

Notes from TPR Code	Officer Assessment	Action	Due Date	Red	Amber	Green
<p>59 - The regulator has provided an e-learning programme to help meet the needs of pension board members, whether or not they have access to other learning.</p> <p>If schemes choose alternative learning programmes they should be confident that those programmes:</p> <ul style="list-style-type: none"> - cover the type and degree of knowledge and understanding required - reflect the legal requirements, and - are delivered within an appropriate timescale. 	<p>Members have been asked to complete this by July 2016 which will be 12 months from appointment.</p>	<p>Members to complete TPR trustee toolkit.</p>	<p>Jul-16</p>			
<p>79 - Pension board members, and people who are proposed to be appointed to a pension board, must provide scheme managers with information that they reasonably require to be satisfied that pension board members and proposed members do not have a conflict of interest.</p>	<p>One Register of Interest outstanding. The Member with an outstanding RoI is bound by the Conflict of Interest Policy to disclose potential conflicts as they arise and has a separate Register of Interest in respect of their appointment to the Administering Authority therefore officers are satisfied this does not pose a high risk. Prospective candidates are made aware of the responsibility to disclose potential interests upon appointment.</p>	<p>Follow up the outstanding Register of Interest form and formalise the pre-appointment process for registering potential conflicts of interest.</p>	<p>Jul-16</p>			
<p>80 - Schemes should ensure that pension board members are appointed under procedures that require them to disclose any interests, including other responsibilities, which could become conflicts of interest and which may adversely affect their suitability for the role, before they are appointed.</p> <p>81 - All terms of engagement, for example appointment letters, should include a clause requiring disclosure of all interests, including any other responsibilities, which have the potential to become conflicts of interest, as soon as they arise. All interests disclosed should be recorded. See the section of this code on 'Monitoring potential conflicts'.</p> <p>82 - Schemes should take time to consider what important matters or decisions are likely to be considered during, for example, the year ahead and identify and consider any potential or actual conflicts of interest that may arise in the future. Pension board members should be notified as soon as practically possible and mitigations should be put in place to prevent these conflicts from materialising.</p>	<p>Prospective candidates are made aware of the responsibility to disclose any potential interests upon appointment via the Board Terms of Reference. Board members are updated on forthcoming agenda items and the process for managing potential conflicts of interest is outlined in the Authority's Conflict of Interest Policy for Board Members.</p>	<p>Formalise the pre-appointment process for registering potential conflicts of interest.</p>	<p>Jul-16</p>			
<p>200 - Managers must disclose certain basic information about the scheme and the benefits it provides to a prospective member (if practicable to do so) or a new member. Where the manager has received jobholder information for the member or prospective member they must provide the information within a month of the jobholder information being received. Where they have not received jobholder information, they must provide the information within two months of the date the person became an active member of the scheme.</p> <p>201 - Managers must also provide the information on request to a relevant person within two months of the request being made, except where the same information was provided to the same person or trade union in the 12 months before the request.</p>	<p>Each employer has been given the relevant information to issue to new and prospective members (available from APF website). Difficult to resolve with the number of employers but suggestion that APF periodically (annually) sends out a questionnaire to employers on their duties and responsibilities.</p>	<p>Questionnaire to be sent to employers.</p>	<p>Dec-16</p>			
<p>200 - As per Regulation 6 of the Disclosure Regulations 2013.</p>	<p>As per H7 - difficult to resolve with the number of employers but suggestion that APF periodically (annually) sends out a questionnaire to employers on their duties and responsibilities.</p>	<p>Questionnaire to be sent to employers</p>	<p>Dec-16</p>			

<p>196 - Under the Disclosure Regulations 2013, managers of a scheme must provide other information to members and others in certain circumstances (for example, on request). The Regulations set out the information which must be given, the timescales for providing such information and the methods that may be used. Not all information must be provided in respect of all public service pension schemes (there are some exemptions for specified public service schemes or according to the type of benefit offered), but information which scheme managers may need to provide includes:</p> <ul style="list-style-type: none"> - information about the scheme that has materially altered - information about the constitution of the scheme - information about transfer credits - information about life styling (this requirement will not apply in respect of DB benefits in public service pension schemes) - information about accessing benefits, and - information about benefits in payment. <p>197 - The detail of the information that must be provided to scheme members and others and any exemptions are set out in the Disclosure Regulations 2013. Managers must provide the required information, along with confirmation that members may request further information and the postal and email addresses to which a person should send those requests and enquiries</p>	<p>Information is provided within the legal timescales. There were some enforced delays regarding transfers pending revised factors from GAD. However these have now been received.</p>				
<p>213 - Scheme managers must make and implement dispute resolution arrangements that comply with the requirements of the law and help resolve pensions disputes between the scheme manager and a person with an interest in the scheme.</p>	<p>Yes</p>				
<p>214 - Section 50(9) of the 1995 Pensions Act states that a dispute is exempt if:</p> <ul style="list-style-type: none"> - proceedings have commenced in a court or tribunal - the Pensions Ombudsman has started an investigation - it is prescribed by regulations made by the Secretary of State. 	<p>It is unlikely that the Fund would be unaware of cases where this applied as evidence and views are usually sought. TPO will not review until a case has first been reviewed under IDRPs</p>	<p>Review application forms to include a notification check box. Original planned action for September 2016 but not undertaken due to workload</p>	<p>Nov-16</p>		
<p>215 - A person has an interest in the scheme if they:</p> <ul style="list-style-type: none"> - are a member or surviving non-dependant beneficiary of a deceased member of the scheme - are a widow, widower, surviving civil partner or surviving dependant of a deceased member of the scheme - are a prospective member of the scheme - have ceased to be a member, beneficiary or prospective member or - claim to be in one of the categories mentioned above and the dispute relates to whether they are such a person. <p>216 - Dispute resolution arrangements may require people with an interest in the scheme to first refer matters in dispute to a 'specified person' in order for that person to consider and give their decision on those matters. The specified person's decision may then be confirmed or replaced by the decision taken by the scheme manager after reconsideration of the matters.</p> <p>225 - If schemes decide to specify time limits, they should publish and make those time limits readily available to ensure that those with an interest in the scheme are aware that they must submit an application within a prescribed time limit.</p> <p>237 - Scheme managers must also provide the postal or email address and job title of the person to contact in order to make use of the internal dispute arrangements.</p> <p>239 - Schemes can decide what information they need from applicants to reach a decision on a disputed matter and how applications should be submitted. Schemes should ensure they make this information available to applicants.</p>	<p>Information is available on APF website or by request.</p> <p>The documentation and ewebsite details relates specifically to the requirements under the regulation as regards to who can apply</p> <p>The process by which decisions are made are carried out in accordance with the regulations.</p> <p>Adjudicators are required to specify the process which will be specifically related to the case</p>	<p>APF is undertaking a review of IDRPs. Training to be given to employers on the process from 'making initial decision to TPO'. The process will be documented and will incorporate discretions.</p>	<p>Mar-17</p>		

	Included within training arrangements for [I13]	Included on employer questionnaire [see H7]	Dec-16			
Note - For the LGPS, the timescales must be in accordance with the LGPS regulations. 231 - Applicants must be notified of the decision made by a scheme manager and specified person (where applicable) within a reasonable time period after the decision has been made. 230 - The regulator recognises that the circumstances of each dispute are different and decision times may vary. Schemes should be satisfied that the time taken to reach a decision is appropriate to the situation and be able to demonstrate this, if necessary. 232 - Schemes should provide the applicant with regular updates on the progress of their investigation. They should notify the applicant where the time period for a decision is expected to be shorter or longer than the reasonable time period and let them know when they are likely to receive an outcome. 239 - Schemes should send an acknowledgement once an application has been received.	Yes, a list of IDRPs are maintained by the Technical & Compliance Manager. The specific timescales are set out in the IDRPs Applicants will be informed of progress and any delays with relevant explanation	To be further considered in IDRPs review	Mar-17			
236 - Information about the IDRPs must be communicated to: - prospective members (if practicable) - scheme members who haven't already been given the information - members, or prospective members, when schemes receive jobholder information, or when a jobholder becomes an active member, in connection with automatic enrolment - certain people who request the information and haven't been given it in the previous 12 months 233 & 235 - The procedure should be: - communicated in scheme documentation, e.g. a joining booklet - easily accessible, e.g. on the scheme website - within documents recording policy about the administration of the scheme.	Yes - on website link to complaints procedure in the contact us page. Information supplied in the brief guide to the scheme which is part of the Starter Pack and should be issued by Employer (or at least directed to the website) to all new members or employees that are auto-enrolled into the scheme All communications where a decision has been confirmed should give details of the procedure.	To be included in IDRPs review	Feb-17			
238 - In addition, scheme managers must provide information about TPAS and the Pensions Ombudsman at certain stages. Upon receiving an application for the resolution of a pension dispute, scheme managers (or the specified person) must make the applicant aware as soon as reasonably practicable that TPAS is available to assist members and beneficiaries of the scheme and provide contact details for TPAS. When notifying the applicant of the decision, scheme managers must also inform the applicant that the Pensions Ombudsman is available to investigate and determine complaints or disputes of fact or law relating to a public service pension scheme and provide the Pension Ombudsman's contact details.	Yes - on website All communications for decisions made by adjudicators are to include reference to both TPAS and the Pensions Ombudsman	To include in questionnaire to employers [H7]	Dec-16			
234 - Schemes should ensure that the effectiveness of the arrangements is assessed regularly and be satisfied that those following the process are complying with the requirements set, which includes effective decision making.	There is a review due after 1 year of the procedure being adopted to assess suitability & effectiveness	Undertake a review of the IDRPs process	Mar-17			
234 - See above - this is particularly important where the arrangements require employers participating in the pension scheme to carry out duties as part of the process, for example where schemes have implemented the two-stage procedure and employers are acting as the specified person for the first stage.	Employers are given assistance on the processes where required. Inconsistencies are raised on Stage 2. Employers reminded of their role.	Part of Employer training on IDRPs [I3] Once completed to then become part of any IDRPs reviews carried out	Mar-17			