

The Pensions Brief

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Issues affecting all schemes

Pensions dashboards – staging timetable delay

The government has [announced](#) that the staging timetable for connection to the pensions dashboards ecosystem will be delayed. The government has said it will legislate to amend the staging timetable as soon as possible, but it has not indicated when the revised timetable might begin. No other changes are being made to the requirements to which schemes will be subject under the dashboards legislation. For more information, please see our [legal update](#).

Action

Trustees and administrators should continue with their dashboards preparation while awaiting further announcements from the government on the revised staging timetable.

ESG and climate change – reporting compliance

The Pensions Regulator has launched a [campaign](#) to ensure that trustees are meeting their ESG and climate change reporting obligations. As part of the campaign, the Regulator will launch a regulatory initiative in the spring to check whether schemes with 100+ members have published their statement of investment principles (SIP) and implementation statement on a publicly available website. A review of a cross-section of SIPs and implementation statements will follow in the summer. The outcome of this review will be shared with the industry to highlight good practice. The Regulator will also issue a statement on “Taskforce for Climate-Related Financial Disclosures” reports this spring. For more information, please see our [legal update](#).

Action

Trustees should ensure that they have published their scheme’s SIP and most recent implementation statement on a website that is accessible free of charge by the general public.

Transfers – reporting suspicious activity

The Financial Conduct Authority (FCA) has published a [webpage](#) asking schemes and trustees to report any serious concerns that they have identified about a transfer including:

- Individuals who provide unauthorised advice on transfers.
- Increases in the volume of transfers advised by the same adviser.
- If a member has requested a transfer following a cold call or unsolicited contact.
- If the member has been offered an incentive to make a transfer.
- If the receiving scheme has high risk or unregulated investments.
- If the receiving scheme’s charges are unclear or high.
- If the receiving scheme’s investment structure is unclear, complex or unorthodox.
- Potential scam activity.

The page sets out how reports can be made and, for the first two items above, a list of helpful things to consider when making a report.

Action

Trustees and administrators should ensure that they report transfers to the FCA where relevant.

Automatic enrolment – extension of regime

The private member's bill extending the automatic enrolment regime has been withdrawn. The bill would have:

- Extended the regime to all jobholders aged 18+.
- Removed the lower qualifying earnings limit.

A new private member's bill has been laid before Parliament which would give the government the power to make regulations:

- Reducing the age at which jobholders become eligible for automatic enrolment.
- Reducing or removing the lower qualifying earnings limit.

This new bill has the government's support and is therefore likely to be enacted.

Action

Employers and trustees of schemes that are being used for automatic enrolment should keep the new bill's progress through Parliament under review.

Social factors – industry taskforce

Following the government's July 2022 response to its call for evidence on the consideration of social factors by trustees, a Taskforce on Social Factors has been launched. Including representatives from across the industry, the Taskforce's key objectives are to:

- Identify reliable data sources and other resources which trustees can use to identify, assess and manage financially material social risks and opportunities.
- Monitor and report on developments relating to the International Sustainability Standards Board and other international standards.
- Develop thinking around how trustees can identify, assess and manage the financial risks posed by modern slavery and supply chain issues.

Action

No action required.

Issues affecting DB schemes

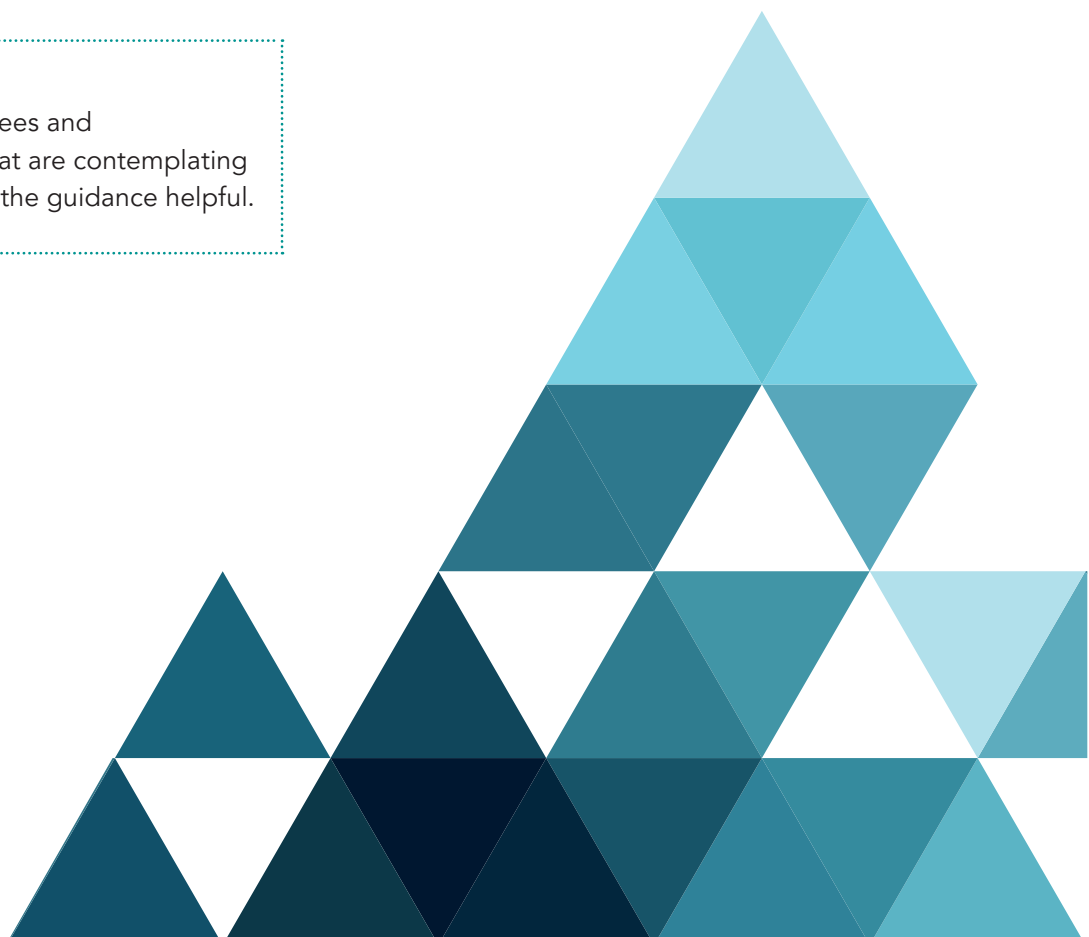
Buy-ins and buy-outs – data readiness

The Pensions Administration Standards Association has published [guidance](#) on data readiness for a buy-in or buy-out. The guidance aims to support trustees and administrators in preparing for an buy-in/buy-out transaction and covers:

- The consequences of holding incomplete and poor quality data.
- The key data items which should be held for all members.
- The actions trustees can take in advance of buy-in/buy-out to demonstrate good governance.
- Quick wins.
- Other important data-related considerations.

Action

No action required, but trustees and administrators of schemes that are contemplating a buy-in or buy-out may find the guidance helpful.



Mayer Brown news

Upcoming events

For more information or to book a place, please contact [Katherine Carter](#).

- **Trustee Foundation Course**
 - 8 March 2023
 - 7 June 2023
 - 6 September 2023
 - 6 December 2023
- **Trustee Building Blocks Classes**
 - 17 May 2023 – DC governance
 - 8 November 2023 – Pensions dashboards
- **Quarterly webinars**
- 29 March 2023 – [The Pensions Regulator’s single code of practice – who, what, when?](#)
- 28 June 2023 – topic TBC
- 27 September 2023 – topic TBC
- 13 December 2023 – topic TBC

Mayer Brown media comment

- [Duncan Watson](#), [Henry Corrigan](#) and [Katherine Carter](#) wrote an [article](#) for Lexis®PSL on the government’s response to its consultation on broadening DC investment opportunities.

Pro bono and CSR

- Each year, Mayer Brown selects charities to partner with. We are currently supporting Weavers Adventure Playground, a local charity based in Bethnal Green, which provides a supervised adventure playground and other play areas for children of various ages, as well as operating a food bank. Senior Associate [Liam Kellett](#) is one of our “office champions” for Weavers and is responsible for organising fundraising activities and other support for the charity. He also volunteers with other colleagues at the Playground. In February, Liam became aware of office chairs, bookshelves and drawers that were no longer needed by a local business and arranged for these to be couriered to the Playground for use by the team. Counsel [Esther White](#) has also donated craft materials to the Playground which have been gratefully received.

Mayer Brown legal updates

- [ESG and climate change – new Pensions Regulator campaign](#)
- [Pensions dashboards – staging timetable delay announced](#)

Our legal updates from the last three months are available [here](#).

Please speak to your usual contact in the Pensions Group if you have any questions on any of the issues in this Brief.

For more information about the Pensions Group, please contact:



Ian Wright

Co-Head of Pensions, London
E: iwright@mayerbrown.com
T: +44 20 3130 3417



Jay Doraisamy

Co-Head of Pensions, London
E: jdoraisamy@mayerbrown.com
T: +44 20 3130 3031



Andrew Block

Partner, Pensions, London
E: ablock@mayerbrown.com
T: +44 20 3130 3366

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