



CAMPFIRE  
EDUCATION  
T R U S T

## LGPS DISCRETIONS POLICY

**Reviewed by:** Full Trust Board

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In line with:

- The Local Government Pension Scheme Regulations 2013
- The Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014

## Statement of Intent

Campfire Education Trust (**'the Trust'**) contributes to the Local Government Pension Scheme (**'LGPS'**) as a Scheme employer.

The Trust acknowledges that as a public authority and Scheme employer it has a role in promoting confidence in public service.

The Trust has a duty to act with integrity, confidentiality, objectivity and honesty in the best interests of each Academy; it must be open about decisions made and actions taken and should be prepared to explain decisions and actions to interested persons.

The Trust confirms that in preparing this Discretions Policy (**'Policy'**), it has taken the above into account as well as the application of the Nolan Principles, specifically: accountability, openness, and leadership.

## Scope of the Policy

The Trust offers LGPS membership (subject to eligibility) to non-teaching staff across the Trust and its Academies. Buckinghamshire County Council and Northamptonshire County Council are the current administering authorities for LGPS membership for the Trust.

Regulation 60 of the Local Government Pension Scheme Regulations 2013 (**'LGPS Regulations 2013'**), (**'R'**) and Schedule 2(2) of the Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014 (**'TP Regulations 2014'**), (**'TP'**) require the Trust, an Employer, to outline how it intends to use its discretionary powers when dealing with decisions it may have to make regarding the Scheme.

For a number of discretions there is a statutory requirement to publicise the approach the Trust will take. The approach to exercising discretion in this Policy is to allow the Trust to make a reasonable decision in individual cases whilst being clear as to the factors it will consider in making such decisions.

## Policy Aims

In formulating and reviewing this Policy the Trust is required to:

- have regard to the extent to which the exercise of its discretionary powers, unless properly limited, could lead to a serious loss of confidence in the public service; and

- be satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs.

The Policy does not intend to limit or fetter how the Trust exercises any of the discretions afforded by the relevant pension scheme.

### **Mandatory Discretions (active members from 01 April 2014)**

The specific discretions which the Trust is required to formulate, publish and keep under review are as follows:

<b>Discretion</b>	<b>Regulation</b>	<b>Policy</b>
<p>(1)</p> <p>Whether to grant additional pension to an active member up to the maximum level* or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency.</p> <p><a href="#">*Additional Pension Contributions :: LGPS</a></p>	<p><b>R31</b></p>	<p>As a general rule, the Trust will not exercise this discretion. The Trust will only exercise this discretion in exceptional circumstances. Decisions will be made on the merit of each case with particular regard, but not limited to:</p> <ul style="list-style-type: none"> <li>- A member's personal circumstances.</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>(2)</p> <p>Whether Additional Pension Contributions (to buy additional pension) up the maximum level* are to be paid by regular contributions or by lump sum in order to purchase additional pension, whether to fund in whole or in part a member's additional pension contribution.</p> <p><a href="#">*Additional Pension Contributions :: LGPS</a></p>	<p><b>R16(2)(e)</b> and <b>R16(4)(d)</b></p>	<p>As a general rule, the Trust will not exercise this discretion. The Trust will only exercise this discretion in exceptional circumstances. Decisions will be made on the merit of each case with particular regard, but not limited to:</p> <ul style="list-style-type: none"> <li>- A member's personal circumstances.</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>(3)</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 ('flexible retirement')</p>	<p><b>R30(6)</b></p> <p><b>TP11(2)</b></p>	<p>As a general rule the Trust will only grant flexible retirement to members where there is, in the opinion of the Trust, a financial or operational benefit to the Trust in granting the member's request for flexible retirement.</p> <p>If exercising its discretion in relation to flexible retirement, the Trust will look at its operating requirements; have regard to pension fund members' individual circumstances and the impact on services of granting flexible retirement together with the cost to the Trust.</p>

<p>(4)</p> <p>Whether to waive, in whole or in part, actuarial reduction on benefits paid on flexible retirement.</p> <p>Whether to waive, 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 March 2014 membership)</p>	<b>R30(8)</b>	The Trust may consider exercising this discretion but any decision to do so will be taken in the full knowledge of the potential financial cost to the Trust.
<p>(5)</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>	<b>TP Sch 2 para 1(3) and para 1(1)(c)</b>	The Trust will only agree to 'switch on' the 85-year rule in exceptional circumstances. Decisions will be made on individual cases on their merits and having regard to the cost to the Academy Trust.
<p>(6)</p> <p>Whether to waive upon the voluntary early payment of benefits, any actuarial reduction on compassionate grounds or, for periods of service to which the compassionate service discretion does not apply, to waive any actuarial reduction on any grounds.</p>	<b>TP3(1), TP Sch 2 para 2(1), R30(8)</b>	<p>The Trust will not normally waive reductions on compassionate grounds unless exceptional circumstances apply. The decision 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>- The ability of the Trust to meet the cost of awarding the discretion.</li> </ul>

Key

'R' – LGPS Regulations 2013

'TP' – TP Regulations 2014

The Trust may require the application of certain discretions to be supported by a business case in writing.

A copy of this document is published on the Trust's website and has been sent to the appropriate pensions administering authorities.