

WILTSHIRE COUNCIL

WILTSHIRE PENSION FUND LOCAL PENSION BOARD
21 May 2020

PENSION FUND – TPR CODE OF PRACTICE 14 REVIEW

revealed

Purpose of the Report

1. This report updates the Board on the findings of an internal review of the Wiltshire Pension Fund's compliance with the Pension Regulator's Code of Practice 14 for the Fund year 2019-20;

Background

2. For the 2018-19 year the review was undertaken in two stages. Firstly, a self-assessment by officers covering the Fund's adequacy against its compliance with the Pension Regulator's Code of Practice 14, in relation to the areas of internal controls, governance, administration & resolving issues based on an independent questionnaire originally provided by Aon Consulting. Secondly, by independent internal audit conducted by SWAP to provide assurance that the self-assessment completed by officers was sufficiently robust and reliable in its execution.
3. The 2018-19 self-assessment an overall improvement in the Fund's compliance with the Code of Practice, identifying a reduction in the number of risks requiring improvement from 2017-18, from 16 to 10. The independent internal audit submitted to the Board in August 2019 recorded a "reasonable assurance", with the caveat that as part of any future self-assessment process random sample testing should be undertaken to ensure that the information provided by the Fund's Management team was correct.
4. Two key changes have been made to the officer's self-assessment for 2019-20. These were;
 - a) The period of assessment has been altered from 1st July to 30th June, to 1st July to 31st March each year to bring the self-assessment into line with the scheme year & thus enhance comparability with other Fund reporting; &
 - b) The implementation of random sample testing whereby the Governance Manager has scoped the testing selecting 10% of the responses provided & conducting a separate evidence-based review of the responses. Only green responses were selected.
5. As a result of SWAPs recommendation, the "Consideration for the Board" section below has been split into two parts. Firstly, a summary of the self-assessment for 2019-20 & secondly a summary detailing the sample testing which has been undertaken.

Considerations for the Board

Self-assessment analysis

6. The questionnaire posed 83 questions covering all areas of the Fund's internal controls & the answers to most of the areas reviewed were that the Fund was found to be adequately controlled and being well managed. Overall an improvement was observed from 10 areas identified as requiring improvement in 2018-19 to 8 areas in 2019-20.

7. Of the 10 areas identified as requiring improvement in 2018-19, 2 had shown improvement moving to a well-managed green risk status, most notably reflected in the understanding of tPR breach reporting & its management. This left 7 risks where no significant progress had been made, plus 1 risk where a marginal improvement had occurred improving from a red to an amber risk rating. All 8 amber risks identified are set out below. Officers will continue to implement their action plan to address the risks failing to reach the adequate standard.

Ongoing Risks identified		
Risk No.	Description of the risk	Remedy date
B12	Board members completion of the Pension Regulator's toolkit for training	October '20
E7	A review of internal controls is required to ensure all Fund procedures are up to date	December '20
F1	Do member records record the information required as defined in the Regulations and are they accurate	Rolling programme
F2	Ensuring that Employers provide timely & accurate information	July '20
F10	Setting in place procedures to reconcile Fund & Employer records	December '20
H3	Has a benefit statement been provided to all active, deferred and pension credit members who have requested one within the required timescales	October '20
H7	Are Employers issuing new Scheme members will all the essential basic Scheme information	December '20
H9	Is all information to members provided within the required legal timescales	December '20

Independent Sample Testing

8. Guidelines in connection with samples tested was not part of the recommendation made by SWAP. Officers have therefore sought to independently evidence the responses made, by selecting a cross section of categories with green responses & then detailing the evidence supporting that response.

Sample Risks reviewed			
Risk No.	Description of risk	Response	Evidence
A3	Was the Scheme Return completed on time	2018-19 Scheme Return submitted on 15th November 2019.	A copy of the Return can be found on TPR Exchange
B8	Are Board members investing sufficient time in learning & development	Training records are published as part of the Board's Annual Report	Although content is published, a CIPFA recommendation of duration isn't.
B11	Are training records being actively maintained	A training log is maintained by the Governance Manager	The training log is circulated annually to members to verify its accuracy
C10	Is the Board membership in line with legal requirements	Yes, there are 3 member & 3 employer reps. with an independent non-voting chairman.	An actual number isn't specified, only that the voting membership is even

F11	Are member data process compliant with GDPR	Staff GDPR training is annual. In 2018 data protection procedures were written & in Q1 2020 a system access & security review was completed	Current Fund compliance relies heavily on the Council & 3 rd party security processes. During 2020 officers will implement Fund level processes.
H5	Have ABS AVC statements been provided within the required timescales	All AVC statements with the exception of Equitable Life (EQ) were issued on time. EQ were issued late due to the Utmost takeover	Issuance is within 12 months of the end of the relevant Scheme year. The statutory deadline was achieved, just not the Fund's own standards
H12	Does the Fund's Communications strategy ensure delivery of pension provision to its members	A new Communication strategy was approved in December 2019, incorporating the Fund's intention of operating on a more digital platform	Whilst the Communication strategy ensures the vision, the delivery is not currently evidenced. Statistics to evidence delivery are being developed
17	Are notification requirements in relation to TPAS & the Ombudsman adhered to	Notification of the requirements appear on the Fund's website	Notifications can be found under "Understanding pensions", "Useful links" on the Fund's website.

Conclusions

Self-assessment analysis

9. As minuted in the Board minutes in February 2020 new members should seek to complete TPR toolkit training within 6 months of taking their seat on the Board (B12).
10. Fulfilling the Fund's standard business & change management commitments in accordance with its business plan continues to place a strain on officer resources to update & maintain the Fund's procedures (E7 & H7).
11. It is envisaged that the implementation of new software, notably i-Connect, should address the Fund's core issues of non-compliance in relation to F1, F2 & F10, which in turn will also have a direct impact on H3 & H9. In short, this means that if the Fund can ensure the receipt of good quality data from its employers on a timely basis the Fund's disclosure of information to its members will be significantly enhanced.

Independent Sample Testing

12. Whilst the sample testing evidence identified a degree of divergence between the responses provided & the independent evidence acquired, officers are satisfied that the level of divergence is not material & that the process by which sample testing is undertaken is appropriate.

In particular, the sample testing noted that only in risks B8, F11 & H12 was sufficient evidence lacking to support the response. Action to remedy the required level of evidence in all cases has been taken.

Environmental Impact

13. There is no environmental impact from this report.

Financial Considerations

14. There are no immediate financial considerations resulting from the reporting of the Fund's compliance with tPR Code of Practice 14.

Risk Assessment

15. Any risks reflected in this report shall be reflected in the Risk Register.

Legal Implications

16. There are no immediate legal implications arising from this report.

Safeguarding Considerations/Public Health Implications/Equalities Impact

17. There are no implications at this time.

Proposals

18. The Board is asked to note the internal, self-assessment undertaken.

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