



# NEWMAN CATHOLIC TRUST



HEART SPEAKS TO HEART

## LGPS Discretions Policy 2025-26

### Review

| Review Cycle | Date of Policy | Reviewed by | Review Date   |
|--------------|----------------|-------------|---------------|
| Annual       | December 2025  | FAR         | December 2026 |

### Ratification

| Role           | Name            | Signature  | Date          |
|----------------|-----------------|--|---------------|
| Chair of Board | Chris Izuka     |   | December 2025 |
| CEO            | Dr Daniel Doyle |  | December 2025 |

### *Commitment to Equality:*

*We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.*

In this "LGPS Discretions Policy", unless the context otherwise requires, the following expressions shall have the following meanings:

- 'The Cardinal Newman Catholic Educational Trust' means the Trust named at the beginning of this Policy and Procedure and includes all sites upon which the Trust is undertaking, from time to time, being carried out.
- 'The Cardinal Newman Catholic Educational Trust' means the Cardinal Newman Catholic Educational Trust responsible for the management of the schools and, for all purposes, means the employer of staff at the Trust.
- 'Board' means the board of Directors of The Cardinal Newman Catholic Educational Trust.
- 'The Scheme' or 'the Pension Scheme' means the LGPS and 'the Fund' or 'the Pension Fund' means the fund maintained under the LGPS.
- 'Member' means a member of the LGPS.
- 'Active member' means a member in employment and paying, or treated as paying, contributions to the LGPS, or absent from employment for a reason mentioned in Regulation 11 of the Pensions Regulations.
- References to a member meeting 'the 85-year rule' are those members whose age in whole years when added to the member's total membership in whole years is 85 years or more.

## **1. Introduction**

The Cardinal Newman Catholic Educational Trust (the Trust) is required, as an employer, to outline how it intends to use its discretionary powers when dealing with decisions it may have to make regarding Local Government Pension Scheme (LGPS) matters. The Trust subscribes to the local LGPS fund where it operates; Avon Pension Fund and adopts the latest recommended statement from the respective LGPS.

The Local Government Pension Scheme ("LGPS") in England and Wales was amended with effect from 1 April 2014. The provisions of the amended LGPS are now contained in the 2013 Regulations (Statutory Instruments 2013 No. 2356), the 2014 Regulations and the 2018 Regulations (amendments). This policy statement relates to the exercise of the employer discretions contained in the above regulations, therefore whilst it represents the views of the respective LGPS funds it should not be treated as a complete and authoritative statement of the law. The Trust may or will seek to take its own legal advice on the interpretation of any particular regulation(s).

To ensure value for money and financial stability, the Trust has adopted an approach which is relevant to the size, finances and current staffing levels. In addition, the decisions regarding the discretionary powers have been taken to ensure the affordability of the scheme to all members.

The statements outlined in this policy must not limit or bind how the Trust uses the discretions afforded by the scheme(s).

All requests to the Trust for the consideration of the application of discretions should be made in writing, with supporting documentation, to the Chief Finance Officer.

The Cardinal Newman Catholic Educational Trust is committed to equality, and this policy has been created in accordance with the Equality Act 2010 and with regard to age regulations.

The Cardinal Newman Catholic Educational Trust must send a copy of its policy statement to the administering authority (Avon Pension Fund) and ensure that a copy is published and easily accessible to all of its eligible scheme employees.

The Cardinal Newman Catholic Educational Trust should keep its policy under review and make such revisions as are appropriate following a change of its policy. Where a revision to the statement is made, the Trust must send a copy of the revised policy to the administering authority.

## **2. Values**

At The Cardinal Newman Catholic Educational Trust, our approach to financial stewardship is shaped by the same principles that guide our educational mission. Rooted in our HEART values – Hope, Excellence, Authenticity, Responsibility and Truth – this policy reflects our belief that how we manage resources is as important as the outcomes they achieve.

We recognise that every financial decision carries both moral and practical weight. As a Catholic Trust, we are called to exercise stewardship with integrity, prudence and fairness, ensuring that the resources entrusted to us serve the common good and sustain the mission of Catholic education for future generations.

This policy therefore establishes a framework that is transparent, consistent and grounded in faith. It seeks to unite professional excellence with moral purpose, so that our financial conduct embodies the same Gospel values that inspire our teaching and our care for every child, family and colleague within our Trust community.

## **3. Key roles and responsibilities**

- The Trust Board has overall responsibility for the implementation and monitoring of the LGPS Discretionary Policy.
- The Trust Board has responsibility for ensuring that the LGPS Discretionary Policy, as written, does not discriminate in relation to protected characteristics.
- The Trust Board has overall responsibility for handling complaints regarding this policy.
- In the first instance, complaints should be directed to the Chief Finance Officer (CFO).
- The CFO has responsibility for the day-to-day implementation and management of the LGPS Discretionary Policy.
- This policy will be used with regard to all relevant factors and costs to the Trust will be balanced against the benefits.
- This policy will only be used where there is a real and substantial benefit to the Trust in return for incurring extra costs.
- This policy will only be used having considered the information from the scheme actuary.

In support of its deliberations regarding requests made on compassionate grounds, the Trust will consider all relevant factors and require whatever information, documentation and supporting evidence it considers appropriate.

## **4. Decisions and process control**

In order for each request and decision to be managed fairly, transparently and in line with the Trust policy and its values, all requests will follow the below:

| <b>Action</b>                | <b>Delegated Authority</b>                              | <b>Value</b>  | <b>Detail</b>   |
|------------------------------|---|---|---|
| Notify School                | All Employees   | Any   | Employees must notify their school of any intentions for their retirement.  |
| Notify Avon Pension Fund     | All Employees   | Any   | Employees must notify Avon Pension Fund of any intentions for their retirement.   |
| Report to Trust Central Team | School Executive Principal/<br>Principal/Head of School | Any   | Report any and all notifications to the Trust Central Team (CEO & CFO).   |
| Review and decision          | Trust Central Team                                      | Any – with no impact on the overall budget (cost neutral) | The Trust Central Team will review, make the final decision.<br><br>The school will then be informed of the final decision.<br><br>All will be reported to the Finance, Audit and Risk Committee.   |
|                              | As above plus the Finance, Audit and Risk Committee     | Any – that have an impact on the overall budget           | The Trust Central Team will review and prepare a recommendation to the Finance, Audit and Risk Committee.<br><br>The Finance, Audit and Risk Committee will make the final decision.<br><br>The school will then be informed of the final decision.<br><br>All will be reported to the Board of Trustees. |

*The Trust will not typically exercise these discretions but may do so in exceptional circumstances where there is a clear business, compassionate or operational rationale and where costs can be justified. Each decision is taken on its own merits, in line with the individual discretions as detailed below, and does not create an automatic right or precedent for future cases.*

## **5. Discretions**

The specific areas where employers will be required to formulate, publish and keep under review statements of Policy are as below.

The Cardinal Newman Catholic Educational Trust may take legal, financial and/or actuarial advice prior to decision making.

**a. Discretionary policies from 1 April 2014, in relation to post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members), being discretions under:**

- the Local Government Pension Scheme Regulations 2013 [SI 2013/2356] [prefix R]
- the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525] [prefix TP]
- the Local Government Pension Scheme (Administration) Regulations 2008 [SI 2008/239] [prefix A]
- the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) [SI 2007/1166] [prefix B]
- the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [SI 2008/238] [prefix T]  
the Local Government Pension Scheme Regulations 1997 (as amended) [SI 1997/1612] [prefix L].

| <b>Discretion and Regulation</b>   | <b>Policy on Individual Discretions</b>   |
|--|---|
| <p><b>1. Award of Additional Pension - Reg 31</b></p> <p>Whether 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 p.a. on 1/4/14 - this figure is inflation proofed annually).</p> | <p>The Trust will not typically exercise this discretion but may do so in exceptional circumstances where there is a clear business, compassionate or operational rationale and where costs can be justified. Decisions will be made on the merit of each case with particular regard to:</p> <ul style="list-style-type: none"> <li>• A member’s personal circumstances.</li> <li>• The economic interests of the Trust.</li> <li>• Other options that are available under the Trust’s severance arrangements.</li> <li>• The ability of the Trust to meet the cost of awarding the discretion.</li> </ul> |
| <p><b>2. Additional Pension Contributions - Reg 16(2)e and Reg 16(4)d)</b></p> <p>Whether, and in what circumstances to contribute to a member’s account (part of whole funding this).</p> <p><i>[Note: this discretion only relates to cases</i></p>  | <p>The Trust will not typically exercise this discretion but may do so in exceptional circumstances where there is a clear business, compassionate or operational rationale and where costs can be justified. Decisions will be made on the merit of each case with particular regard to:</p> <ul style="list-style-type: none"> <li>• A member’s personal circumstances relevant to their working</li> </ul>   |

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| <p><i>when the member is working as normal rather than absent from work with permission but no pensionable pay – in the latter scenario, employers must fund it if necessary.]</i></p>   | <p>arrangements.</p> <ul style="list-style-type: none"> <li>• The economic interests of the Trust.</li> <li>• Other options that are available under the Trust’s severance arrangements.</li> <li>• The ability of the Trust to meet the cost of awarding the discretion.</li> </ul>   |
| <p><b>3. Flexible Retirement - benefits - Reg 30(6) and TP11(2)</b></p> <p>Whether all or some pension benefits can be paid if a member aged 55 or over reduces their hours/grade and continues to work.</p>   | <p>The Trust will consider employee requests to take flexible retirement on a case-by-case basis. Decisions will be made on the merits of each case having particular regard to:</p> <ul style="list-style-type: none"> <li>• A member’s personal circumstances relevant to their working arrangements.</li> <li>• The operating requirement of the Trust.</li> <li>• The economic interests of the Trust.</li> <li>• Whether to permit the member to choose to draw all, part or none of the pensions benefits accrued after 1st April 2008.</li> </ul>     |
| <p><b>4. Flexible Retirement – actuarial reduction - Reg 30(8)</b></p> <p>Waiving actuarial reduction on flexible retirement. (an employer may waive the actuarial reductions applied to a member’s benefits unless 85-year rule protections exist).</p> | <p>The Trust will not typically exercise this discretion but may do so in exceptional circumstances where there is a clear business, compassionate or operational rationale and where costs can be justified. Decisions will be made on the merit of each case with particular regard to:</p> <ul style="list-style-type: none"> <li>• A member’s personal circumstances relevant to their working arrangements.</li> <li>• The economic interests of the Trust.</li> <li>• The ability of the Trust to meet the cost of awarding the discretion.</li> </ul> |

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| <p><b>5. Flexible Retirement – early retirement – Reg 30(8)</b></p> <p>Waiving, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member only has post 31/3/14 membership).</p>   | <p>The Trust will not typically exercise this discretion but may do so in exceptional circumstances where there is a clear business, compassionate or operational rationale and where costs can be justified. Decisions will be made on the merit of each case with particular regard to:</p> <ul style="list-style-type: none"> <li>• A member’s personal circumstances relevant to their working arrangements.</li> <li>• The economic interests of the Trust.</li> <li>• The ability of the Trust to meet the cost of awarding the discretion.</li> </ul> |
| <p><b>6. Switching on the “rule of 85” rule - TP Sch2, paragraph 1(2) and 1(1)c</b></p> <p>Whether to “switch on” the 85-year rule for a member voluntarily drawing benefits on or after age 55 and before age 60 (other than on the grounds of flexible retirement).</p>   | <p>The Trust will not typically exercise this discretion but may do so in exceptional circumstances where there is a clear business, compassionate or operational rationale and where costs can be justified. Decisions will be made on the merit of each case with particular regard to:</p> <ul style="list-style-type: none"> <li>• A member’s personal circumstances relevant to their working arrangements.</li> <li>• The economic interests of the Trust.</li> </ul>  |
| <p><b>7. Actuarial Reduction (other than on Flexible Retirement) – TP3(1), TP Sch2, paragraph (2)1, B30(5) and B30A(5)</b></p> <p>Whether to waive any actuarial reduction for a member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1/4/14 and post 31/3/14 membership)*</p> | <p>The Trust will not typically exercise this discretion but may do so in exceptional circumstances where there is a clear business, compassionate or operational rationale and where costs can be justified. Decisions will be made on the merit of each case with particular regard to:</p> <ul style="list-style-type: none"> <li>• A member’s personal circumstances relevant to their working arrangements.</li> </ul>  |

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| <p><i>*[a) on compassionate grounds (pre 1/4/14 membership) and in whole or in part on any grounds (post 31/3/14 membership) if the member was not in the Scheme before 1/10/06,</i></p> <p><i>b) on compassionate grounds (pre 1/4/14 membership) and in whole or in part on any grounds (post 31/3/14 membership) if the member was in the Scheme before 1/10/06, will not be 60 by 31/3/16 and will not attain 60 between 1/4/16 and 31/3/20</i></p> <p><i>c) on compassionate grounds (pre 1/4/16 membership) and in whole or in part on any grounds (post 31/3/16 membership) if the member was in the Scheme before 1/10/06 and will be 60 by 31/3/16</i></p> <p><i>d) on compassionate grounds (pre 1/4/20 membership) and in whole or in part on any ground.]</i></p> | <ul style="list-style-type: none"> <li>• The economic interests of the Trust.</li> <li>• The ability of the Trust to meet the cost of awarding the discretion.</li> </ul>  |
| <p><b>8. Determine rate of employees' contributions – Reg 9(3)</b></p>  | <p>The Trust will review all employees' contribution bands when there has been contractual change to a member's salary or hours at some point during the year. A member's contribution rate will not be reviewed as the result of one-off additional payments.</p> |
| <p><b>9. Separate previous LR service – Reg 22(8 &amp; 9)</b></p> <p>Whether to extend 12-month period to separate previous LG service.</p>   | <p>The Trust will only allow an extension to the 12- month period to separate previous LG service where it can be shown that the member was not provided with the required information within 6 months of starting.</p>  |
| <p><b>10. Transfer-in of non-LG pension</b></p>   | <p>The Trust will only allow an extension to the</p>   |

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| <p><b>right – Reg 100(6)</b></p> <p>Whether to extend 12-month period to allow a transfer-in of non-LG pension rights.</p> | <p>12-month period to combine previous non-LG service where it can be shown that the member was not provided with the required information within 6 months of starting.</p> |
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**b. Discretionary policies in relation to scheme members (excluding councillor members) who ceased active membership on or after 1 April 2008 and before 1 April 2014, being discretions under:**

- the Local Government Pension Scheme (Administration) Regulations 2008 [SI 2008/239] [prefix A]
- the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended) [SI 2007/1166] [prefix B]
- the Local Government Pension Scheme (Transitional Provisions) Regulations 2008 [SI 2008/238] [prefix T]
- the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525] [prefix TP]
- the Local Government Pension Scheme Regulations 2013 [SI 2013/2356] [prefix R]  
the Local Government Pension Scheme Regulations 1997 [SI 1997/1612] (as amended) [prefix L]

| <b>Discretion and Regulation</b>   | <b>Policy on Individual Discretions</b>  |
|--|--|
| <p><b>1. Switching on the “rule of 85” rule - TP Sch2, paragraph 1(2) and 1(1)c</b></p> <p>Whether to “switch on” the 85-year rule for a member voluntarily drawing benefits on or after age 55 and before age 60, or for a pensioner member with the deferred benefits voluntarily drawing benefits on or after age 55 and before age 60.</p> | <p>The Trust will not typically exercise this discretion but may do so in exceptional circumstances where there is a clear business, compassionate or operational rationale and where costs can be justified. Decisions will be made on the merit of each case with particular regard to:</p> <ul style="list-style-type: none"> <li>• A member’s personal circumstances.</li> <li>• The economic interests of the Trust.</li> </ul> |

**2. Actuarial Reduction – TP Sch2, paragraph (2)1 and B30(5)**

Whether to waive, on compassionate grounds, any actuarial reduction applied to deferred benefits paid early under B30 (member) or B30A (pensioner member with deferred benefits).

The Trust will not typically exercise this discretion but may do so in exceptional circumstances where there is a clear business, compassionate or operational rationale and where costs can be justified. Decisions will be made on the merit of each case with particular regard to:

- A member's personal circumstances.
- The economic interests of the Trust.