



Education Trust

Inspiring the individuals of today, for a better society tomorrow

“Aspire, Belong, Collaborate”

RET DISCRETIONS POLICY

Review Frequency	Annually
Reviewed	March 2025
Next Review	March 2026
Agreed by Trustees	23 rd May 2025



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

LGPS 2013 & 2014 discretions

Regulation	Policy Decision
<p>Regulation R16 (2) (e) and R16 (4) (d)</p> <p><u>Shared Cost Additional Pension Scheme</u></p> <p>An employer can choose to pay for or contribute towards a member’s Additional Pension Contract via a Shared Cost Additional Pension Contract (SCAPC)</p>	<p>The Riviera Education Trust will not enter into a Shared Cost Additional Pension Contract to count towards a member’s Additional Pension Contract.</p>
<p>Regulation R17 (1) and TP15 (1) (d) and A25 (3) and definition of SCAVC in RSch 1</p> <p><u>Shared Cost Additional Voluntary Contribution Arrangement</u></p> <p>An employer can choose to pay for or contribute to a member's Additional Voluntary Contribution arrangement entered into on or after 1 April 2014 through a shared-cost AVC.</p> <p>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.</p>	<p>The Riviera Education Trust will not 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.</p> <p>The Riviera Education Trust will not pay for or contribute towards a member’s Additional Voluntary Contribution arrangement entered into before 1 April 2014 through a shared cost AVC.</p>
<p>Regulation R30 (6) and TP11 (2)</p> <p><u>Flexible Retirement</u></p> <p>Employers may allow a member from age 55 onwards to draw all or part of the pension benefits they have already built up while 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</p>	<p>The Riviera Education Trust will take all reasonable steps to accommodate an employee’s request for flexible retirement. However, the Trust will not waive any reduction to pension benefits in accordance with actuarial tables.</p>



<p>unless the employer waives reduction on compassionate grounds or a member has protected rights.</p>	<p>The Riviera Education Trust will only consider a request for flexible retirement when there is no cost to the employer.</p>	
<p>Regulation R30 (8) , TP3 (1), TPSch2, Para 2(1), B30 (5) and B30 (A) (5)</p> <p><u>Waiving of actuarial reduction</u></p> <p>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.</p> <p>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.</p> <p>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</p>		<p>The Riviera Education Trust will not waive the actuarial reduction applied to members’ benefits paid on the grounds of flexible retirement.</p> <p>The Riviera Education Trust will not waive the actuarial reduction 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 the normal pension age.</p> <p>The Riviera Education Trust will not waive the actuarial reduction applied to active members’ benefits when a member chooses to voluntarily draw benefits on or after age 55 and before age 60.</p>
<p>Regulation TPSch 2, para 2 (2) and 2 (3)</p> <p><u>Power of employing authority to ‘switch on’ the 85-year rule</u></p> <p>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.</p> <p>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.</p>		<p>The Riviera Education Trust will not 'switch on' the 85-Year Rule for members who voluntarily retire on or after age 55 and before age 60.</p> <p>The Riviera Education Trust will not waive the actuarial reduction applied to benefits for a member voluntarily drawing benefits on or after age 55 and before age 60.</p>



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 (by up to £6,500* per annum). (*the figure of £6,500 will be increased each April under Pensions Increase Orders).

The Riviera Education Trust may 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. Each case will be assessed on an individual basis.

LGPS 2008 discretions

To cover scheme members who ceased active membership on or after 1 April 2008 and before 1 April 2014

Regulation	Policy Decision
<p>Regulation B18</p> <p><u>Flexible Retirement</u></p> <p>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.</p> <p>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.</p>	<p>The Riviera Education Trust will take all reasonable steps to accommodate an employee's request for flexible retirement. However, the Trust will not waive any reduction to pension benefits in accordance with actuarial tables.</p> <p>The Riviera Education Trust will only consider a request for flexible retirement when there is no cost to the employer.</p>
<p>Regulation B30</p> <p><u>Choice of early payment of pension</u></p> <p>B30 (2) Employers can also allow the early payment of deferred benefits to former</p>	<p>The Riviera Education Trust will not normally exercise this discretion.</p>



<p>members of the LGPS between the ages of 55 and 59.</p> <p>Please note where a deferred member left the LGPS before 1 April 2008 the employer policy under the 1997 regulations will apply.</p> <p>B30A(3) Employers may also grant an application for reinstatement of a suspended tier 3 ill health pension on or after age 55 and before age 60.</p> <p>B30 (5) and B30A (5) 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.</p>	<p>The Riviera Education Trust will consider each application for the reinstatement of suspended tier 3 ill health pension on an individual basis.</p> <p>The Riviera Education Trust will not exercise this discretion in cases where waiving the actuarial reduction results in a cost to the employer.</p>
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DETAILS OF AMENDMENTS

March 2021

- Policy adopted.

July 2023

- Minor formatting changes.
- Review frequency amended

March 2025

- Change to R31 – Riviera may consider this request

