

The Pension Regulator's and Scheme Advisory Board Compliance Checklist

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Introduction

This document outlines how Flintshire County Council complies with the Pensions Regulator's (TPR) Code of Practice No 14 Governance and administration of public service pension schemes (the TPR Code) in relation to the management of the Clwyd Pension Fund which is part of the Local Government Pension Scheme (LGPS). It will be updated regularly by officers of the Fund and reported annually to the Pension Fund Committee and Pension Board (generally in June/July each year).

This document highlights all the key elements of the TPR Code and then evidences whether the management of the Clwyd Pension Fund meets these areas of best practice. As part of this evidence it shows when the element was last checked and whether, at that point, it was considered fully, partially or not compliant. Where they are partially or not compliant, it also highlights whether Flintshire County Council, as administering authority to the Clwyd Pension Fund, has identified actions to be carried out to improve their current practices. Where an element is not yet active, the commentary will generally still highlight where advanced progress is being made.

Those reading this document should be mindful that the TPR Code applies equally to all public service pension schemes and therefore it is generic in nature. There may be a number of elements that are more specifically stipulated within LGPS legislation and it is not the purpose of this compliance checklist to consider that level of detail.

Further, key elements of national guidance from the LGPS Scheme Advisory Board may also be incorporated into this compliance checklist. This version contains the checklists included as part of the Shadow Scheme Advisory Boards "Guidance on the creation and operation of Local Pension Boards in England and Wales".

Key

Frequency of review and last review date: Where a process, policy or practice is officially reviewed at a set interval, the actual interval will be shown as well as the last interval date. However, in many circumstances processes and procedures are ongoing and part of the day – to – day operation of the Fund. In these circumstances, an annual check will be carried out to ensure that the ongoing process meets the TPR Code expectations and therefore the date shown will be the date that annual check was carried out and the frequency will be shown as "ongoing (annual check)".

Completed:	Compliant:	Where responsibility relates to employers:
Fully completed	Fully compliant	Employers - Fully compliant
In progress	Partially compliant	Employers - Partially compliant
Not started	Non-compliant	Employers - Non-compliant
Not yet relevant	Not yet relevant	Not yet relevant

Definitions:

<i>PSPA13</i>	Public Service Pensions Act 2013
<i>LGPS</i>	Local Government Pension Scheme
<i>TPR</i>	The Pensions Regulator
<i>TPR Code</i>	The Pensions Regulator's Code of Practice No 14 Governance and administration of public service pension schemes
<i>Scheme Manager / CPF</i>	For the Clwyd Pension Fund, this is Flintshire County Council.
<i>Administering Authority</i>	The LGPS specific term for Scheme Manager. For the Clwyd Pension Fund, this is Flintshire County Council.
<i>IDRP</i>	Internal Dispute Resolution Procedure
<i>SAB</i>	The national LGPS Scheme Advisory Board
<i>PFC</i>	Pension Fund Committee
<i>PB</i>	Pension Board

Summary Dashboard

A dashboard showing the summary of the results of the latest compliance checklist is shown below:

No.	Completed	Compliant
Reporting Duties		
A1	Fully completed	Fully compliant
A2	Fully completed	Fully compliant
A3	Fully completed	Fully compliant
A4	Fully completed	Fully compliant
Knowledge and Understanding		
B1	Fully completed	Fully compliant
B2	Fully completed	Fully compliant
B3	Fully completed	Fully compliant
B4	Fully completed	Fully compliant
B5	Fully completed	Fully compliant
B6	Fully completed	Fully compliant
B7	Fully completed	Fully compliant
B8	Fully completed	Fully compliant
B9	Fully completed	Partially compliant
B10	In progress	Partially compliant
B11	Fully completed	Fully compliant
B12	Fully completed	Partially compliant
Conflicts of Interest		
C1	Fully completed	Fully compliant
C2	Fully completed	Fully compliant
C3	Fully completed	Fully compliant
C4	Fully completed	Fully compliant
C5	Fully completed	Fully compliant
C6	Fully completed	Fully compliant
C7	Fully completed	Fully compliant
C8	Fully completed	Fully compliant
C9	Fully completed	Fully compliant
C10	Fully completed	Fully compliant
C11	Fully completed	Fully compliant
Publishing Information		
D1	Fully completed	Fully compliant
D2	Fully completed	Partially compliant
D3	Fully completed	Fully compliant
D4	Fully completed	Partially compliant

No.	Completed	Compliant
Risk and Internal Controls		
E1	Fully completed	Fully compliant
E2	Fully completed	Fully compliant
E3	Fully completed	Fully compliant
E4	Fully completed	Fully compliant
E5	Fully completed	Fully compliant
E6	Fully completed	Fully compliant
E7	Fully completed	Partially compliant
E8	Fully completed	Fully compliant
Maintaining Accurate Member Data		
F1	Fully completed	Partially compliant
F2	Fully completed	Fully compliant
F3	Fully completed	Fully compliant
F4	Fully completed	Fully compliant
F5	Fully completed	Fully compliant
F6	Fully completed	Fully compliant
F7	Fully completed	Fully compliant
F8	Fully completed	Fully compliant
F9	Fully completed	Partially compliant
F10	Fully completed	Fully compliant
F11	Fully completed	Fully compliant
Maintaining Contributions		
G1	Fully completed	Partially compliant
G2	Fully completed	Partially compliant
G3	Fully completed	Partially compliant
G4	Fully completed	Non-compliant
G5	Fully completed	Partially compliant
G6	Fully completed	Fully compliant
G7	Fully completed	Employers - Partially compliant
G8	Fully completed	Partially compliant
G9	Not yet relevant	Not yet relevant
Providing Information to Members and Others		
H1	Fully completed	Employers - Fully compliant
H2	Fully completed	Fully compliant
H3	Fully completed	Fully compliant
H4	In progress	Partially compliant
H5	Fully completed	Fully compliant
H6	Fully completed	Fully compliant

No.	Completed	Compliant
Internal Dispute Resolution		
H7	Fully completed	Employers - Partially compliant
H8	Fully completed	Partially compliant
H9	Fully completed	Partially compliant
H10	In progress	Partially compliant
H11	Fully completed	Fully compliant
H12	Fully completed	Fully compliant
H13	Fully completed	Partially compliant
Internal Dispute Resolution		
I1	Fully completed	Fully compliant
I2	Fully completed	Non-compliant
I3	Fully completed	Fully compliant
I4	Fully completed	Fully compliant
I5	Fully completed	Partially compliant
I6	Fully completed	Partially compliant
I7	Fully completed	Fully compliant
I8	Fully completed	Fully compliant
I9	Fully completed	Fully compliant
Reporting Breaches		
J1	Fully completed	Fully compliant
J2	Fully completed	Fully compliant
J3	Fully completed	Partially compliant
Scheme Advisory Board Requirements		
K1	Fully completed	Fully compliant
K2	Fully completed	Fully compliant
K3	Fully completed	Fully compliant
K4	Fully completed	Fully compliant
K5	Fully completed	Fully compliant
K6	Fully completed	Fully compliant
K7	Fully completed	Non-compliant
K8	Fully completed	Fully compliant
K9	Fully completed	Fully compliant
K10	Fully completed	Fully compliant
K11	Fully completed	Fully compliant
K12	Fully completed	Non-compliant
K13	Fully completed	Fully compliant
K14	Fully completed	Fully compliant
K15	Fully completed	Fully compliant

A - Reporting Duties

Note the requirements in this section are not included in the TPR Code but they are a fundamental to the relationship with TPR.

Legal Requirements

All public service pension schemes have to be registered with TPR. In addition, all schemes must provide a regular scheme return to TPR, containing prescribed information. A return is required when the scheme receives a scheme return notice from the regulator. The scheme manager must also keep the regulator informed of any changes to registrable scheme details.

Note the requirements in this section are not included in the TPR Code but are a requirement for all schemes.

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
A1	Is your scheme registered with the Pension Regulator?	Will be reassessed annually to ensure new registration is not required	Annual	01/06/2017	Fully completed	Fully compliant	New registration will only be required if a new LGPS is created that is deemed to be a separate scheme	
A2	Is the information held on the Pensions Regulator's website about the scheme up-to-date?	Update 1/6/17 - The website is checked regularly to ensure the Fund information is up to date.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
A3	Have you completed this latest Scheme Return in the required timescale?	Unclear whether this has been completed.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		Updated 12/09/17 - Discussed with PAM. TPR website updated as and when for new employers etc and is routine. Returns completed as necessary.
A4	Have you responded to the latest TPR public service pension scheme survey/questionnaire?	Update 1/6/17 - Intention is to respond to any such survey that is received, including on a voluntary basis. Latest survey (late 2016) completed by CPFM.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		

B - Knowledge and Understanding

Legal Requirements

A member of the pension board of a public service pension scheme must be conversant with:

- the rules of the scheme, and
- any document recording policy about the administration of the scheme which is for the time being adopted in relation to the scheme.

A member of a pension board must have knowledge and understanding of:

- the law relating to pensions, and
- any other matters which are prescribed in regulations.

The degree of knowledge and understanding required is that appropriate for the purposes of enabling the individual to properly exercise the functions of a member of the pension board.

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
B1	Are there policies and arrangements in place to support pension board members in acquiring and retaining knowledge and understanding?	Pension Fund Training Policy with appropriate objectives and measurements in place. It is agreed by Pension Fund Committee and was adopted by the Pension Board at its first meeting (July 2015). Updated 1/6/17 - It has since been updated to incorporate CIPFA LPB guidance (March 2016) and further adopted by PFC and PB.	Annual	01/06/2017	Fully completed	Fully compliant		
B2	Has a person been designated to take responsibility for ensuring the framework is developed and implemented?	Updated 1/6/17 - Responsibility delegated to the ChiefExecutive	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
B3	Is the Fund providing assistance to pension board members to determine the degree of knowledge and understanding required?	Dedicated induction training has been provided based on CIPFA requirements. Further trainings sessions being provided, jointly run for PFC and PB members.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
B4	Are the roles and responsibilities of pension boards and members of pension board clearly set out in scheme documentation?		Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
B5	Are pension board members aware of their legal responsibility in terms of Knowledge and Understanding?	Articulated in Training Policy and part of Induction Training, also set out in PB protocol. All members are provided with copy of Training Policy as part of induction pack and reminded of Policy on an annual basis. PB is asked to adopt the Training Policy. Updated 1/6/17 - 2017 reminder will be part of the induction training in July 2017.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		Update 1/6/17 - Ensure Training Policy is circulated with training notes at July 2017 induction training. (PFM) Update 12/9/17 - Training Policy included in training pack given to all Cttee & Board members
B6	Have all pension board members got access to copies of the scheme rules and relevant Fund documentation?	This information is provided (or links provided) as part of application process, induction training and first meeting. Further there is a list of key documents to be provided within the Training Policy. Most of these have now been shared with the PB.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		Update 1/6/17 - Provide a link to the scheme regulations and copy of the actuarial valuation report, and specific training on these points (PFM)
B7	Is there an up-to-date list of the Fund specific documents with which pension board members need to be conversant in?	This is included as the induction list in Training Policy	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
B8	Are all pension board members investing sufficient time in their learning and development?	Training plans are agreed each March as part of the Pension Fund business plan. Monitoring of attendance at training is undertaken in accordance with Training Policy and recorded in annual report and accounts as well as being a regular part of PFC business. Catch up sessions are organised for those unable to attend. It is considered that all PB members are spending sufficient time attending training events (subject to results of Training Needs Analysis).	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
B9	Does the Fund offer pre-appointment training for new pension board members or mentoring by existing members?	Induction process in Training Policy including providing all with copies of key documents. Pre appointment training/mentoring is not currently offered. Training is provided on appointment and ongoing basis instead.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		No further action planned.
B10	Is there a process in place for regularly assessing the pension board members' level of knowledge and understanding is sufficient for their role, responsibilities and duties?	There is a Training Plan (annual) which is focussed at whole PFC/PB level but agreed at PFC, where members of PFC and PB can input to the draft. The Independent Adviser's annual governance assessment considers, at a high level, the effectiveness of training. Update 1/6/17 - A training needs analysis exercise was planned to be carried out but has been deferred due to other priorities.	Ongoing (annual check)	01/06/2017	In progress	Partially compliant		Update 1/6/17 - Training Needs Analysis to be completed at some point (PFM) Update 12-09-17 - Agreed that this to be undertaken by the Chair using a questionnaire
B11	Are records of learning activities being maintained?	Full records are maintained at a personal level and reported to PFC as well as being included in the annual report and accounts.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
B12	Have the pension board members completed the Pension Regulator's toolkit for training on the Code of Practice number 14?	It is the intention that all PB and PC members will carry this out. However, focus has been on completing other induction training. Some PB/PC members have already completed some modules. Update 1/6/17 - Further modules will be built into 2017/18 training plan.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Update 1/6/17 - Incorporate these modules into PFC and other meetings (PFM)

C - Conflicts of interest

Legal Requirements

The Public Service Pensions Act 2013 sets out the legal requirements for scheme managers and pension boards for conflicts of interest.

In relation to the pension board, scheme regulations must include provision requiring the scheme manager to be satisfied:

- that a person to be appointed as a member of the pension board does not have a conflict of interest and
- from time to time, that none of the members of the pension board has a conflict of interest.

Scheme regulations must require each member or proposed member of a pension board to provide the scheme manager with such information as the scheme manager reasonably requires for the purposes of meeting the requirements referred to above.

Scheme regulations must include provision requiring the pension board to include employer representatives and member representatives in equal numbers.

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
C1	Does the Fund have a conflict of interest policy and procedure, which include identifying, monitoring and managing potential conflicts of interest?	Policy in place and approved by PFC and adopted by PB, and includes key required items.	Annual	01/06/2017	Fully completed	Fully compliant		
C2	Do pension board members have a clear understanding of their role, the circumstances in which they may have a conflict of interest and how to manage potential conflicts?	Included as a key part of first PB meeting (July 2015) and induction training. Policy will be shared further as part of annual process to refresh declarations (due June/July each year). Updated 1/6/17 - Policy circulated and training covered at June 2017 PFC and declarations completed by PFC members present.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		Updated 1/6/17 - Ensure Conflicts Policy is circulated with training notes at induction training in July 2017 and new declarations are all received, to cover those not at June 2017 PFC. (PFM) Updated 12/9/17 - Included in training pack shared with all Cttee and Board members.
C3	Have all Pension Board members provided appropriate information for the Administering Authority to determine whether a conflict exists (on appointment and from time to time)?	All completed declaration of potential conflicts at first PB meeting (July 2015). This equally applies to PFC members and senior staff. Declarations are required to be refreshed annually. Updated 1/6/17 - refresh of declarations underway June/July 2017.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		Updated 1/6/17 - Ensure final declarations received (PFM). Updated 12/9/17 - Only 1 remains o/s (SJ)
C4	Does the appointment process for pension board members require disclosure of interests and responsibilities which could become conflicts of interest?	Potential conflicts were asked to be disclosed on application forms.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
C5	Is the conflicts policy regularly reviewed?	It is reviewed at least every three years (so due March 2018).	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
C6	Does the Fund have a conflicts register and it is circulated for ongoing review and published?	A register is created based on individual declarations and any further declarations (e.g. at the commencement of meetings) and all are asked to refresh/check their entries at least every 12 months (usually around June/July). It is available to be shared with the PFC Chairman at the beginning of each PFC. Update 1/6/17 - It is also published as part of the annual report and accounts for 2016/17.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
C7	Is appropriate information included in the register?	All areas expected by The Pensions Regulator are included in the register and/or declarations of interest.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
C8	Is there a standing item on the agenda for declaring conflicts of interest?	Part of standard PFC and PB meeting agenda	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
C9	Do those involved know how to report a conflict of interest?	Members trained on appointment and provided with copy of Conflicts Policy annually (as part of refreshing declarations - due June/July each year). Also Conflicts/Policy referred to at start of each meeting	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
C10	Is the number of employer and member representatives on the board in line with legal requirements?	Yes - there are two scheme member representatives and two employer representatives. All posts are currently filled.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
C11	Is the board made up of the appropriate mix of representatives in order to minimise potential conflicts?	Positions include retired and active scheme members, as well as employer representatives. It is considered that those taking up those appointments have a good mix of backgrounds and skills, supplemented by ongoing training.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		

D - Publishing information about schemes

Legal Requirements

The scheme manager for a public service scheme must publish information about the pension board for the scheme(s) and keep that information up-to-date.

The information must include:

- who the members of the pension board are
- representation on the board of members of the scheme(s), and
- the matters falling within the pension board's responsibility

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
D1	Does the Administering Authority publish information about the pension board?	Name of all members, whether they are a scheme or employer rep, voting rights, and responsibilities detailed on website and in the annual report and accounts. http://www.clwydpensionfund.org.uk/en/Governance-and-Investments/Local-Pension-Board.aspx	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
D2	Does the Administering Authority publish other useful related information about the pension board?	Full protocol on website details how members are appointed i.e. election and selection criteria. This protocol covers/includes the typical items in a terms of reference. The PB members' employment information is not currently included. No specific roles and responsibilities for PB members - joint responsibility for all PB matters.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Consider including current employment etc. as part of website review - happening summer 2017 (PAM)
D3	Is all the information about the Pension Board kept up-to-date?	Information regularly checked. Pension Fund Manager and Communications Officer will update website when new members appointed.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
D4	Does the Administering Authority public information about pension board business?	PB are not public meetings so details are currently not published, though Flintshire may publish information relating to the PB from time to time. PB meeting minutes become part of PFC meetings and are therefore public. An annual report by the Chair of the PB is prepared and published as part of the annual report and accounts	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		

E - Managing risk and internal controls

Legal Requirements

The scheme manager must establish and operate internal controls which adequately ensure the scheme is administered and managed in accordance with the scheme rules and the requirements of the law.

Internal controls are defined in the legislation as:

- arrangements and procedures to be followed in the administration and management of the scheme
- systems and arrangements for monitoring that administration and management
- arrangements and procedures to be followed for the safe custody and security of the assets of the scheme

The legal requirements apply equally where a scheme outsources services connected with the running of the scheme.

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
E1	Is there an agreed process for identifying and recording scheme risks?	A risk management policy is in place that outlines the procedure for identifying, managing and recording risk. It covers all the key areas identified by the TPR Code. It was approved by the PFC in March 2015.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
E2	Does the Fund have an adequate process to evaluate risks and establish internal controls?	The risk management policy includes how risks are to be evaluated and internal controls established. It makes use of risk register with a RAG status based on impact and likelihood and the associated control is then shown as part of the risk register.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
E3	Does the Administering Authority have a risk register to record all risks identified and action taken?	Risk register is in place which includes internal controls in relation to identified risks and further identified actions. New, high, big changing and removed risks are reported quarterly to the PFC.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
E4	Does the Administering Authority review the effectiveness of the risk management and internal control systems of the Fund?	Our risk management and internal controls are continually reviewed for effectiveness as part of a number of processes including: - A regular agenda item on Advisory Panel meetings considering the risk register or new areas of concern - The ongoing (at least at quarterly PFC meetings) updating of the risk register which includes the control of those risks - Issues identified through regular monitoring reports such as KPI performance monitoring for PC, IDRPs updates and breaches reporting is soon to be in place. - The triennial (at least) review of the risk management policy - Regular internal and external audit reports. - Annual internal control reports custodian and fund managers. - Annual update of TPR Code compliance checklist. - Periodic ad-hoc reviews (e.g. process review) Register and policy for risk management is completely reviewed annually as part of business planning.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
E5	Does the Administering Authority regularly review the risk register?	Register entries are reviewed at each PFC meeting (quarterly) and at most Advisory Panels (quarterly). The information provided to PFC is also provided to PB members. Risk management is ongoing and therefore the register can be updated as a result of risk identification through a number of means including: - ongoing review at the above named meetings - performance measurement against agreed objectives and KPIs - monitoring against the Fund's business plan - findings of internal and external audit and other adviser reports (e.g. resulting from the triennial valuation) - feedback from the local Pension Board, employers and other stakeholders - informal meetings of senior officers or other staff involved in the management of the Fund - liaison with other organisations, regional and national associations, professional groups, etc.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
E6	Is there a standing item on the Pension Board agenda to review scheme risks?	It is a standing item on the PFC each quarter and, as a matter of course, is then shared with the Pension Board. It has also been added as a further item for more detailed consideration for the PB during 2016	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
E7	Does the Administering Authority have adequate systems, arrangements and procedures (internal controls) in place for the administration and management of the Fund and are they documented ?	<p>Based on a high level discussion, it is considered that there is a good awareness of appropriate internal controls and these appear to be in place, albeit some controls are not currently fully documented.</p> <p>For example, in relation to administration, different roles have different access and ability to carry out certain functions on the systems. There are, for example, limitations on who can check and get access to certain things (do, check , review process) and system won't allow anything to be done by a person without correct authority. Doing and checking can be done by the same person if at the right level but if this were the case a report on this goes to the Pension Administration Manager and investigated. A list of users and levels s available on altair. Also staff cannot access their own pension records.</p> <p>The Fund has put into place reporting on performance against the identified KPIs, and there are SLAs with the Employers to attempt to ensure timely and accurate data and contributions. The administration policy is being revised and reissued to include greater focus on systems (e.g. I-connect) to reduce the need for manual input by employers or admin staff.</p> <p>The finance team make good use of spreadsheets to carry out control checks in relation to movement of monies and bank reconciliation. Further information is included in point F3. They are in the process of documenting their existing procedures for contribution and employer information checking.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Ongoing work continues to ensure all internal controls are appropriately documented (PAM & PFM) - 22/5/17
E8	Do these procedures apply equally to outsourced services, are internal controls reflected in contracts with third party providers and is there adequate reporting in relation to those controls?	<p>The key outsourced services for this purpose are BNYM (custodian) and Fund managers. These providers are required to provide annual internal control reports.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		

F - Maintaining accurate member data

Legal Requirements

Scheme managers must keep records of information relating to:

- member information
- transactions, and
- pension board meetings and decisions.

The legal requirements are set out in the Public Service Pensions (Record Keeping and Miscellaneous Amendments) Regulations 2014 ('the Record Keeping Regulations').

The Data Protection Act 1998 and the data protection principles set out additional requirements for using, holding and handling personal information. Other requirements are set out in the:

- Pensions Act 1995 and 2004
- Pensions Act 2008 and the Employers' Duties (Registration and Compliance) Regulations 2010
- Occupational Pension Schemes (Scheme Administration) Regulations 1996 (SI 1996/1715)
- Occupational Pension Schemes (Scheme Administration) Regulations (Northern Ireland) 1997 (SR 1997 No 94)
- Registered Pension Schemes (Provision of Information) Regulations 2006 (SI 2006/567)

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
F1	Do member records record the information required as defined in the Record Keeping Regulations and is it accurate?	<p>Checks were carried out in relation to each of the requirements in the Record Keeping Regulations and are, in the main, compliant with the following points of note:</p> <p>'- for in relation to clause 4(3), which relates to information for members who pay AVCs, The AVC information is held and maintained by Prudential/Equitable Life with an annual update provided to CPF. Prudential only provide a list each year of which members statements have been sent to, but statements are sent straight from Prudential to member so data not held on CPF member records or paper files, and member choices re investments and Retirement date are not included on the list of information from Prudential which are two key elements. Equitable life AVCs are not held for active records, just deferred members - for these, annual statements go to CPF for scanning, these are held linked to each members' electronic record, and posted to members (and the investment option i.e. with profits is shown on the statement). All of that being said, it is expected the information maintained on CPF's behalf by these providers will meet with the Record Keeping provisions but confirmation will need to be obtained from the providers. In addition CPF staff don't use/have access to Prudential records via the Prudential on-line facility - this should be obtained as soon as possible.</p> <p>'- The pension team is currently processing the outstanding leavers. This may mean some records are not currently fully compliant with the record keeping provisions.</p> <p>Points of explanation regarding how some information is held (but which are still compliant):</p> <p>'- Annual pension increases are done in a bulk exercise - the increase for each year for each member is then stored via the scanned member letters each year held against each members' record. Similarly calculation of members benefits and any checks/amendments are scanned and saved on each member record.</p> <p>'- Postal addresses not held for those pensioners who are gone away who DWP can not trace - each time a "gone away" notification received a DWP trace is done. This may only occur once a year as pensioners are only written to on an annual basis.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant	Updated 1/6/17 - Clearing backlog will help move to full compliance.	Access been provided to some staff and rolling out to others (PAM) 1/6/17

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
F2	Does the Fund have the appropriate processes in place so employers can provide timely and accurate information?	<p>SLA with instructions is in place with standard forms to complete attached to the SLA. This will be backed up by the Administration Strategy (being implemented Spring 2016). However some employers are still providing information in a different format than requested. Standard forms need to be updated to include requirement to provide the correct pay and the employer contributions split by member. the consequences for the employer include the possibility of being fined but this has not been implemented by CPF.</p> <p>I connect, which has been implemented for one large employer, will have online information which sends errors back to employer and an error report to AA, and only once resolved this information will be automatically loaded onto altair and the record is therefore released to CPF only once errors cleared. This will further enhanced processes for data to be submitted. Otherwise, data can be provided in spreadsheet format (rather than single forms) if easier for employers. Data cleansing being undertaken for other employers. New employers will be automatically using iConnect.</p> <p>Training needs for employers identified based on issues arising, or when requested, or large scale changes occur, including training provided to key employer contact when a new employer joins.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
F3	Does the Fund keep records of and reconcile transactions as required by the Record Keeping Regulations?	<p>All info on scheme records and also on the cashflow systems feeds into annual report and accounts. This includes all write offs (see below). Bulk transfers are such that an automatically created auto view on altair loads the transfer to each member record. Budget monitoring also is an extra check on reasonableness of amounts vs expected. All this information is stored indefinitely in the CPF finance team drive and so is fully backed up - payments go back to at least 1999/2000 on spreadsheet shown. There is reconciliation between actual and expected costs, with a quarterly update against budget in PC papers.</p> <p>Employer contributions paid in relation to each active member are not currently stored on CPF systems, but are being received and stored separately (updated 1/6/17 - previous not received).</p> <p>All transactions go through custodian: on a monthly basis records are downloaded from the custodian system and checked on monthly sheets - includes all purchases, sales, currency adjustments etc.- these are coded by specific individual codes for each type of transaction into the ledger, and into the check sheet which has a tab for each fund manager. Then another sheet brings it all together on "book" spreadsheet and this is compared to the ledger. This is used by the auditor for annual report checking.</p> <p>Write offs - pink slips are kept in a paper file which record the amount of the overpayment, the approach to recover, and is checked before entered onto a spreadsheet for monitoring. If over 100 pound, an invoice is sent to executor or spouse etc., and those under 100 will be automatically written off, then all are reconciled In ledger under a specific code. If invoiced but not paid eventually also written off (i.e. at end of year). The Flintshire debtor system will chase invoices once raised.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
F4	Are records kept of pension board meetings as required by the Record Keeping Regulations?	<p>Minutes and meeting papers are maintained by the Pension Team Finance Managers including a record of all decisions made, highlighting all actions. Minutes are sent to PFC as part of their papers for each meeting and are therefore uploaded to the Council's website as part of the PFC reports.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
F5	Are records kept of decisions made by the pension board, outside of meetings as required by the Record Keeping Regulations?	We do expect minimal situations where there would be decisions outside of the PB meetings. Where there has been this is fully recorded and retained (for example, as part of an e-mail record).	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
F6	Are records retained for as long as they are needed?	CPF consider it necessary to retain records for long as is possible due to the number of enquiries from employees relating to periods many decades ago. Accordingly personal records are maintained in addition to other data such as contribution lists, spreadsheets of old cases and pensions increases reports. There are no more individual paper files, all member records are scanned on to altair system and kept indefinitely. Contribution returns are held on paper files and scanned and kept indefinitely.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
F7	Does the Administering Authority have policies and processes to monitor data on an ongoing basis?	There are a number of separate processes in place to monitor data on an ongoing basis including: - Some comparison of admin records compared to FCC payroll information each month to flag differences (e.g. changes in pay rates over certain levels) - Standard internal process for year-end annual returns highlighting any data discrepancies (e.g. manual checks of contributions v pay) - Altair year end upload process includes warnings/errors - Majority of data entry is checked for input accuracy - Various tolerance checks such as changes in pay - Comparison of payroll v admin system monthly - Processes if pensioner payslips (which are issued if pension changes by £5 or more a month) or pension increase letter are returned - follow guidance (DWP tracing), also using only BACs payments for pensioners and life certificate exercises on a regular basis (3-5 years) and national fraud initiative also every 2 years. - Triennial valuation highlights data issues. - Administration Strategy introduced a formal escalation process with employers if incomplete monthly data is provided or if provided late, - Checks carried out on 'common' data as part of annual exercise. - Gone away deferred records kept as gone away as can't do DWP trace before SPA. - Pension payroll procedures documented on paper file and on system. Movements are recorded, pensions over £1,200 a month are checked, movements are checked on a monthly basis. Heywood guidance on how to check pension increases is used - spot checks are carried out and kept for audit purposes and calculations also done manually as extra check.	Some monthly, some annual	01/06/2017	Fully completed	Fully compliant		
F8	Does the Administering Authority carry out a data review at least annually?	Yes, key part is the year end process. More details in F7.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
F9	Is a data improvement plan in place which is being monitored with a defined end date?	The current backlog has a plan in place for clearing it with some specific goals. However, more work to identify problems with employers and ensure an improvement plan is in place to ensure ongoing problems are minimised. Updated 1/6/17 - Employer Liaison Team and I-connect both being rolled out to assist with data challenges and will be key in ensuring historical data problems are also resolved.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		1/6/17 - Ongoing work to clarify timescales for rectifying data issues with employers (PAM)

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
F10	Are processes and policies in place to reconcile scheme data with employer data?	See F7 for main detail. Further, in terms of addresses, team collect returned (gone away) ABS and pen pals and deferred statements, sent to employers to ask for address info - often employer has same info as the fund for employees so they then need to get new address from members - the records are then updated as new information comes back. The amount of discrepancies are quite significant so employer could make improvements in timeliness of providing information so that admin records are up to date. Updated 1/6/17 - Employer Liaison Team and I-connect both being rolled out to assist with ongoing employer data reconciliation.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant	Although compliant, employer data continues to be an issue as highlighted in F9. I-connect and improvement plans should assist.	
F11	Do the Administering Authority's member data processes meet the requirements of the Data Protection Act 1998 and the data protection principles?	All those involved with data understand the DPA: - Refresher training provided to all staff Q4 2015 and remainder likely in early 2016 - at least triennially - DPA officer at Flintshire carries out training - Council data protection statement of policy and practice in place and guidance on intranet Evidence of processes includes: - Data from/to employers now either through .gov.uk or through egress (smaller employers) - employers have to sign up to egress, information from employers sending information in through secure pensions inbox - OneStore used for data transfer with actuary - Actuary – use egress secure email to send data. And secure email account - use Mercers secure site for sharing data. - Egress is used when sending individual data to members.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		*

G - Maintaining contributions

Legal requirements

Contributions must be paid as detailed below, and where not done, they should be reported to TPR in circumstances where the scheme manager has reasonable cause to believe that the failure is likely to be of material significance to TPR in the exercise of any of its functions. Reporting must be carried out as detailed below.

Contribution Type	Contributions must be paid	When a failure should be reported
Employer	On or before the due date as defined by the scheme regulations	To The Regulator: As soon as reasonably practicable
Employee	Paid within the prescribed period (19 th day of the month, or 22 nd day if paid electronically) or earlier date if required by the scheme regulations	Regulator: Within a reasonable period – 10 working days

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
G1	Does the Fund have procedures and processes in place to identify payment failures?	<p>Team have a spreadsheet which identifies how much is expected and compares with how much paid for each employer. Pay is stored on there as well. If late, the expected amount (and contribution once paid) is highlighted red. Employer SLA is 19th of the following month for both employee and employer conts. SLA says the Fund may charge interest on late payments but to date this has not been implemented.</p> <p>The sheet is monitored daily, and a key check carried out on the 19th to identify late payments. However there is currently no procedure documented for this and is down to an individual on the team being available to do this. Few employers have payment timing issues, so there is no formal procedure to follow when failures happen. In practice, failures are raised with the Finance Manager and the team will chase the employer via phone or email first.</p> <p>The remittance form does not include Assumed Pensionable Pay (APP) and split of 50:50 scheme.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Document procedures for dealing with late and incorrect payments. (PFM - DF) Update remittance advice.
G2	Do those processes and procedures include a contributions monitoring record to determine whether contributions are paid on time and in full?	<p>The spreadsheet highlights where a payment is not received by the 19th of each month. It also highlights if contributions could be incorrect by comparing salary vs contribution rate to give employee and employer rates so there appears to be robust checks in place. If rates paid by employer and employees do not look consistent this will be raised. There is no formal documented procedure (albeit the spreadsheet does store all the historical information too).</p> <p>Currently there are 3 employers not providing full information as required and one employer shuts in summer for one month so payment is always late in this month - but early during the remainder of the year so no action has been taken.</p> <p>A number of issues occurred during 2016/17 with late payments being a consequence of issues around new entrants to the Fund. These have now been rectified and procedures tightened.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		<ul style="list-style-type: none"> - Formalise procedures for dealing with late payments (as above). - Ensure employers not complying with format of data/timing of payments and incorrect payments continue to be resolved and escalated in accordance with the agreed procedure. <p>Update 12/9/17 - spreadsheet used to track all payments including date payment received. Late payments initially chased by email then referred to PFM(DAF)</p>

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
G3	Do those processes and procedures include monitoring payments against the contributions monitoring record on an ongoing basis?	The process includes reconciliation with the payment received and shown in the financial system. No process is currently in place in relation to reconciling AVC payments with contributions record as these are paid directly to Prudential.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Ensure a process is put in place to identify where AVCs are paid late to Prudential and obtain assurances from Prudential that they have appropriate processes in place.
G4	Are these procedures regularly reviewed to ensure they are effective?	Payments are on the whole, usually on time but no formal review of the process/procedure is undertaken. This will be incorporated as a part of formalising the procedure.	Ongoing (annual check)	01/06/2017	Fully completed	Non-compliant		Ensure documented process includes a regular review of effectiveness of process.
G5	Do the Administering Authority's processes include managing overdue contributions in line with TPR's suggested approach?	In practice the TPR's suggested approach is followed although this is not formally documented. However, the CPF Breaches Procedure will assist in formalising this too.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Formalise procedures for dealing with late and incorrect payments.
G6	Does the Fund maintain a record of any investigations and communications with employers?	A summary of late payments is included in annual report and accounts (although employers are not specifically named). Information is also available on the historic monitoring spreadsheets. Emails with employers are currently available in a central mailbox and generally copied into each admitted body sub-folder but this process could be more refined.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		Documented procedure should clarify where all records are maintained, including of phone conversations.
G7	Do employers provide sufficient information to monitor contributions and is this in accordance with the LGPS regulations?	Not all employers provide the full information (e.g. some miss pensionable pay) or follow the correct format.	Ongoing (annual check)	01/06/2017	Fully completed	Employers - Partially compliant		-Set out 2014 regulation requirements for employers and update SLA to aid understanding. -Follow up with employers who continue to not meet requirements.
G8	Is there a satisfactory process in place to assess the materiality of any payment failures and ensure that those which are material are reported to the Regulator within a reasonable period?	The CPF Breaches Procedure was agreed by PFC in November 2015. An internal process is in place to capture, record and consider breaches monthly, albeit it is still being bedded in. All failures are already recorded in annual report and accounts.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Updated 1/6/17 - Ensure monthly updates to breaches log and share log for consideration (PFM - AH)
G9	If the administration of contributions outsourced to a service provider, is there a process in place to obtain regular information on the payment of contributions to the scheme?	N/A - not outsourced.	Ongoing (annual check)	01/06/2017	Not yet relevant	Not yet relevant		

H - Providing information to members and others

Legal requirements

The law requires schemes to disclose information about benefits and scheme administration to scheme members and others. This includes requirements relating to benefit statements and certain other information which must be provided under the requirements of the 2013 Act, HM Treasury directions and the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013 ('the Disclosure Regulations 2013'). In addition to these duties, there are other legal requirements relating to the provision of information to members and others under other legislation.

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
H1	Has an annual benefit statement been provided to all active members within the required timescales?	Sent annually. Statements as at 31st March 2016 all issued by 25th August 2016. Some data issues with employers means may not be as accurate as wished, but this is a common issue with LGPS Funds and appropriate disclaimers put on statements. Employer Liaison Team set up to try and address this more.	Annual	01/06/2017	Fully completed	Employers - Fully compliant	Blank version on website for members to view so know what to expect.	
H2	Do these meet the legal requirements in relation to format?	Treasury Direction was issued in March 2014 and effective from 1 April 2015 (so applies to 2015/16 onwards statements and not 2014/15). Even though, disclosure regs and HMT directions are complied with for active members.	Annual	01/06/2017	Fully completed	Fully compliant		
H3	Has a benefit statement been provided to all active, deferred and pension credit members who have requested one within the required timescales?	Benefit statements are issued automatically to deferred members annually (27/5/15 for 2014/15), which is more proactive than this provision (which just relates to issuing them on request). Deferred statements only not sent if "gone away" from current address held. In relation to backlog members turning to DB status, they receive a DB statement as soon as their record is updated. Pension credits members also get annual statements (i.e. beyond legal requirements) - issued end September 2015 for 2014/15.	Annual	01/06/2017	Fully completed	Fully compliant		
H4	Does this meet the legal requirements in relation to format?	The information in the standard deferred statements does not fully comply with the disclosure requirements where the pensionable remuneration on the date of leaving is not included. Not seen evidence for pension credit statements. However, it is possible information provided on individual requests includes this element, this needs to be further investigated.	Ongoing (annual check)	01/06/2017	In progress	Partially compliant		Check format of statements for credit members meets requirements and for those other requests. (PAM 1/6/17) Include pensionable pay in future deferred statements as standard or ensure included for individual requests. (PAM 1/6/17)
H5	Has an annual benefit statement been provided to all members with AVCs within the required timescales?	These are distributed directly to members by Prudential (an email is sent to the Fund when this is completed - was August/September 2016). No checks are currently carried out to check if all those due a statement get it and the information included is adequate. Equitable Life sent their statements in week commencing 8 May 2016 and then these are distributed by CPF to scheme members.	Annual	01/06/2017	Fully completed	Fully compliant		
H6	Do these meet the legal requirements in relation to format?	Statement provided by Prudential checked against requirements and all appropriate information is included.	Annual	01/06/2017	Fully completed	Fully compliant		See H5 above.

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
H7	Is basic scheme information provided to all new and prospective members within the required timescales?	Employers provide website details for information. Different one for councillors as well. When CPF notified, they send a starter pack with forms to complete, brief guide to scheme. This two stage process should provide assurance that disclosure requirements are met but not currently monitored. This is measured against the 2 month legal timescale. Year end error reports are carried out - these check reference no against the admin system then queries sent to employers - this is for the discrepancies in starters and leavers etc. and so it highlights that some new starters have not been notified to CPF. However, given the employer provides access to information, the disclosure requirement is met. Fund is implementing I-connect which will highlight new members on a more regular basis than end of year and so help solve them throughout the year. Statistics are now available through KPI monitoring.	Ongoing (annual check)	01/06/2017	Fully completed	Employers - Partially compliant		Supply wording for contract letters (PAM) 1/6/17
H8	Does this meet the legal requirements in relation to format?	Most of the key information is included in the short guide. Missing information is: - the period required for notice to opt out of the scheme - how the scheme defines pensionable earnings It is also noted that the guide refers to the Superannuation Act 1972 which should therefore be updated to include the Public Service Pensions Act 2013.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Wording supplied as H7 to include missing information. Short Scheme guide to be reviewed (PAM 1/6/17)
H9	Is all other information provided in accordance with the legal timescales?	KPI's now implemented and monitored as per the legal requirements as set out in the Administration Strategy. - In relation to advising changes to the scheme, CPF follows LGA recommendations which are expected to highlight the need for communications and when. - In relation to pension payment changes, a payslip is only sent to pensioners if there is a change of £5 or more per month otherwise no payslip (i.e. tax code change) but letters are issued for other changes including pension increase letters before the effective date of the increase. All information issued is generally then uploaded to the CPF website.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		KPIs monitoring will assist with determining compliance. (PAM 1/6/17)

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
H10	Is all other information provided in the format and methods required by law?	<p>It has not been possible to check that every requirement is fully met, in particular in relation to the settlement of AVC benefits. However based on the sample communications provided:</p> <ul style="list-style-type: none"> - When a member has a transfer credit a TV in statutory notice is sent to them, all the required information is provided and they are also provided information on request. - All communications have the pension team contact details on to ask questions or for further information. - Death benefit notifications could be more explicit about how increases to widows / dependant's pensions will be applied. <p>More information to demonstrate good practice/compliance: '- the technical team send information about any scheme changes via the membership "pen pal" newsletter and bulletin when changes occur - to all active home addresses. Pensioner newsletter provides PI details, other newsletters are sent ad- hoc. LGA bulletins go to employers for them to pass information on to employees. "Pensions extra" is sent to certain membership groups e.g. to explain changes to tax limits.</p> <p>It is not clear what information is provided to members on joining from Prudential regarding lifestyling (if lifestyling is offered), and the statement about the AVC values being dependent on contributions, investment returns and annuity values, so that is being investigated.</p>	Ongoing (annual check)	01/06/2017	In progress	Partially compliant		Obtain information as to what Prudential provide to all members and are they legally compliant (PAM 1/6/17)
H11	Where any information is only provided electronically (i.e. instead of any hard copy) does it comply with the legal requirements?	No communications are electronic only. Everything is hard copy - including the basic scheme information which must be provided for new starters. However, further information is available on the website including anything sent to members being uploaded. Further, for new joiners, a hard copy statutory notice is provided directing them to the information on the website.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant	Technical (including comms) officers are aware of legal requirements if use website or electronic communications only in future	
H12	Does the Administering Authority aim to design and deliver communications in a way that ensures scheme members are able to engage with their pension provision?	Communications Strategy implemented April 2016, Member and Employer satisfaction survey issued March 2017. MSS to be implemented shortly	Ongoing (annual check)	01/03/2017	Fully completed	Fully compliant		
H13	Does the Administering Authority use a tracing service?	<p>Pensioners – if a pensioner becomes "gone away", CPF use the DWP tracing service.</p> <p>Also life certs review (last 18/11/14) including overseas pensioners is carried out every 3 -5 years. NFI mortality screening is every 2 years. Atmos also do mortality screening on monthly basis against postal records.</p> <p>Deferred and frozen refunds – no tracing service currently used. Exercise to find frozen refunds was carried out in 2013 and DWP trace to pick up outstanding ones - still some outstanding so carry this out again at some point and on ongoing regular basis.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Carry out further tracing service checks on deferred/frozen refund members in the future (perhaps every 3 to 5 years). (PAM 1/6/17)

I - Internal Dispute Resolution

Legal requirements

The Pensions Act 1995 requires scheme managers to set up and implement an Internal Dispute Resolution Procedure (IDRP) to help resolve disputes between the scheme manager and people with an interest in the scheme.

The act states that a person has an interest in the scheme if they:

- are a member or beneficiary
- are a prospective member
- have ceased to be a member, beneficiary or prospective member
- claim to be any of the above and the dispute relates to this claim.

The Act also states that the procedure must include:

- how an application is to be made
- what must be included in an application
- how decisions are to be reached and notified
- a specified period (which is reasonable) within which applications must be made.

The procedure 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. This decision may then be confirmed or replaced by the decision taken by the scheme manager after reconsideration of the matters. However, legislation provides flexibility for scheme managers to decide the details of these.

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
I1	Has the Administering Authority put in place an internal dispute resolution procedure?	Yes – leaflet outlining procedure is available on website and in paper/leaflet form, in English and Welsh. http://www.clwydpensionfund.org.uk/en/PDF-Files/FINAL-ENGLISH-VERSION-Appeals.pdf	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
I2	Does the Administering Authority's process highlight or consider whether a dispute is exempt?	Not currently - consider updating next time (does state who it applies to).	Ongoing (annual check)	01/06/2017	Fully completed	Non-compliant		Consider updating for the exempt example wording.
I3	Does the information made available to applicants about the procedure clearly state the procedure and process to apply for a dispute to be resolved including: - who it applies to - who the specified person (stage 1) is - the timescales for making applications - who to contact with a dispute - the information that an applicant must include - the process by which decisions are reached?	Leaflet outlining IDRP procedure includes this information. Stage 1 person not named in the leaflet but that they are appointed by CPF and the member is informed of the specified person at that point. Requirement for 6 months after the written notification disagreed with or the act or omission that is the cause of the disagreement, but it mentions that specified person has discretion to allow more time. IDRP leaflet sets out who to send forms to for stage 1, then the process is explained i.e. timescales stage 2 and TPAS/Ombudsman	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
I4	Has the Administering Authority ensured that employers who make first stage decisions also have IDRP in place?	CPF carries out this process for the employer and they write to employer to say that person is appointed and do they want to proceed. They also notify a scheme member of this person is when an appeal is received.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		- Consider including within the SLA to ensure this is highlighted to employers. - Consider updating brief guide to scheme to make this clearer.
I5	Are the timescales in the procedure adhered to including sending an acknowledgment on receipt of an application?	Acknowledgements are issued within 5 days and responses are supposed to be sent within the 2 month deadline. The timescales are not currently monitored as CPF don't always hear about them in time. Spreadsheet set up for those known and to monitor.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
16	Does the Administering Authority notify and advertise the procedure appropriately?	<p>Leaflet included on the website (which is where joining information also is). New joiner booklets include details of IDR, TPAS and the Ombudsman - note this is not currently in the Councillors booklet.</p> <p>Not all notification of benefit letters currently includes this. Statutory notice letters refer members to the booklet which includes the information. It is mentioned in retirement letters and notification of death benefits letters (evidenced), does not appear to be included in CETV payment notice letter or interfund adjustment confirmation letter (or estimate of CETV - though this does refer members to the website/booklet related to a different point).</p> <p>Not considered particularly appropriate to include in administration or communications strategy.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Generic leaflet to be set up for all BCE categories
17	Are the notification requirements in relation to TPAS and the Pensions Ombudsman being adhered to?	<p>This information is in the IDR guide which the member receives after they notify a dispute.</p> <p>Furthermore, notifications always include information about TPAS/PO in the decision letter.</p>	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
18	Does the Administering Authority regularly assess the effectiveness of its arrangements?	the number of cases and type are recorded at quarterly PFC Meetings which would assist in highlighting issues with effectiveness of the procedure. Outcomes for CPF related disputes are discussed at team leader meetings so improvements to processes made. Suggestions made to employers if outcome is that procedures on their side are flawed.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
19	Does the Administering Authority regularly assess the effectiveness where employers carry out a stage one process?	As the employers stage 1 person is as per CPF, the evidence to 18 equally applies	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		

J - Reporting breaches of the law

Legal Requirements

Certain people are required to report breaches of the law to the regulator where they have reasonable cause to believe that:

- a legal duty which is relevant to the administration of the scheme has not been, or is not being, complied with
- the failure to comply is likely to be of material significance to the regulator in the exercise of any of its functions.

People who are subject to the reporting requirement ('reporters') for public service pension schemes are:

- scheme managers
- members of pension boards
- any person who is otherwise involved in the administration of a public service pension scheme
- employers: in the case of a multi-employer scheme, any participating employer who becomes aware of a breach should consider their statutory duty to report, regardless of whether the breach relates to, or affects, members who are its employees or those of other employers
- professional advisers including auditors, actuaries, legal advisers and fund managers: not all public service pension schemes are subject to the same legal requirements to appoint professional advisers, but nonetheless the regulator expects that all schemes will have professional advisers, either resulting from other legal requirements or simply as a matter of practice
- any person who is otherwise involved in advising the managers of the scheme in relation to the scheme.

The report must be made in writing as soon as reasonably practicable.

No.	TPR Requirement	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
J1	Is the Administering Authority satisfied that those responsible for reporting reaches under the legal requirements and TPR guidance understand the requirements?	Reporting Breaches procedure put in place and approved at PFC in November 2015. This was shared with PB as part of the papers and also with officers and employers since then. It was part of a training session with PFC, PB and officers in December 2015. It still has to be circulated to advisers, but they would be expected to be aware of these requirements anyway.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
J2	Does the Administering Authority have appropriate procedures in place to meet their legal obligations for identifying and assessing breaches?	See J1.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
J3	Are breaches being recorded in accordance with the agreed procedures?	Updated 1/6/17 - A process for capturing and recording breaches has been developed. They are reported to each PFC.	Ongoing (annual check)	01/06/2017	Fully completed	Partially compliant		Updated 1/6/17 - Work being undertaken to tighten the identification of breaches and ensure more regularly considered (PFM - AH). Update 12/9/17 - Monthly request for breaches information sent to PPOs. Register updated as requested. PFM (DAF) to be added to the monthly emails re Finance Team.

K - Scheme Advisory Board - Guidance on the creation and operation of Local Pension Boards in England and Wales

Legal Requirements

Clause 7 of the Public Service Pensions Act provides that the national Scheme Advisory Board (SAB) may provide advice to scheme managers or pension boards in relation to the effective and efficient administration and management of the scheme.

It also provides that a person to whom advice is given by virtue of subsection (1) or (2) must have regard to the advice.

The Scheme Advisory Board has published guidance on the creation and operation of Local Pension Boards in England and Wales which incorporates a number of action point check lists at the end of some of the sections. The following are the items in those checklists.

No.	SAB Requirement	SAB Section	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
K1	Administering Authority to have approved the establishment (including Terms of Reference) of the Local Pension Board by 1 April 2015.	5	Completed - approved by PC on 3rd March 2015 and adopted by PB on first meeting July 2015	One off - no further review necessary.	01/06/2017	Fully completed	Fully compliant		
K2	The Local Pension Board must be operational (i.e. had its first meeting no later than 4 months after the 1 April 2015).	5	First meeting 27 July 2015	One off - no further review necessary.	01/06/2017	Fully completed	Fully compliant		
K3	Once established a Local Pension Board should adopt a knowledge and understanding policy and framework (possibly in conjunction with the Pensions Committee if appropriate).	6	Training Policy approved by PFC in March 2015. Was part of agenda of first meeting on 27/7/15 and it is then reviewed annually. Updated version approved at PFC November 2015 and being adopted at PB in March 2016.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
K4	A Local Pension Board should designate a person to take responsibility for ensuring that the knowledge and understanding policy and framework is developed and implemented.	6	Designated as Chief Officer, People and Resources within Training Policy	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
K5	The Administering Authority should offer access to high quality induction training and provide relevant ongoing training to the appointed members of the Local Pension Board.	6	Training plan in place including induction training for all board members.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
K6	A Local Pension Board should prepare (and keep updated) a list of the core documents recording policy about the administration of the Fund and make the list and documents (as well as the rules of the LGPS) accessible to its members.	6	Part of Training Policy. Documents part of induction pack and most are available via the Fund website.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
K7	Members of a Local Pension Board should undertake a personal training needs analysis and put in place a personalised training plan.	6	Training Needs Analysis has been deferred due to other priorities.	Ongoing (annual check)	01/06/2017	Fully completed	Non-compliant		Training Needs Analysis outstanding (CPFM) Update 12/9/17 - To be undertaken by PB Chair

No.	SAB Requirement	SAB Section	Clwyd Pension Fund Approach / Evidence	Frequency of Review	Last Review Date	Check Completed	Compliant	Notes	Action
K8	An Administering Authority should prepare a code of conduct and a conflicts policy for its Local Pension Board for approval in accordance with the Administering Authority's constitution and at the first meeting of the Local Pension Board. The Local Pension Board should keep these under regular review.	7	Code of conduct is part of PB Terms of Reference (Protocol). Conflicts of Interest Policy approved by PC in March 2015 and adopted at first PB meeting in July 2015.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
K9	Training should be arranged for officers and members of a Local Pension Board on conduct and conflicts.	7	Included in first PB meeting and part of induction training.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
K10	A Local Pension Board should establish and maintain a register of interests for its members.	7	Declarations completed by all members at first meeting (July 2015) and now part of ongoing register of interests which is refreshed annually.	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
K11	An Administering Authority should agree the ongoing reporting arrangements between the Local Pension Board and the Administering Authority.	8	Outlined in PB Terms of Reference (Protocol)	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
K12	A Local Pension Board should understand the Administering Authority's requirements, controls and policies for FOIA compliance so that the Local Pension Board is aware of them and can comply with them.	8	The PB Terms of Reference (Protocol) require compliance with the Council's policy but this has not yet been shared with PB members.	Ongoing (annual check)	01/06/2017	Fully completed	Non-compliant		Share FOI information with PB members and include session as part of training (due July 2017). CPFM 1/6/17
K13	A Local Pension Board should put in place arrangements to meet the duty of its members to report breaches of law.	8	Breaches procedure in place (approved at PFC November 2015). PC and PB and officer training on Code of Practice including breaches in October 2015	Ongoing (annual check)	01/06/2017	Fully completed	Fully compliant		
K14	A Local Pension Board should consider (with its Administering Authority) the need to publish an annual report of its activities.	8	A requirement to publish an annual report is included in PB Terms of Reference (Protocol). The first report was in relation to 2015/16 and included in annual report and accounts for that year	Annual	01/06/2017	Fully completed	Fully compliant		
K15	An Administering Authority should consult on, revise and publish its governance compliance statement to include details of the terms, structure and operational procedures relating to its Local Pension Board.	8	Updated and approved by PFC in May 2015 and included in 2015 annual report and accounts.	Annual	01/06/2017	Fully completed	Fully compliant		