with the supporting evidence provided justify approval and
- the South West Grid for Learning Trust can meet the cost of granting such a request.

### **Early Payment of Benefits**

#### **Regulation 30**

The South West Grid for Learning Trust 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 South West Grid for Learning Trust 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

Applications for the payment of unreduced benefits on the grounds of compassion will be granted if:

