

Pensions Weekly Update – 7 August 2024

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Here is our weekly summary of key legal and regulatory developments relevant to occupational pension schemes that you might have missed, with links for further information.

- The Pensions Regulator (TPR) has published its [report on market oversight: review of trustee compliance with environmental, social and governance \(ESG\) duties](#). TPR undertook three types of review. First, it checked how many trustees had provided a weblink to their statement of investment principles (SIP) and implementation statements. Second, it used “machine-reading” of a sample of SIPs and implementation statements to identify ESG-related content and assess whether the sample documents contained certain key words that were indicative of the ESG related content required to be disclosed. Third, it undertook a more detailed review of the SIPs and implementation statements provided by around 50 schemes. The headline outcome was that “while the vast majority of trustees are meeting their ESG-related disclosure requirements, our deeper analysis shows many are only delivering minimum compliance.” Despite this, the review does note that 99% of schemes included a valid link to their ESG documents in their scheme return and that larger schemes in particular, are going above and beyond the bare minimum. The review contains tips and TPR’s expectations for trustees.
- [The Pension Scams Industry Group \(PSIG\) website](#) links to a blog that Margaret Snowden wrote for FT Adviser. This follows a [consultation](#) on the future of the PSIG, which closed on 31 July 2024. The blog discusses the flaws in the [2021 transfer conditions regulations](#), the knock-on effect of which is that it is impractical for the PSIG to update its own code. As Margaret Snowden notes, the PSIG’s code can hardly tell trustees to ignore the law and regulation.
- The Local Government Pension Scheme (LGPS) has published the first version of its [dashboards connection guide](#), to help administering authorities with their compliance duties. The guide addresses issues that are unique to the LGPS and provides links to other resources. An [additional voluntary contribution guide](#) has also been published, to help establish common approaches on the preparation and presentation of additional voluntary contribution view data.
- The Pensions Ombudsman (TPO) has published its [2024/2025 Corporate Plan](#), which outlines key priorities and areas of work for the year ahead. A key focus is TPO’s “root and branch” operating model review, which explores options for improving the customer experience and waiting times, against the backdrop of an increased demand for TPO’s services and an increasingly complex workload. TPO also aims to secure ministerial approval for the long-term funding of the Pensions Dishonesty Unit (which is currently funded until March 2025).
- It’s nearly time for the 2024 scheme return to be completed by all eligible DC schemes. Look out for the scheme return notice, which TPR says will be issued between August and November 2024, as a single email with a link to Exchange.

- Is £1 million enough? In this [pensions blog post](#), we take a look at the additional contribution notice tests, the two criminal offences of “avoidance of employer debt” and “conduct risking accrued scheme benefits”, and TPR’s section 88A powers to issue financial penalties of up to £1 million. We review whether TPR has had cause to use these powers, which were introduced by the Pension Schemes Act 2021.
- In this [employment law blog post](#), Will Saunders answers two of the questions received via the chat facility during a recent webinar on grievances in the workplace.

If you would like specific advice on any of these issues or anything else, please contact a member of our [Pensions team](#).