



inspiring the journey for
independence together

Discretions Policy

Statutory

Reviewed annually

Signed by:  (Chair of the Trust)

Date: November 2025

Date of Next Review: November 2026

The LGPS Regulations 2013 and The LGPS Regulations 2014 (Transitional Provisions and Savings) and The LGPS Regulations 2008(Benefits, Membership and Contributions)

Employer name: Rivermead Inclusive Trust

Policy effective from: November 2025

These policies may be subject to review from time to time. Affected employees will be notified of any subsequent change to this Policy Statement.

1. Introduction

- 1.1. All employers who participate in the Local Government Pension Scheme are required to formulate a discretions policy in accordance with Regulation 66 of The Local Government Pension Scheme (Administration) Regulations 2008, and Regulation 60 of the Local Government Pension Scheme Regulations 2013.
- 1.2. The policy must be published and kept under review. A copy of the employer's published policy statement must be sent to the Pension Fund administering authority (Kent Pension Fund). Any amendments to the policy must be sent to Kent Pension Fund within one month of the amendment.
- 1.3. The policy confers no contractual rights, and • The employer retains the right to change the policy at any time, and • Only the version of the policy which is current at the time that a relevant event occurs to the employee/scheme member will be the one applied to that employee/member.
- 1.4. Exercising these discretionary powers can incur significant additional costs for the Trust. An employer is required to formulate policies that do not lead to loss of confidence in public service; therefore, these discretions must be affordable. Exercising the major discretions (such as "pension strain" as it is commonly called) may result in a significant cost to the Trust. The Trust will obtain an estimate of the strain cost from Kent Pension Fund before making a decision about whether to apply a particular discretion, or not.

2. Scope

- 2.1 These discretions apply to current employees of the Academy Trust who are active members of the Local Government Pension Scheme and to previous employees of the Academy Trust with deferred benefits in the LGPS.

3. Discretions

Regulation	Discretion	<i>Rivermead Inclusive Trust Multi Academy Trust Policy</i>
Regulation R16 (2) (e) and R16 (4) (d)	Shared Cost Additional Pension Scheme An employer can choose to pay for or contribute towards a member's Additional Pension Contract via a Shared Cost Additional Pension Contract (SCAPC)	Rivermead Inclusive Trust Multi Academy Trust will not pay for or contribute towards a member's additional pension contract via a Shared Cost Additional Pension Contract (SCAPC)
Regulation R17 (1) and TP15 (1) (d) and A25 (3) and definition of SCAVC in RSch 1	Shared Cost Additional Voluntary Contribution Arrangement An employer can choose to pay for or contribute towards a member's Additional Voluntary Contribution arrangement entered into on or after 1 April 2014 through a shared cost AVC. An employer can choose to pay for or contribute towards a member's Additional Voluntary Contribution arrangement entered into before 1 April 2014 through a shared cost AVC.	Rivermead Inclusive Trust Multi Academy Trust will not pay for or contribute towards a member's Additional Voluntary Contribution Arrangement.
Regulation R30 (6) and TP11 (2) Policy decision	Flexible Retirement Employers may allow a member from age 55 onwards to draw all or part of the pension benefits they have already built up while still continuing in employment. This is provided the employer agrees to the member either reducing their hours or moving to a position on a lower grade. In such cases, pension benefits will be reduced in accordance with actuarial tables unless the employer waives reduction on compassionate grounds or a member has protected rights.	Rivermead Inclusive Trust Multi Academy Trust's policy enables an employee, aged 55 or more, to reduce his/her hours or grade, and receive part or full payment of pension benefits, provided the business case supports the application. If the employee would suffer an actuarial reduction in the pension and lump sum due to the early payment, Rivermead Inclusive Trust Multi Academy Trust may, waive the reduction where it is satisfied there is a clear business benefit to the Trust. On reducing hours, the employee's gross total pay (pension and new salary) must not exceed the salary immediately prior to the reduction in hours.

Regulation R30 (8) , TP3 (1), TPSch2, Para 2(1), B30 (5) and B30 (A) (5)	Waiving of actuarial reduction Employers have the power to waive, on compassionate grounds, the actuarial reduction (in whole or part) applied to members' benefits paid on the grounds of flexible retirement. Employers may also waive, on compassionate grounds, the actuarial reduction (in whole or part) applied to members' benefits for deferred members and suspended tier 3 ill health pensioners who elect to draw benefits on or after age 60 and before normal pension age. Employers also have the power to waive, in whole or in part, the actuarial reduction applied to active members' benefits when a member chooses to voluntarily draw benefits on or after age 55 before age 60.	Rivermead Inclusive Trust policy enables an employee, aged 55 or more, to reduce his/her hours or grade, and receive part or full payment of pension benefits, provided the business case supports the application. If the employee would suffer an actuarial reduction in the pension and lump sum due to the early payment, Rivermead Inclusive Trust Multi Academy Trust may waive the reduction where it is satisfied there is a clear business benefit to the Trust. Rivermead Inclusive Trust Multi Academy Trust will not waive, in whole or in part, actuarial reductions for deferred members and suspended tier 3 ill health pensioners who elect to draw benefits on or after age 60 and before normal pension age. If the employee would suffer an actuarial reduction in the pension benefits due to the early payment, Rivermead Inclusive Trust Multi Academy Trust may, waive the reduction where it is satisfied there is a clear business benefit to the Trust.
Regulation TPSch 2, para 2 (2) and 2 (3)	Power of employing authority to 'switch on' the 85 year rule An employer can choose whether to switch on the 85 year rule for members who voluntarily retire on or after age 55 and before age 60. An employer can also choose to waive, on compassionate grounds, the actuarial reduction applied to benefits for a member voluntarily drawing benefits on or after age 55 and before age 60.	Rivermead Inclusive Trust Multi Academy Trust may "switch on" the 85 year rule for members who voluntarily retire on or after age 55 and before age 60. Rivermead Inclusive Trust Multi Academy Trust may, waive the reduction where it is satisfied there is a clear business benefit to the Trust. Rivermead Inclusive Trust Multi Academy Trust will not waive, in whole or in part, actuarial reductions applied to benefits for a member voluntarily drawing benefits on or after age 55 and before age 60 on compassionate grounds.

Regulation R31	Power of employing authority to grant additional pension An employer can choose 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 (the figure of £6,500 will be increased each April under Pensions Increase Orders)	Rivermead Inclusive Trust Multi Academy Trust will not grant additional pension other than in exceptional circumstances and where there is a clear business benefit to the Trust. This is limited to a maximum of £6000 per year additional pension for an active member.
Regulation R9 & R10	How an employee's contribution band will be initially determined and thereafter reviewed Employers must decide how the pension contribution band to which an employee is to be allocated on joining the Scheme will be determined and reviewed at each subsequent April. Circumstances in which the employer will review the pension contribution band will also need to be determined. For example, following a material change which affects the member's pensionable pay during the Scheme year (1 April to 31 March)	Rivermead Inclusive Trust Multi Academy Trust has agreed that the LGPS % for all support staff should be fixed at the 1 April each year. Exception - In the event of a change of role the LGPS % will be amended to reflect the change of role at the date of change

4. Other discretions

- 4.1 Where it is not mandatory to publish a policy and the discretion is not covered above then Rivermead Inclusive Trust Multi Academy Trust will consider each case on its own merits.

5. Equality Statement

- 5.1 Rivermead Inclusive Trust Multi Academy Trust seeks to eliminate discrimination, advance equality and foster good relations.

- 5.2 Rivermead Inclusive Trust Multi Academy Trust is committed to the principle of equal opportunities in employment regardless of a person's age, disability, gender re-assignment, marital or civil partnership status, pregnancy, maternity status, race (including colour, nationality and ethnic or national origins), religion or belief, sex and sexual orientation.

6. Responsibility for implementation of the policy

- 6.1 The Finance Committee will review the reasons for the case from a HR legislative perspective and ensure that there are not any discrimination or equality issues and the proposal has been constructed in a fair and reasonable manner. If the case meets these criteria the Finance Committee will recommend the proposal to the Full Board for final determination.
- 6.2 The Full Board will consider the merits of the business case and if satisfied that there is a clear business benefit to the trust and that the trust has sufficient funds to meet the liability arising from the discretion they will approve the proposal.

Date Adopted: November 2025